



A REFRESHER FOR EMPLOYERS

PUBLIC HOLIDAYS

Employers can request that employees work on a public holiday.

Employees can refuse an employer's request that they work on a public holiday if the request is not reasonable, or if their refusal is reasonable.

What makes a refusal to work a public holiday reasonable?

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1

NOTICE

How much notice the employee was given about having to work on the public holiday.

Employers should certainly give notice to employees sooner than later)

2

EXPECTATION

Whether the employee had an expectation that they may need to work on the public holiday.

Employment contracts can be very helpful here)

3

CIRCUMSTANCES/RESPONBILITIES

The employee's personal circumstances and any family responsibilities they have

4

REMUNERATION

Whether the employee would receive remuneration for the day which would adequately reflect an expectation of work on a public holiday

5

NATURE OF BUSINESS

The nature of the employer's business (e.g. would the business need to close if the employee did not work on that day)