

Public Sector Industrial and Employee Relations

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Circular No. C2-11

Date 15 August 2011

Title: 2011/2012 Christmas/New Year Compulsory Closure

Compulsory closure arrangements for the Christmas and New Year period are based on –

- the benefits that result from closure during a traditionally low productivity period; and
- providing the opportunity for staff to have a substantial break for family or other reasons.

Provisions

The closure arrangements will apply only where departmental requirements permit the absence of employees.

Limited staffing arrangements may need to be implemented in some areas of departments to meet essential government and public needs.

Leave for officers and employees participating in the compulsory closure is to be on the following basis –

Public Holiday (Christmas Day)

Monday 26 December 2011

Public Holiday (Boxing Day)

Tuesday 27 December 2011

Leave on full pay without debit (the concessional day)

Wednesday 28 December 2011

Recreation Leave, TOIL or Accrued Hours

Thursday 29 December 2011

Recreation Leave, TOIL or Accrued Hours

Friday 30 December 2011

Public Holiday (New Years Day)

Monday 2 January 2012

Employees engaged in a service which requires continuous shift operations and who receive additional leave for such work are not entitled to participate in the closure arrangements.

Employees who are not engaged in continuous shift operations and who are required to work during the Christmas or

New Year period are to be allowed one working day on full pay without debit to any leave account. This day may be taken at any time convenient to the employer, within the ensuing year.

Where an employee is absent on annual (recreation) leave or long service leave extending over the compulsory closure period, the employee's leave is to be adjusted so that one working day is granted without debit to any leave account. This does not apply to an employee who is engaged in a service which requires continuous shift operations and who receives additional leave for such work. Special Leave without pay should not be granted in lieu of this leave.

Employees do not qualify for the one day's leave on full pay without debit (the concessional day) to any leave account when absent on any other form of leave.

Part-time employees only qualify for the one day leave on full pay without debit when their regular ordinary hours fall on that day. Payment is based on the ordinary regular hours ordinarily worked on that day.

Part-time employees' regular working hours should not be amended purely to attract the benefits of the one day's leave on full pay without debit.

Where an employee is on half pay leave, the concessional day is paid at the full pay rate.

Departmental Options

There are a number of Christmas closure arrangements options –

- (i) The use of recreation leave (if no credit exists, future credits)
- (ii) The use of TOIL balances (not less than a full day);
- (iii) The use of accrued hours including banked rostered days off (not less than a full day or a rostered day off) available under relevant departmental hours of work arrangements and relevant industrial awards.

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Senior Executives and Senior Officers

Senior Executives and Senior Officers participating in the compulsory closure have an entitlement to the concessional day of Wednesday 28 December 2011.

In addition, Senior Executives and Senior Officers have an entitlement to Thursday 29 December 2011 and Friday 30 December 2011 off without debit to their paid accrued leave entitlements, unless determined otherwise by a chief executive for individual officers in exceptional circumstances (e.g. for operational reasons). This is in line with the Directives titled Senior Executives – Employment Conditions and Senior Officers – Employment Conditions, which provide that the hours of duty are those determined by the chief executive ensuring the good health and well-being of Senior Executives and Senior Officers and appropriate work-life balance.

Where a chief executive determines that an individual Senior Executive or Senior Officer will not receive paid absence on Thursday 29 December 2011 and Friday 30 December 2011 without debit to their paid accrued leave entitlements, the Senior Executive or Senior Officer will be required to apply for recreation leave on Thursday 29 December 2011 and Friday 30 December 2011.

Where limited staffing arrangements are needed to be implemented in some areas of departments to meet essential government and public needs, chief executives can require Senior Executives and Senior Officers to be available either at their usual workplace or somewhere else via mobile phone or email, in which case they would not be entitled to leave without debit or required to apply for recreation leave on Thursday 29 December 2011 and Friday 30 December 2011.

Senior Executives and Senior Officers who are required to work during the Christmas or New Year period are to be allowed one working day on full pay without debit to any leave account. This day may be taken at any time convenient to the chief executive, within the ensuing year.

Please ensure when distributing this information within your agency that you nominate your own contact officer to respond to enquiries from staff within your agency.

CATHY BRAY
A/Executive Director

The Division of Public Sector Industrial and Employee Relations provides policy advice and consultancy and training services to Queensland Government departments and agencies. It is part of the Department of Justice and Attorney-General. Departmental enquiries about this circular should be directed to Nick Gillespie on telephone 07 322 52449.

- General enquiries about public sector industrial and employee relations matters should be directed to telephone 07 3224 5490.
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Copies of all current circulars issued by Public Sector Industrial and Employee Relations are available from the department's web site at www.justice.qld.gov.au