

**Extract from: Ramsay Health Care Australia Pty Limited, and NSW Nurses  
Association /ANF Enterprise Agreement 2012-2014**

**6.3 Public Holidays**

6.3.1 The following days are to be considered Public Holidays:

- a) 1 January;
- b) 26 January;
- c) Good Friday;
- d) Easter Monday;
- e) 25 April (Anzac Day);
- f) The Queen's birthday holiday;
- g) Labour Day
- h) Christmas Day;
- i) Boxing Day; and/or
- j) any day appointed under the *Public Holidays Act 2010 (NSW)*, to be kept in place of any such holiday; and/or
- k) any day declared a public holiday in New South Wales, district or area (e.g Local Show Day). **[INCLUDES EASTER SATURDAY (4 APRIL 2015) AND EASTER SUNDAY (5 APRIL 2015).**

6.3.2 In addition to the named public holidays above, employees are entitled to an extra public holiday each year which will occur:

- a) In areas where employees are entitled to a day declared a public holiday in their relevant State, district or area (e.g. a Local Show Day), on the declared day; where a half day is declared a public holiday the whole of the declared day will be regarded and observed as a public holiday; or
- b) Where this is not the case:
  - a. On the August Bank Holiday; or
  - b. On a date agreed between the employer and employees or their nominated representatives; or
  - c. Between Christmas and New Year on a day between Monday and Friday which is not a gazetted public holiday.

- 6.3.3 Due to the nature of the business the employer cannot allow that all employees be absent from work on the Public Holidays.
- 6.3.4 The employee may submit a request to be absent from work on a Public Holiday and the employer will consider the request when devising the relevant roster considering the individual's personal needs and commitments and the needs of the business.

#### **Public Holiday on a rostered work day/ordinary working week**

- 6.3.5 Where a Public Holiday falls on a work day within a roster or an employee's ordinary working week (ordinary hours), the employer will inform the employee whether or not they are required to work that day.
- 6.3.6 Where an employee is required to work ordinary hours on a Public Holiday they can make a choice between the following arrangements:
- a) to be paid 1.5x their ordinary rate and be entitled to an additional day of annual leave in compensation; or
  - b) to be paid 2.5x their ordinary rate.

Employees must opt in to one arrangement for a 12 month period. No weekend or shifts penalties will apply under either arrangement.

- 6.3.7 For a Full-time employee, where a Public Holiday falls on a work day within a roster or an employee's ordinary working week and the employee is not required to work the employee will be paid for their ordinary working hours on that day.

#### **Public Holiday on a rostered day off ( non 7 Day Shift worker)**

- 6.3.8 Where a Public Holiday falls on a rostered day off a shift worker other than a "**7 day shiftworker**" (see Definitions) and who receives 4 weeks Annual Leave, such shift worker shall receive an ordinary day's pay in addition to the weekly rate or, if the employee elects, shall receive an additional day of Annual Leave.

#### **Public Holidays on Accrued Days Off**

- 6.3.9 Where an employee's accrued day off falls on a public holiday the employee will be entitled to:

- a) another accrued day off which will be within the same work cycle where practicable;  
or
- b) a day off to be added to the employee's annual leave entitlement; or
- c) payment for a full day's wage at ordinary rates above the ordinary week's pay.

### **Part-time employees**

6.3.10 Part-time employees are also entitled to Public Holiday provisions.

6.3.11 Where a part-time employee is usually rostered to work on a day on which a public holiday falls and is not required to work on that day that employee will be paid for the ordinary working hours on that day.

6.3.12 Where a part-time employee is required to work ordinary hours on a Public Holiday they can make a choice between the following arrangements:

- a) to be paid 1.5x their ordinary rate and be entitled to an additional day of annual leave in compensation; or
- b) to be paid 2.5x their ordinary rate.

Employees must opt in to one arrangement for a 12 month period. No weekend or shifts penalties will apply under either arrangement.

### **Casual employees**

6.3.13 Where a casual employee is required to work on a public holiday they will be paid 2.5x the ordinary rate of pay (the hourly rate for a permanent employee). No weekend or shift penalties will apply. No casual loading will apply.