



PUBLIC HOLIDAYS & TRADING HOURS

FOR GENERAL SHOPS IN NSW | CHRISTMAS & NEW YEAR 2024/2025

DAY	PUBLIC HOLIDAY?	TRADING ARRANGEMENTS
Christmas Eve Tuesday 24 December 2024	No	Normal Trading Day. All stores can trade without restriction on Christmas Eve.
Christmas Day Wednesday 25 December 2024	Yes	Restricted Trading Day. General Shops must close unless they have a restricted trading exemption. Small shops and scheduled shops may open for trade.
Boxing Day Thursday 26 December 2024	Yes	Conditional Restricted Trading Day. Where permitted to open, General Shops can only open on the condition that employees have freely elected to work . Small shops and scheduled shops may open for trade.
New Year's Eve Tuesday 31 December 2024	No	Normal Trading Day. All stores can trade without restriction on this day.
New Year's Day Wednesday 1 January 2025	Yes	Normal Trading Day. All stores can trade without restriction on this day.
Australia Day Monday 27 January 2025	Yes	Normal Trading Day. All stores can trade without restriction on this day.

Check your Agreement or Award

Specific public holiday entitlements are regulated by the National Employment Standards (NES) and the Agreement or Award applicable to your employment.

There are some variations between Agreements and Awards compared to the general rights outlined here. You should refer to your Agreement or Award to ensure your workplace entitlements are observed.

Check your Award or Agreement entitlements by logging in to your Members Area at members.sda.au/login or call 1300 SDA HELP.

Stay up-to-date with news and information over the holiday season, follow our social pages



A message from your Secretary, David Bliss

Public holidays are an important time to relax away from work, catch up with family and friends and celebrate as a community.

Unions have fought hard to protect and improve your public holiday rights, including the right to time off and fair penalty rates to compensate you for working on these days.

The SDA is proud of its work over many years to ensure you can get time off work to spend with your family on special occasions such as Xmas and over the New Year.

Have a safe and enjoyable break!



Do I have to work on the Public Holiday?

Most Agreements negotiated by the SDA provide that all work on a public holiday is **voluntary** for all employees, including casuals.

Full-time and part-time employees who are rostered on but who refuse to work, receive the benefit of the public holiday at the ordinary hourly rate of pay.

For those employed under the General Retail Industry Award, Fast Food Industry Award and some Agreements, work on a public holiday is partly regulated by the National Employment Standards (NES).

The NES provides that an employee is entitled to be absent on a public holiday, however, an employer may request that an employee work on a public holiday if the request is reasonable.

An employee may refuse an employer's request to work on a public holiday if the employer's request is unreasonable.

In determining if a request, or a refusal of a request, to work on a public holiday is reasonable, the following matters must be taken into account:

- the nature of the work;
- the employee's personal circumstances, including family responsibilities;
- whether the employee is entitled to receive overtime payments, penalty rates or other compensation for work on the public holiday;
- the amount of notice given by the employer;
- the amount of notice given by the employee when refusing the request;
- any other relevant matter.

Working on Christmas Eve & New Years Eve

Some Agreements contain provisions that explicitly provide say that work after 6.00pm on Christmas Eve and New Year's Eve is voluntary. Particular notice and conditions apply if an employee wishes to exercise his or her rights under these provisions.

What do I get paid if I work on a public holiday?

Most SDA-negotiated Agreements and Awards provide for the following entitlements:

If an employee works on a public holiday

If an employee works on a public holiday they are paid the public holiday penalty rate. For permanent employees

this is the base rate of pay +125% (total of 225%). For casual employees this is the base rate of pay + 150% inclusive of the casual loading (total 250%).

Some Agreements contain a higher public holiday loading - refer to your Agreement for more information.

A permanent employee may request time off in lieu or an equivalent day of annual leave instead of receiving penalty rates for working on a public holiday. This arrangement is by mutual agreement between the employer and the employee. If no agreement can be reached on the method of compensation, the default arrangement shall be the payment of public holiday penalty rates.

If an employee does not work on a public holiday

Permanent employees whose roster includes the public holiday as a working day but does not work receive the benefit of the public holiday by having the day off and being paid the "ordinary hourly rate of pay" for the hours they are normally rostered to work.

What if my roster does not include a public holiday?

Subject to your Agreement, permanent employees whose usual roster does not include the public holiday as a working day do not receive a benefit for the day.

There are some exceptions to this - refer to your Agreement for more information.

Casual team members do not receive a benefit for a public holiday on which they do not to work.

Can my employer change my roster to avoid paying me a public holiday benefit?

Under most SDA negotiated Agreements, and the General Retail Industry Award, it is prohibited for an employer to change your roster to avoid the payment of a public holiday entitlement.

If your roster is changed to your detriment over the Christmas / New Year period, or if you are not paid correctly, you should contact the Union immediately.

If you are rostered to work on a public holiday but you are sent home early, it is the Union's position that you must still be paid for the total number of hours that you agreed to work. This applies even to casuals.

If you are sent home early and are not paid for the full hours you were contracted to work, you should contact the Union without delay.

CONTACT THE UNION

If you have any questions about your public holiday entitlements or trading arrangements over the Christmas / New Year period, please speak to your Delegate, contact your Organiser, phone the SDA Information Hotline on 1300 SDA HELP (1300 732 4357) or email secretary@sdan.org.au



1300 SDA HELP



secretary@sdan.org.au



SDA Newcastle & Northern



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