

Public Holidays

Working on public holidays

Employees must get paid at least their base pay rate for all hours worked on a public holiday.

Awards, enterprise agreements and other registered agreements can provide additional entitlements for working public holidays, including:

- Extra pay (e.g. public holiday rates)
- An extra day off or extra annual leave
- Minimum shift lengths on public holidays
- Agreeing to substitute a public holiday for another day.

Requesting and refusing to work on public holidays

You don't have to work on a public holiday.

However, we can ask you to work on a public holiday, if the request is reasonable. You may refuse a request to work if you have reasonable grounds.

The following need to be taken into account when deciding if a request is reasonable:

- Your personal circumstances, (e.g. family responsibilities)
- Whether you will get more pay (e.g. penalty rates)
- The needs of the workplace
- The type of work you do
- Whether your salary includes work on a public holiday
- Whether you are full-time, part-time, casual or a shift worker
- How much notice you were given about working
- The amount of notice you gave that you refuse to work.

When requesting that you work on a public holiday, we must consider all relevant circumstances, including the ones listed above.

Entitlements for not working a public holiday

Full-time and part-time employees who would normally work on the day a public holiday falls should be paid their base rate of pay for the ordinary hours they would have worked.

Casual employees don't get paid for public holidays, unless they actually work on the day.

You can't change an employee's roster to avoid paying them for a public holiday.

Public holidays during paid leave

If you are on annual leave or personal leave when a public holiday falls, the day is treated as a public holiday, not as a paid leave day.

This means you should be paid the base rate of pay for the day, and the day should not be taken off your annual leave or personal leave balance.