



2011 THA RESTAURANTS Bulletin 1 1

21 March 2011

EASTER PUBLIC HOLIDAYS:

GOOD FRIDAY (FRIDAY 22 APRIL)
EASTER MONDAY (MONDAY 25 APRIL)
ANZAC DAY (MONDAY 25 APRIL)

**Good Friday 22 April 2011 is a public holiday for Tasmania
Easter Monday 25 April 2011 a public holiday for Tasmania
Anzac Day 25 April 2011 is a public holiday for Tasmania**

**NB There is NO substitute public holiday for Anzac Day
this year despite it coinciding with Easter Monday**

Easter 2011 wage rate arrangements according to the *Restaurant Industry Award 2010* ("the Award").

Good Friday: All Tasmanians receive a public holiday on Good Friday. Public holiday penalties will apply for Good Friday 22 April 2011.

Easter Monday/Anzac Day: All Tasmanians receive a public holiday on this day; staff who work on this day are entitled to public holiday penalties

Clause 38.1 of the Award reads:

"By agreement between the employer and the majority of employees in the relevant enterprise or section of the enterprise, an alternative day may be taken as the public holiday instead of any of the days prescribed in s.115 of the Act."

The Award provides the following arrangements for the holidays listed above:

"Rates where employees are required to work on such holiday:

1. Full-Time and Regular Part-Time Employees who work on this day shall be reimbursed as follows:
 - a. Double Time and a Half (250%) for all the time worked (with a minimum of four hours at Double Time and a Half); OR
 - b. By agreement, (clause 34.4 (c)) employees may work at ordinary rates plus Half Time (150%) and:
 - i. have equivalent paid time to their annual leave, or
 - ii. receive an additional day off in lieu of such public holiday during the same week, provided that such holiday may be allowed to the employee within 28 days after the holiday falls due.

2. Casual employees who work on this day shall be reimbursed at a rate of Double Time and a Half (250%) of a Full-Time employee's ordinary hourly rate for the same classification with a **minimum** of two hours at this rate.
3. Employees who are paid an **Annualised SALARY** (per Clause 28 of the Award) and who work on this day are entitled to a day off in lieu of this holiday or a day added to their annual leave entitlement

Rates of pay where employees are not required to work on such holiday:

1. If a Full-time employee, an employee who is paid an ANNUALISED SALARY (as per clause 28 of the Award) or a Regular Part-Time employee (who normally works on the day of the week of the public holiday) is **not** required to work on the above holiday, such employee is entitled to take such day as a holiday without loss of pay (Clause 56 under National Employment Standards).
2. Casuals and Regular Part-Time employees (who do not normally work on the day of the week of the public holiday) do not receive any payment or other entitlements if they are not required to work on this holiday (Clause 56 under National Employment Standards).

Rostered day off coinciding with the above holiday

A Full-Time employee (not a Regular Part-Time employee) whose rostered day off falls on a public holiday must:

- be paid an extra day's pay; OR
- be provided with an alternative day off within 28 days, OR
- receive an additional day's annual leave.

Employees working under an AWA or Collective Agreements are subject to the Public Holidays conditions within that particular agreement.

THA members who wish to discuss Public holiday Day wages should contact Ben Walker on Ph. 03 6224 7033.

Regards,



Ben Walker,

THA INDUSTRIAL RELATIONS & HR OFFICER

Tasmanian Hospitality Association
PO Box 191 Battery Point TAS 7004
T: 03 6224 7033 F: 039 6224 7988
E: ben@australianhotels.asn.au
Web: www.australianhotels.asn.au