



BOXING DAY 2017 FACTSHEET

TRADE

- Retail shops are permitted to open on Boxing Day 2017 without the need to apply for an exemption.
- Importantly this is a conditional exemption and is granted on the basis that staff freely elect to work on the day.

STAFFING

- It is an essential condition that staff must *freely elect* to work. That is, a worker must volunteer to work without any coercion, harassment, threat or intimidation by or on behalf of the retailer.
- Significant penalties of up to \$11,000 per person may apply for breaches of this condition.

LEASE ARRANGEMENTS

- A landlord or lessee cannot compel a shopkeeper to open on Boxing Day.
- Any provision of a lease or agreement that requires a shop to open for trade on Boxing Day is void.
- Significant penalties of up to \$22,000 may apply.

COMPLIANCE AND ENFORCEMENT

NSW IR is undertaking a variety of activities to ensure that retailers and staff are aware of and understand their rights and responsibilities under the *Retail Trading Act 2008*.

Formal complaints about workers being compelled to work or shops forced to open will be referred to Inspectors for investigation and possible prosecution action.

Further information

If you have any questions in relation to the above please contact NSW Industrial Relations on 131 628 or visit:

www.industrialrelations.nsw.gov.au