

Instructions on your rights: Christmas closedown

The Christmas closedown

As Christmas approaches, many staff will begin to receive directions from managers or supervisors in relation to the Christmas closedown. The Christmas closedown period for 2017/18 will take place between Monday 25 December and Friday 5 January, inclusive. The PSA has already been informed of a number of instances where staff have been told that they must take leave over this period.

Can I work during the closedown period?

While the NSW Government encourages all non-‘frontline’ areas to shut down, you are in no way obligated to take leave. Despite what may be said, staff are not required to present a justification or “business case” to explain why they wish to keep working. Unless you can be directed to take leave (see below), it is your choice of whether you work or not.

If your office is going to be shut, a reasonable alternative work arrangement must be made available for you. If practicable, this could include working from home for some or all of the time. You may have to work at a different location, but you cannot be expected to travel unreasonable distances and you may be entitled to be reimbursed for the additional costs of travel.

The PSA encourages members to regularly take recreation leave for their own health and welfare.

Can I be directed to take recreation leave due to the closedown?

You can be told to take recreation leave only if you have an ‘excess’ balance:

- » if you have accrued eight weeks’ (40 days) recreation leave, you can be told to take two weeks’ leave sometime within the following six weeks
- » if you have accrued 6-8 weeks’ (30-40 days) recreation leave, you can be told to take two weeks’ leave sometime within the following three months.

Other than in these two scenarios, you cannot be directed to take recreation leave.

Time in-lieu clause

As some of you may remember, at the last round of award negotiations the PSA was able to bargain a clause which allows the banking of additional time-in-lieu hours. That is, hours in which you work over the +10 hours in a settlement period, which would normally be lost. These hours can now be banked away. The Christmas closedown would be an ideal time to use any of these hours you have accumulated. This clause is now in force and as such if you have been keeping a paper record of the hours you have worked then now would be the time to take these forward to your manager. We encourage all members to keep track of the hours they work and ensure that no hours are ‘thrown away’, instead being banked away in their time-in-lieu provisions.

Need help?

If you are a member and have any questions or are having difficulties in relation to the Christmas closedown, please contact the PSA’s Member Support Centre on **1300 772 679**.

