# ALTERNATIVE PUBLIC HOLIDAY POLICY

Last updated: June 2023.

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| Policy number | <<insert number>> | Version | <<insert number>> |
| Drafted by | <<insert name>> | Approved by Board on | <<insert date>> |
| Responsible person | <<insert name>> | Scheduled review date | <<insert date>> |

Please note that not all modern awards or enterprise agreements allow for the substitution of another day for a public holiday. Employers should review any applicable modern award or enterprise agreement to ensure substitution is permissible. If the modern award or enterprise agreement does not allow substitutions, any employees covered by such a modern award or enterprise agreement should be removed from the application of this policy in paragraph 2.

# Policy objective

 [**Organisation]** is committed to providing a flexible work environment in accordance with this policy. We want to enable our staff to do their best work, regardless of when this occurs.

This policy’s objective is to provide guidance about the alternative public holiday options available to staff.

# Application of this policy

## This policy applies to all part-time and full-time employees of [organisation name].

# Public holidays

* 1. All employees (except casual employees) are entitled to be absent from work on the following public holidays without deduction of pay where the public holiday occurs on a day the employee would normally work and in the place where the employee is based for work purposes:

### 1 January (New Year’s Day)

### 26 January (Australia Day)

### Good Friday

### Easter Monday

### ANZAC Day (25 April)

### King’s Birthday (the day on which it is celebrated locally)

### Christmas Day (25 December)

### Boxing Day (26 December)

### Any other day or part-day declared as a public holiday within a state or territory.

## [Organisation name] may ask an employee to work on a public holiday if the request is reasonable.

# Alternative public holidays

* 1. An employee may request in writing (including email) to substitute another work day for a public holiday. The request must be made to the employee’s manager [confirm or replace with appropriate terminology for organisation].
	2. [optional – The substituted day must be taken within [insert time period, e.g. within 1 month of the public holiday].
	3. The substitution of another day for a public holiday must be approved by the employee’s manager [confirm or replace with appropriate terminology for employer]. Different agreements might be reached for different employees.
	4. An employee may make this request for any reason including reasons related to their culture, views or values. For example, an employee may not want to observe Australia Day or the King’s Birthday.
	5. Substitution of a public holiday is not a right or entitlement and there is no guarantee that an employee’s request will be approved. Whether or not a request to substitute another day for a public holiday is approved will depend on the circumstances, including:

### [Organisations]’s needs

### whether it is feasible for the employee to work on another day

### the employee’s personal circumstances

### the amount of notice in advance of the public holiday given by the employee when making the request.

## A public holiday cannot be eliminated or replaced with an additional day of annual leave or other leave.

# Payment for work on public holidays and substituted days

An employee who substitutes another day for a public holiday will work on the public holiday and will receive their ordinary pay. The agreed substitute day will be treated as the public holiday and the employee will receive their base rate of pay on that day or part-day for the employee’s ordinary hours of work on the day or part-day.

# Review

This policy will be reviewed from time to time or as legislation is amended, in light of current good practice and applicable regulatory advice.