



7 February 2024

NEWSLETTER: PUBLIC HOLIDAYS

We might all be excited for a public holiday that gives us an extra resting day, but employers has to know the ins and outs on public holidays for employees.

Public holidays

1. An employer may not require an employee to work on a public holiday except in accordance with an agreement.
2. If a public holiday falls on a day on which an employee would ordinarily work, an employer must pay-
 - a. an employee who does not work on the public holiday, at least the wage that the employee would ordinarily have received for work on that day;
 - b. an employee who does work on the public holiday-
 - i. at least double the amount referred to in paragraph (a); or
 - ii. if it is greater, the amount referred to in paragraph (a) plus the amount earned by the employee for the time worked on that day.
3. If an employee works on a public holiday on which the employee would not ordinarily work, the employer must pay that employee an amount equal to-
 - a. the employee's ordinary daily wage; plus
 - b. the amount earned by the employee for the work performed that day, whether calculated by reference to time worked or any other method.
4. An employer must pay an employee for a public holiday on the employee's usual pay day.
5. If a shift worked by an employee falls on a public holiday and another day, the whole shift is deemed to have been worked on the public holiday, but if the greater portion of the shift was worked on the other day, the whole shift is deemed to have been worked on the other day.

Again, you can see that a contract of employment has to be in place in order to have the agreement between the parties in place.

If you have any questions and or queries, please contact our offices at 0876302070 or by email.

Regards

Marlene Linstrom

