



Australian Hotels Association  
WESTERN AUSTRALIA

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## 2019/2020 CHRISTMAS AND NEW YEAR EMPLOYEE ENTITLEMENTS

Please find below information regarding staff entitlements for the 2019/2020 Christmas and New Year Public Holidays.

### **PUBLIC HOLIDAYS: WAGES AND ENTITLEMENTS**

The Public Holidays for the upcoming Christmas and New Year period are:

- Wednesday, 25 December 2019 – Christmas Day
- Thursday, 26 December 2019 – Boxing Day
- Wednesday, 1 January 2020 – New Year's Day

For all of the above Public Holidays, the following table sets out employee entitlements under the ***Hospitality Industry (General) Award 2010*** only. You should also check your employees' employment contracts to ensure they do not prescribe a more generous entitlement than those set out in the award.

	EMPLOYEE WORKS THE PUBLIC HOLIDAY	EMPLOYEE DOES NOT WORK THE PUBLIC HOLIDAY
<b>Casual</b>	Employee paid 250% penalty rate Minimum payment – 2 hours	No entitlement to payment.
<b>Full-time (wages)</b>	Employee paid 225% penalty rate; or By agreement in writing, paid ordinary rate for the day plus 25% additional loading (125%) provided that: <ol style="list-style-type: none"> <li>Equivalent time is added to annual leave; or</li> <li>A substitute day off is provided to the employee during the week in which the public holiday falls.</li> </ol> Minimum payment – 4 hours	If the employee would have had ordinary hours that day, they must receive payment at their base rate of pay. However, where the day falls on their rostered RDO they must receive either: <ol style="list-style-type: none"> <li>1. An extra day's pay; or</li> <li>2. Be provided with an alternative day off within 28 days; or</li> <li>3. Be provided with an additional day's annual leave.</li> </ol>
<b>Part-time (wages)</b>	Employee paid 225% penalty rate; or By agreement in writing, paid ordinary rate for the day plus 25% additional loading (125%) provided that: <ol style="list-style-type: none"> <li>Equivalent time is added to annual leave; or</li> <li>A substitute day off is provided to the employee during the week in which the public holiday falls.</li> </ol> Minimum payment – 4 hours	Where the day is part of the employee's ordinary hours, they receive payment at their base rate of pay. No further entitlement if employee's RDO falls on a public holiday.

<b>Full-time salary</b>  <b>NB: NOT</b> <b>Managerial</b> <b>absorbed</b> <b>salary</b>	<p>Where the day is part of the employee's ordinary hours, they receive payment at their base rate of pay.</p> <p>Paid time off of equal length to the time worked on the public holiday or the equal time worked to be added to the employee's annual leave entitlement.</p>	<p>If the employee would have had ordinary hours that day, they must receive payment at their base rate of pay.</p> <p>However, where the day falls on their rostered RDO they must receive either:</p> <ol style="list-style-type: none"> <li>An extra day's pay; or</li> <li>Be provided with an alternative day off within 28 days; or</li> <li>Be provided with an additional day's annual leave.</li> </ol>
<b>Managerial</b> <b>absorbed</b> <b>salary</b>	<p>Employee not entitled to penalty rates.</p> <p>If an employee is required to work on a public holiday, they are entitled to paid time off that is of equal length to the time worked on the public holiday. This time off is to be taken within 28 days of accruing it.</p>	<p>Receive payment at their base rate of pay.</p> <p>No further entitlement if employee's RDO falls on a public holiday.</p>

Different entitlements apply for staff covered by different awards such as the:

- *Restaurant Industry Award 2010*;
- *Hotel and Tavern Workers Award*; and
- the *Restaurant, Tearoom and Catering Workers Award*.

If you require further information or clarification on your employee entitlements please contact the AHA Workplace Relations team on (08) 9321 7701.

### Further Information

For further information or clarification regarding public holiday entitlements, please contact the Workplace Relations Team on (08) 9321 7701.

### DISCLAIMER

It should be noted that the information provided in this publication is provided as general and illustrative information only.

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