# Close Down – Notice to take Annual Leave (Example 2)

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. Modern awards that contain these clauses may require an employer to give a period of notice of their intention to close down/shut down their operations.

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 and how much notice is required.

The following letter template 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: Close Down/ Shut Down - Notice of Requirement to take Annual Leave**

I refer to the meeting on **[INSERT DATE]** between **[INSERT ATTENDEES],** regarding a shutdown of its operations due to **[INSERT REASON FOR SHUTDOWN – THIS WILL INCLUDE CLOSING/SHUTTING FOR RENOVATIONS OR REFURBISHMENT OR CLOSING/SHUTTING 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 **[NUMBER OF WEEKS]** notice of closing/shutting down its operations. Please consider this letter as your **[NUMBER OF 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 to cover the shutdown period, your leave will be unpaid. This will be to the exclusion of any public holidays.

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

Yours sincerely,

**[MANAGERS NAME]**

**[MANAGERS TITLE]**

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