

## NOTICE TO MEMBERS – 22 DECEMBER 2005

### CHRISTMAS/NEW YEAR – HOLIDAYS ACT 2003

Because Christmas and New Years Day fall on a Sunday, the Holidays Act provisions regarding the “Mondayizing” of these Public Holidays once again apply.

The Holidays Act – Section 45 provides in this case:

- If the Public Holiday falls on a Sunday and the day would otherwise be a working day for the employee, the Public Holiday must be treated as falling on that day;
- If the Public Holiday falls on a Sunday and the day would not otherwise be a working day for the employee, the Public Holiday must be treated as falling on the following Tuesday.

However, no worker can receive more than four Public Holidays over the Christmas/New Year period.

The relevant part of the roster over the period provides:

Blue Watch	Night Shift	24 December
Red Watch	Day Shift	25 December
Green Watch	Night Shift	25 December
Red Watch	Day Shift	26 December
Green Watch	Night Shift	26 December
Brown Watch	Day Shift	27 December
Red Watch	Night Shift	27 December

For Blue Watch, 25 December (hours worked on 25 December) is otherwise a working day – therefore for Blue Watch, Christmas Day is observed on 25 December.

For Red Watch, 25 December is otherwise a working day – therefore for Red Watch, Christmas Day is observed on 25 December.

For Green Watch, 25 December is otherwise a working day – therefore for Green Watch, Christmas Day is observed on 25 December.

For Red Watch, 26 December is otherwise a working day – therefore for Red Watch, Boxing Day is observed on 26 December.

For Green Watch, 26 December is otherwise a working day – therefore for Green Watch, Boxing Day is observed on 26 December.

However, for Brown Watch, both the 25<sup>th</sup> and 26<sup>th</sup> December are not otherwise working days – therefore for Brown Watch, 27 December is observed as a Public Holiday.

Over the Christmas period therefore, the Union sees Days in lieu as accumulating as follows:

Blue Watch	1 Day (Night Shift 24 December)
Red Watch	2 Days (Day Shifts 25 and 26 December)
Green Watch	2 Days (Night Shifts 25 and 26 December)
Brown Watch	1 Day (Day Shift 27 December)

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The same principle applies over the New Year period. The above Watches should claim Days in Lieu accordingly

As far as Days in Lieu for Overtime are concerned, if the Union's position as outlined above is correct, and given that only two Days in Lieu for any employee can be accumulated over the Christmas period, only Blue and Brown Watches have the ability to receive a Day in Lieu if overtime is worked.

The other two Watches would have already accumulated two Days in Lieu for their normal shifts.

### **SICKNESS, INJURY OR BEREAVEMENT ON PUBLIC HOLIDAYS**

Where anyone is required to work on a Public Holiday, but does not work on that Public Holiday due to:

- Sickness
- Injury
- Sickness at Home
- Bereavement

that day is treated as a paid unworked Public Holiday – therefore

- The day would be paid for;
- No Sick or Bereavement Leave is deducted.

There is no entitlement to a Day in Lieu.

**Best Wishes for Christmas and for a Successful and Prosperous  
New Year.**

**N.Z. PROFESSIONAL FIREFIGHTERS UNION**