# Close Down – Notice to take Annual Leave (Example 1)

This letter outlines a requirement in some modern awards that allows an employer to request an employee to take annual leave for the purpose of closing/shutting down their operations. In most cases this is when an organisation is closing/shutting down over the Christmas/New Year period.

Note: Please refer to your applicable modern award or enterprise agreement in all instances to determine whether a request can be made to an employee to take annual leave in these circumstances.

The following letter template(s) should be used as a guide only. Any wording changes, other than those to insert a business name, may change the context, meaning or purpose of the policy. We recommend you receive advice from the Victorian Chamber of Commerce and Industry prior to making such changes.

## Contacting the Victorian Chamber of Commerce and Industry

The Victorian Chamber’s team of experienced workplace relations advisors can assist members with a range of employment, human resources and industrial relations issues.

Our experienced workplace relations consultants can also provide assistance to both members and non-members on a range of more complex matters for a fee-for-service. The consultants can, among other things, provide training to employees, conduct investigations and provide representation at proceedings at the Fair Work Commission.

For assistance or more information, please contact the Workplace Relations Advice Line on (03) 8662 5222.

Disclaimer

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**[INSERT DATE]**

PRIVATE AND CONFIDENTIAL

[NAME]

[STREET ADDRESS]

[SUBURB] [STATE] [POSTCODE]

Dear [NAME]

**Re: Notice of Requirement to take annual leave due to a close down/shut down**

I refer to the meeting on **[INSERT DATE]** between **[INSERT ATTENDEES],** regarding a close down/shut down of **[INSERT COMPANY NAME]** operations due to **[INSERT REASON FOR CLOSE DOWN/SHUT DOWN – CLOSING FOR EXTENDED PERIOD OVER CHRISTMAS].**

As a result, I am writing to inform you that **[INSERT COMPANY NAME]** requires you to take annual leave from **[INSERT ANNUAL LEAVE COMMENCEMENT DATE]** to **[INSERT ANNUAL LEAVE END DATE].**

**In accordance with clause [INSERT CLAUSE NUMBER] of [INDUSTRIAL INSTRUMENT], [INSERT COMPANY NAME] is required to give four (4) weeks’ notice of closing down its operations. Please consider this letter as your four (4) weeks’ notice commencing on the date of this letter.**

The period of leave will be deducted from your current entitlement. You will be paid annual leave accordance with **[INSERT CLAUSE NUMBER]** of **[INSERT INDUSTRIAL INSTRUMENT].**

If you do not have enough leave accrued, you may submit an application to **[INSERT COMPANY NAME]** take annual leave in advance. An approval to take annual leave in advance will only with written agreement from **[INSERT COMPANY NAME].**

If you wish not to take annual leave in advance, you will be on unpaid leave for the duration of the shut-down. Any public holidays that occur during your period of leave will be paid in accordance with the National Employment Standards.

Please do not hesitate to contact me should you have any questions.

Yours sincerely,

**[MANAGERS NAME]**

**[MANAGERS TITLE]**

**cc: Human Resources (if applicable)**