

Bulletin

Tasmanian Automotive Chamber of Commerce



Reference No. Christmas closure and trading arrangements/dh-12-22

Date: 09/12/2022

TACC Christmas Closure and Trading Arrangements

This year, TACC will close during the Christmas/New Year period from 5pm, Friday 23 December 2022 until Friday 6 January 2023 inclusive. This is traditionally a quiet time as many members have their annual close-down at this time.

To assist the department, it would be helpful if members submitted any requests for annual and long service leave calculations prior to 23 December 2022.

Trading Arrangements

The following public holidays apply to the Christmas and New Year period under the *Vehicle Repair, Services and Retail Award 2020* (VRSR Award) and *Clerks - Private Sector Award 2020* (Clerks Award):

Tasmania

PUBLIC HOLIDAYS	IF THE NUMBER OF PERSONS EMPLOYED IN THAT BUSINESS OR THOSE BUSINESSES IN TASMANIA EXCEEDS 250 PERSONS	ALL OTHER BUSINESSES
Sunday 25 December 2022 Christmas Day	Must not be open at any time	May trade
Monday 26 December 2022 - Boxing Day	May trade	May trade
Tuesday 27 December 2022 - Additional public holiday for Christmas Day	May trade	May trade
Monday 2 January 2023 - Substitute holiday for New Year's Day	May trade	May trade

Penalty rates of pay for work performed on Public Holidays under the VRSR Award and Clerks Award apply unless the employer and employees have agreed to substitute another day for the public holiday. TACC recommends that any such agreement is recorded in writing. The penalty rates are as follows:

VRSR Award

All full time and part time employees except console operators, driveway and roadhouse attendants and vehicle salespersons	250 percent of the minimum hourly rate, with a minimum payment of 4 hours
All casual employees, except console operators, driveway, roadhouse attendants and vehicle salespersons	275 percent of the minimum hourly rate, with a minimum payment of 2 hours
Full time and part time console operators, driveway and roadhouse attendants employed on a full-time basis (i.e., weekly hired):	200 percent of the minimum hourly rate, with a minimum payment of 3 hours
Casual console operators, driveway, and roadhouse attendants:	Flat rate applicable to Saturday, Sunday and public holidays is payable, with a minimum payment of 2 hours
Vehicle Salespeople – full time and part time	Double time and a half*
Casual Vehicle Salespeople	275 percent of the minimum hourly rate of pay, with a minimum payment of 2 hours

* **Double time and a half for full time and part time salespersons** means:

- If more than half a day is worked, half of the salesperson's minimum weekly rate of pay prescribed under the Award - e.g., \$940.90 divided by two, which equates to **\$470.45 for the public holiday worked**.
- If half a day or less is worked, one quarter of the salesperson's minimum weekly rate of pay prescribed under the Award - e.g., \$940.90 divided by four, which equates to **\$235.23 for the public holiday worked** (rounded to the nearest cent).

The relevant amount provided above is in addition to the appropriate minimum hourly rate paid to employees for hours worked during the remainder of the week.

For example, a vehicle salesperson employed on a 38-hour week at a minimum hourly rate of \$24.76 per hour (i.e., \$940.90 per week), would be entitled to 30.4 hours @ \$24.76 (i.e., \$752.70) plus either \$470.45 or \$235.23, depending on the number of hours worked on the public holiday (i.e., more than half a day or less than half a day is worked).

Clerks Award

Employees (other than shift workers) are entitled to 250 percent of the minimum hourly rate for ordinary hours worked on a public holiday, with a minimum payment of 4 hours' pay.

Members seeking further information are encouraged to contact the Workplace Relations team on 03 9829 1123.

Daniel Hodges
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Industrial Relations | OHSE