

# NSW PUBLIC HOLIDAYS

All employees who agree to work on a public holiday shall be paid various penalty rates set out in the table below. Please read the explanatory notes carefully.

| PUBLIC HOLIDAY                               | DATE                        | ORDINARY RATE                  | PENALTY RATE                           | TOTAL               |
|--|-----------------------------|--------------------------------|--|---------------------|
| <b>2020</b>                                  |                             |                                |  |                     |
| New Year's Day                               | WED<br>1 <sup>st</sup> JAN  | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| Australia Day<br>(Additional Public Holiday) | MON<br>27 <sup>th</sup> JAN | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| Good Friday                                  | FRI<br>10 <sup>th</sup> APR | Ordinary Time<br>Ordinary Time | T+½ - First 4 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| Easter Saturday                              | SAT<br>11 <sup>th</sup> APR | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| Easter Sunday                                | SUN<br>12 <sup>th</sup> APR | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| Easter Monday                                | MON<br>13 <sup>th</sup> APR | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| ANZAC Day                                    | SAT<br>25 <sup>th</sup> APR | Ordinary Time                  | DT - All Hours Worked                  | Triple Time         |
| Queen's Birthday                             | MON<br>8 <sup>th</sup> JUN  | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| Labour Day                                   | MON<br>5 <sup>th</sup> OCT  | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |
| Christmas Day                                | FRI<br>25 <sup>th</sup> DEC | Ordinary Time                  | DT - All Hours Worked                  | Triple Time         |
| Boxing Day                                   | SAT<br>26 <sup>th</sup> DEC | Ordinary Time<br>Ordinary Time | T+½ - First 2 hours<br>DT - Thereafter | DT+½<br>Triple Time |

**KEY:** DT - Double Time, T+½ - Time and one half, DT+½ - Double Time and one half

## EXPLANATORY NOTES

**A full-time/part time employee** is entitled to have the day off, on a public holiday, with payment on the basis of the ordinary daily rate the person would have received had they worked their ordinary rostered hours but for the public holiday.

**A full-time/part time employee working on a public holiday**, where it is one of their normal working days (part of their ordinary working time and not overtime), they would be paid their ordinary rate for the day plus the penalty rate in the table above on top, giving the total in the TOTAL column. If the person works overtime on a public holiday they only get the penalty rate for the overtime hours as per the PENALTY RATE column.

**A casual employee working on a public holiday** would only receive the penalty rate and not the ordinary rate for each hour worked in addition, so they only receive the penalty rate as in the PENALTY RATE column plus 25% casual loading (based on the ordinary hourly rate) – Note: casual loading does not apply on weekends or overtime.

For example, a casual Level 7 Butcher working on a public holiday will be paid, **time and a half for the first 2 hours** at \$38.57 per hour – which is \$33.06 (time and a half rate) + \$5.51 (25% casual loading on the ordinary hourly rate) per hour. Then **double time thereafter** at \$49.59 per hour – which is \$44.08 (double time rate) + \$5.51 (25% casual loading on the ordinary hourly rate) per hour.

By agreement between the employer and employee, in lieu of paying these rates, the employer may pay the employee at ordinary rates of pay, for ordinary time worked, provided that the employee is granted an alternative day off in lieu, within 28 days of the public holiday occurring.

## EXAMPLE

**A full-time retail butcher is usually employed to work their 38 ordinary hours Tuesday to Saturday.** If a public holiday then falls on a Monday the butcher is not entitled to any pay on the public holiday as he does not normally work that day (but would be paid public holiday penalty rates if they choose to work on the public holiday). For the same butcher, if the public holiday falls on the Saturday and the butcher does not work on that Saturday because it is a public holiday, then they would still be paid for their usual ordinary hours (but would not be paid for any overtime they would normally work on that day).

**NOTE: Under the National Employment Standards, gazetted Regional Public Holidays are also to be observed. These are available at: <https://www.australia.gov.au/about-australia/special-dates-and-events/public-holidays>**