Alternative Public Holiday Procedure

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') recognises, values and respects the diversity of our workforce.

(2) The University understands that members of the workforce practice differing beliefs, cultures and faiths that celebrate various days of significance throughout the year. The University respects that these days may not be gazetted as public holidays.

Section 2 - Purpose

(3) This procedure outlines Public Holiday clause 46 of the Charles Darwin University and Union Enterprise Agreement 2025 and sets out how employees may negotiate and apply for alternative days.

Section 3 - Scope

(4) This procedure applies to CDU employees covered by the Enterprise Agreement, excluding those employed on a casual basis.

(5) This procedure does not apply to the public holidays that fall within the mandatory University Closedown period.

Section 4 - Procedure

(6) Employees may access a single day in lieu (remunerated at single time) as an alternative to a gazetted public holiday that falls on their ordinary day of work.

(7) The alternative day in lieu must be negotiated and agreed to between employee and their supervisor, and the Substitute Public Holiday Application eform must be submitted.

(8) The application for an alternative day in lieu must be submitted and approved prior to the public holiday. The request should specify the alternative day to be substituted, taking into account operational needs and in consultation with the employee's supervisor.

(9) The alternative day in lieu cannot be within the mandatory University Closedown period.

(10) The alternative day in lieu cannot be held in credit.

(11) If the employee is on paid personal leave on a full or half day gazetted public holiday, the employee does not have leave deducted from their credit for that day.

Application

(12) Requests to access an alternative day in lieu of a public holiday must be made at least fifteen (15) working days prior to the public holiday or proposed alternative day, whichever is earlier.

(13) To access this provision, the employee must:

a. Notify their supervisor of the gazetted public holiday that they wish to be at work and remain on duty for.
b. Nominate the alternative day they wish to access in lieu and negotiate and confirm this date verbally with supervisor.
c. Confirm they understand the work health and safety requirements to follow, accounting for the reduced number of employees in attendance on the day they have opted to remain on duty for.
d. Submit the Substitute Public Holiday Application to their supervisor for assessment.

(14) Supervisors will approve or deny an Substitute Public Holiday Application.

Considerations

(15) When assessing the request, the supervisor must consider:

a. The suitability of the proposed alternative day in lieu.
b. Any impacts this request may have on the broader team.
c. The safety considerations of the employee whilst in attendance at work on the gazetted public holiday.

(16) If a supervisor is considering declining a request for an alternative public holiday, they must initially contact the relevant Senior People Partner within People and Culture to discuss reasoning and ensure reasonable and fair consideration has been given to the request.

(17) If after contacting their Senior People Partner the supervisor remains of the same opinion that the employee's nominated day cannot be accommodated, they can then advise the employee of the outcome.

(18) The employee can appeal this decision in writing to their relevant member of the Senior Executive Team, who must consider the request and provide the employee with a final written decision within ten (10) working days of receiving the appeal.

Section 5 - Non-Compliance

(19) Non-compliance with Governance Documents is considered a breach of the Code of Conduct - Employees or the Code of Conduct – Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct – Students.

(20) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(21) All employees have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Current
Effective Date	26th August 2024
Review Date	26th August 2027
Approval Authority	Vice-Chancellor
Approval Date	26th August 2024
Expiry Date	Not Applicable
Responsible Executive	Peta Preo Director People and Culture
Implementation Officer	Peta Preo Director People and Culture
Enquiries Contact	Peta Preo Director People and Culture People and Culture