



Public Holidays

**Know
YOUR
Rights!**



The NSW Nurses and Midwives' Association has developed this guide to make sure you know what you're entitled to when it comes to your public holidays.

The entitlements for public holidays are set out in the *Public Health System Nurses and Midwives' (State) Award* and are based on your employment status and how you are rostered.

PUBLIC HOLIDAY ENTITLEMENTS

Employment status	Rostered OFF	Rostered ON (not required to work)	Rostered ON (required to work)
FULL TIME Seven-day basis – Public holiday listed [^] Clause 30(ii)(a)	Nil	N/A*	150%
FULL TIME Seven-day basis – Public holiday not listed [^] Clause 30(ii)(a)(b)	One additional day of annual leave	N/A*	150% + One additional day of annual leave
FULL TIME Other than seven-day basis – Day worker Clause 30(ii)(c)	Nil	100%	150% + One additional day of annual leave OR 250%
FULL TIME Other than seven-day basis – Shift worker Clause 30(ii)(c)(d)	100% OR one additional day of annual leave	100%	150% + One additional day of annual leave OR 250%
PERMANENT PART TIME Clause 29 Part I(v)	Nil	100%	150% + One additional day of annual leave OR 250%
'OLD' PART TIME Clause 29 Part IV(iii)	Nil	100%	250% (no hourly allowance)
CASUAL Clause 29 Part II A (v)	Nil	N/A*	250% (no casual loading)

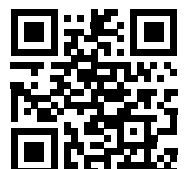
* usually required to work when rostered on ^ see explanation under Full-time: Seven-day basis

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www.nswnma.asn.au

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Authorised by S. Candish, General Secretary, NSWNMA | August 2022 | 1.2





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Shift Work and Weekend Work Rates

If you are required to work on a public holiday you will receive the public holiday penalty rate instead of any other shift or weekend penalty which may apply if the day was not a public holiday.

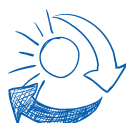


Full-time: Seven-day basis *Award cl 30(ii)(a)(b)*

Seven-day basis workers work a rotating roster over a full week and receive six weeks annual leave per year. This additional leave is in recognition of the following public holidays: New Years Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Christmas Day, Boxing Day. We refer to them as the "listed public holidays".

If you are full-time worker who works on a seven-day basis then you are entitled to pay at time and a half (150%) of your ordinary rate for the time you actually worked on a public holiday.

If there is a public holiday that is not one of the public holidays listed above then one additional day for each public holiday or one-half day for each half public holiday will be added to your annual leave balance.



Full-time: Other than a seven-day basis (day worker) *Award cl 30(ii)(c)*

You are considered a day worker if you work your ordinary hours from Monday to Friday inclusive, commence work at or after 6am and before 10am and receive four weeks annual leave per year.

If this is your roster structure, and you are required to work on a public holiday, you should be paid at time and a half (150%) of your ordinary rate and are entitled to have the time worked (a half day or full day) added to your annual leave as well.

Alternatively, you can choose to not have the time worked added to your annual leave and instead be paid for time worked at double time and a half (250%) of your ordinary rate.

The election of how you wish to be compensated for working a public holiday can be made once per year on your employment anniversary date.



Full-time: Other than a seven-day basis (shift worker) *Award cl 30(ii)(d)*

You are considered a shift worker if you aren't a day worker and you receive four weeks annual leave per year.

The same provisions apply as for day workers. However, if you are rostered off on a public holiday and don't work, then you are entitled to be paid for that day or have an extra day added to your annual leave balance.



Permanent part-time *Award cl 29 part I(v)*

If a public holiday falls on your ordinary working day and you are rostered on, you are entitled to pay at time and a half (150%) of your ordinary rate and the time worked (a half day or full day) added to your annual leave balance.

Alternatively, you can choose to not have the time worked added to your annual leave and instead be paid for time worked at double time and one half (250%) of your ordinary rate.

The election of how you wish to be compensated for working a public holiday can be made once per year on your employment anniversary date.

If a public holiday falls on a day of the week you regularly work and you are not required to work on that day, you are entitled to have that public holiday off without loss of pay. Your employer cannot change the roster to avoid paying you for the public holiday.



Casual workers *Award cl 29(II)(v)*

If you are required to work on a public holiday you will be paid for time worked at double time and a half (250%) of your ordinary rate.

This guide is a general summary but if you require further information or advice specific to you, please contact the Association on 1300 367 962.