

Reminder: Annual holiday closure – Direction to take annual leave

Members are reminded of their modern award obligations where they intend to have a temporary shutdown of all, or a section of their business over the Christmas and/or New Year period.

The Vehicle Repair, Services and Retail Award 2020 (VRSR Award) and Clerks - Private Sector Award 2020 (Clerks Award) requires employers to ensure that all employees affected by a reasonable temporary shutdown decision to receive **not less than 28 days' (i.e., four weeks') written notice** of the shutdown, including the duration of the closure. This notice period may be reduced by agreement between the employer and the majority of relevant employees.

Members will recall that from 1 May 2023, where an employee has insufficient accrual of annual leave, both the VRSR Award and Clerks Award allow for payment of total accrued annual leave as at the commencement of the temporary shutdown, and for an **employer and an employee to agree in writing** for the employee to take leave without pay for the balance of the temporary shutdown period. Employers should ensure that they keep a copy of the agreement, which may be recorded, for example, through an exchange of emails or text messages.

For the convenience of members, the table below summarises the Christmas/New Year close-down dates for the purpose of granting annual leave, including the public holidays (Christmas Day, Boxing Day and New Year's Day).

<u>Last working day:</u>	<u>28 days' written notification provided to employees by:</u>	<u>Two-week close down</u> <i>(Includes 3 public holidays)</i> Re-open morning of	<u>Three-week close down</u> <i>(Includes 3 public holidays)</i> Re-open morning of	<u>Four-week close down</u> <i>(Includes 3 public holidays)</i> Re-open morning of
Wednesday 20 December 2023	22/11/2023	4/1/2024	11/1/2024	18/1/2024
Thursday 21 December 2023	23/11/2023	5/1/2024	12/1/2024	19/1/2024
Friday 22 December 2023	24/11/2023	8/1/2024	15/1/2024	22/1/2024

Members seeking further information are encouraged to contact VACC's Workplace Relations team on 03 9829 1123 or ir@vacc.com.au

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