



# SADA IR UPDATE



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## EMPLOYMENT ENTITLEMENTS DURING NATURAL DISASTERS AND EMERGENCIES

The Fair Work Ombudsman has provided details for what Employers may consider if they need to temporarily close their workplace due to a natural disaster or emergency, and how employees can access entitlements if they are eligible. The attached fact sheet may assist

<https://www.fairwork.gov.au/sites/default/files/migration/551/Employment-entitlements-during-natural-disasters-and-emergencies.pdf>

When employees do not have entitlements (usually casual employees) the fact sheet may also assist.

## CHRISTMAS PUBLIC HOLIDAYS

Christmas Eve and New Year's Eve are part Public Holidays from 7:00pm to midnight on both evenings when the Public Holiday rate will apply. As Christmas Day and New Year's Day fall on a Sunday, the usual Sunday rate will apply, but Public Holiday rates will apply for work performed on Monday 26<sup>th</sup> December 2022 and Monday 2<sup>nd</sup> January 2023. Proclamation Day will be observed as a Public Holiday on Tuesday 27<sup>th</sup> December 2022. An overview is as follows;

Day	Date	
Christmas Eve	Saturday 24-12-22	7pm to midnight
Christmas Day	Monday 26 <sup>th</sup> December 2022	All day
Proclamation Day	Tuesday 27 <sup>th</sup> December 2022	All day
New Year's Eve	Saturday 31 <sup>st</sup> December 2022	7pm to midnight
New Year's Day	Monday 2 <sup>nd</sup> January 2023	All day

Full time employees NOT required to work on the above days, are to be paid ordinary time for the hours that they would otherwise have worked. Employees who are required to work on a public holiday will be paid double time.

## Part Time Employees (not casual employees) and Public Holidays

Part time employees are ONLY eligible for payment for not working on a Public Holiday only if their usual working day would have fallen on the days that the Public Holidays fall and only for the hours that they would have worked.

## Award

The Award allows some flexibility in Clause 25 which in part states;

- (a) An employer and employee may agree to substitute another day for a day that would otherwise be a public holiday.
- (b) An employer and employee may agree to substitute another part-day for a part-day that would otherwise be a part-day public holiday under the NES.

If you have any queries, please don't hesitate to contact the SADA Office on 8293 2399 or email [sada@sada.asn.au](mailto:sada@sada.asn.au)

**SADA members are entitled** to contact MERS for a free half hour consultation, per member per year.



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