

Commissioner's Information Sheet

This information only applies to employees in designations covered by the following enterprise agreements:

- **Northern Territory Public Sector 2021 – 2025 Enterprise Agreement** - Administrative Officers, Professionals, Technicals, Physicals, Senior Correctional Officers
- **2021 – 2025 Jacana Energy Enterprise Agreement**

Information about Christmas closedown provisions for employees who are covered by other current enterprise agreements can be found on the OCPE website:

<https://ocpe.nt.gov.au/employment-conditions-appeals-grievances/current-enterprise-agreements>

Christmas Closedown Leave

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What is Christmas Closedown Leave

The purpose of Christmas closedown leave is to provide employees, who would otherwise be required to use their accrued recreation leave, time off in lieu or flexitime credit, with an additional three days leave to cover an agency's closedown period between Christmas and New Year's Day.

If an agency closes down over the Christmas and New Year period employees (excluding casuals) will be granted paid Christmas closedown leave for the three days (excluding public holidays) between Christmas and New Year's Day.

If an agency, or part of an agency doesn't close down employees who are available to work and are not required to work, who have approval to take recreation leave or long service leave over the Christmas period, will be entitled to Christmas closedown leave for the three day period between Christmas and New Year's Day.

How do I access Christmas closedown leave?

To access Christmas closedown leave you need to enter a miscellaneous leave application in myHR - miscellaneous leave type 'Christmas Closedown Leave'.

What are my leave options if my Agency's Christmas closedown is for a longer period?

You can use recreation leave, time off in lieu (TOIL), flexitime credits or leave without pay to cover the additional days your agency is closed down outside of Christmas to New Year's Day.

If you are a new employee, and you haven't accrued enough recreation leave to cover the additional closedown period (outside the time between Christmas to New Year's Day), speak with your manager; you may be given the opportunity to work additional hours to accrue time off in lieu or flexitime credits to cover the period. You may also be offered alternate work during the additional closedown period.

What if I don't have enough leave, TOIL or flexitime credits available to cover the additional days?

You can use leave without pay.

The leave without pay will count as service for all purposes.

You will only be entitled to leave without pay if you don't have paid leave available.

What if I am on personal leave during the Christmas closedown leave days?

If you have a medical certificate from a registered health practitioner to cover the Christmas closedown leave days, you can apply for Christmas closedown leave and have your personal leave re-credited for the equivalent period, up to a maximum of 3 days (pro rata for part time employees).

Three days is 22.05 hours if you work 36.75 hours per week or 22.8 hours if you work 38 hours per week (pro rata for part time employees).

You cannot bank your Christmas closedown leave.

What if I'm part time and don't normally work on Christmas closedown leave days?

If you are part time you are entitled to Christmas closedown leave for the days you would normally work between Christmas and New Year's Day.

For example, in 2022 the working days (not including Public Holidays) between Christmas and New Year's Day are Wednesday, Thursday and Friday:

- If you normally work, or are rostered, on Monday, Tuesday and Wednesday, you will be granted one day Christmas closedown leave for Wednesday.
- If you normally work, or are rostered, on Monday, Wednesday and Friday, you will be granted two days Christmas closedown leave for Wednesday and Friday.
- If you normally work, or are rostered, on Wednesday, Thursday and Friday you will be granted Christmas closedown leave for all three days.

What if I am a shiftworker and have an RDO during the Christmas closedown leave period?

If you are not rostered to work on the days between Christmas and New Year's Day you should be entitled to three days Christmas Closedown leave, and your rostered day off (RDO) should be scheduled outside of the Christmas closedown leave period between Christmas and New Year's Day.

Where this may not be operationally possible you can bank your Christmas closedown leave for the number of days you have an RDO scheduled, up to a maximum of to a maximum of 3 days (pro rata for part time employees).

Three days is 22.05 hours if you work 36.75 hours per week or 22.8 hours if you work 38 hours per week (pro rata for part time employees).

You must take your banked leave within the following 12 months (i.e. before 25 December). It will not be paid out if you leave the NTPS.

Will I be paid shift penalties when I am on Christmas closedown leave?

No. If you are granted paid Christmas closedown leave for the days between Christmas and New Year's Day you will not be paid shift penalties.

What if I work during the Christmas closedown leave period?

If you are required to work ordinary hours (i.e. not overtime) between Christmas and New Year's Day you can bank your Christmas closedown leave.

You can bank the number of days you were required to work, up to a maximum of 3 days (pro rata for part time employees).

Three days is 22.05 hours if you work 36.75 hours per week or 22.8 hours if you work 38 hours per week (pro rata for part time employees).

For example:

- If you were required to work on one of the days between Christmas and New Year's Day you can bank one day Christmas closedown leave.
- If you were required to work on all of the days between Christmas and New Year's Day you can bank three days Christmas closedown leave.

You must take your banked leave within the following 12 months (i.e. before 25 December). It will not be paid out if you leave the NTPS.

How do I apply for my banked Christmas closedown leave?

You need to submit a miscellaneous leave application in myHR (leave type 'Christmas closedown leave') to access your banked Christmas closedown leave.

Your leave application will need to be approved and will be subject to your work areas operational requirements at the time the leave is requested.

Your leave request cannot be unreasonably refused.

You cannot take your banked leave at half pay and you cannot have it paid in lieu if you do not use it before 25 December or your employment ceases.

If you are a shiftworker you will be paid penalty payments for your rostered hours on the day that you use your banked Christmas closedown leave.

Can I be directed to work during a Christmas closedown period?

Yes. This may occur if you hold a position which is responsible for providing an essential or frontline service during the closedown period.

Employees will be asked to volunteer to work in the first instance.

If not enough volunteers are forthcoming then you can be directed to work to cover the closedown period. However you should receive at least two months' notice if that you are required to work.

Can Executive Contract Officers apply for Christmas closedown leave?

No. Executive Contract Officers are not covered by the enterprise agreements.

Relevant Legislation

- [Northern Territory Public Sector 2021 – 2025 Enterprise Agreement](#) [AE15498]: clause 90 Christmas Closedown
- [2021 – 2025 Jacana Energy Enterprise Agreement](#) [AE516636]: clause 57 Christmas Closedown

Further information

Contact Workforce Services, Department of Corporate and Digital Development, for queries in relation to terms and conditions of employment:

Phone: 8999 1741

Email: workforceservices@nt.gov.au

Visit: [HR Services Portal](#)