

Employer Support Payment Scheme Advisory Notice

ESPS Claims – Public Holidays

Last Updated 4 Jun 13

ESPS Advisory Notices provide advice or more detailed explanations concerning aspects of the Employer Support Payments Scheme (ESPS).

ADVICE

This Advisory Notice provides advice on public holidays specific to the place where the Defence service is being undertaken. Rules governing all other aspects of public holidays are covered in Defence Determination 2012/68 Reserve employer support payments (sections 27, 33, and 37b).

Defence Determination 2012/68 Reserve employer support payments specifies that public holidays "in the place in which the defence service is being undertaken" can be included in a period of continuous Defence service (section 35.1).

When a member lives or works in their civilian employment in a different location to the location where the member attends for Defence duty, it is the public holiday date in the Defence location that is relevant.

For example, when a member lives in Perth, works in his civilian employment in Kalgoorlie and attends for military duty at Port Hedland (in the Pilbara Region), it is the public holiday at Port Hedland that can be included in a period of continuous Defence service.

However, where a local rule is applied at the Defence location that varies the public holiday date in that location, this local rule may be taken into account.

For example, when a member lives in Brisbane, works in his civilian employment in Redland Shire and attends for military duty at Canungra (Beaudesert Shire), it is the public holiday at Canungra (Beaudesert Shire) that can be included in a period of continuous Defence service. The gazetted Royal Queensland Show public holiday for Beaudesert Shire is invariably on the Monday, two days before the Royal Queensland Show public holiday for Brisbane. However, as there is a local rule at Canungra that the Royal Queensland Show public holiday may be taken on any day within the Royal Queensland Show public holiday week at the member's discretion (as long as sufficient staff are on duty to ensure the organisation can keep working on every day of that week), then, in this case, the public holiday "in the place in which the defence service is being undertaken" is that day, within the Royal Queensland Show public holiday week, that the unit agrees that the member take as the public holiday.

FURTHER QUERIES

If ESPS staff have any queries about this topic, they are encouraged to ring the ESPS Directorate on 1800 001 696.