



Submission to The Finance and Administration Committee

Holidays and Other Legislation Amendment Bill 2015

July, 2015

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Introduction

The Queensland Nurses' Union (QNU) thanks the Finance and Administration Committee (the Committee) for providing the opportunity to comment on the *Holidays and Other Legislation Amendment Bill 2015* (the Bill).

The QNU is the principal health union in Queensland. Nurses and midwives are the largest occupational group in Queensland Health and one of the largest across the Queensland government. The QNU covers all categories of workers that make up the nursing and midwifery workforce in Queensland including registered nurses, registered midwives, enrolled nurses and assistants in nursing who are employed in the public, private and not-for-profit health sectors including aged care.

Our more than 52,000 members work across a variety of settings from single person operations to large health and non-health institutions, and in a full range of classifications from entry level trainees to senior management. The vast majority of nurses and midwives in Queensland are members of the QNU.

For the benefit of new members to this committee, we reiterate some of the arguments we made to the previous Finance and Administration Committee when the LNP government decided to move Labour Day to October. Labour Day is also known as May Day elsewhere in Australia and overseas where it is celebrated in more than 80 countries as *International Workers' Day*.

Our submission addresses the return of Labour Day to the first Monday in May. We thank the Labor government for restoring it to its rightful date within the *Holidays Act 1983*.

History matters

Like ANZAC day, Labour Day marks a day of great cultural significance in Queensland and Australia. It is a day where workers celebrate the winding back of the excessive working hours that were the standard during the first half of the nineteenth century. It is also a day of reflection on the advances that the labour movement has achieved in the ensuing decades. Notwithstanding that the Queen's birthday public holiday also has some historical links, it does not occur on her actual birthday. The 3rd of June is the birthday of a previous monarch and is a mark of respect rather than a day of celebration and community events across the state as is Labour day.

Labour Day has its origins in the eight hour day movement which advocated eight hours for work, eight hours for recreation and eight hours for rest. It is a day that signifies and recognises the decades of struggle for basic advances in minimum wages, safety in the workplace and the right to bargain as a collective (Davies, 2011). It is therefore useful to consider this remarkable chronicle of events when considering the current Bill.

In Queensland, the first Labour Day celebration took place in Brisbane on 16 March, 1861 to celebrate the achievement of an eight-hour working day by building workers. Events in Chicago in the USA in 1886 where protesters demonstrated against police brutality towards striking workers led to the declaration of an international holiday in Paris in 1889.

On 1 May 1891, hundreds of striking shearers led Australia's first May Day procession through the streets of Barcaldine. From 1893, Labour Day in Queensland moved to the 1st of May to coincide with international celebrations of May Day. Other Australian states however have continued to celebrate Labour Day on the anniversaries of eight-hour day victories in their own state. The Queensland union movement had the strongest sense of universality and indeed much of the sentiment for this came from various regional centres. It was not until 1901 that the first Monday in May rather than the 1st of May became 'the workers' holiday' (Moran, 1989).

Labour history matters to workers and trade unions because it signifies courage and perseverance in the face of economic and political might. Labour history matters to the LNP but for different reasons. For them, it is a confronting reminder of the spirit of collective action and the great tradition of the labour movement.

Consultation

The *Explanatory Memorandum to the Bill* (State of Queensland 2015) refers to the review and public consultation in 2011 by the then Labor government that indicated overwhelming support to shift the Queen's birthday holiday from June to October.

As reported to the Queensland parliament in November, 2011 by the then Attorney-General and Minister for Industrial Relations, Cameron Dick, 'some 85 per cent of 22,700 respondents supported shifting the Queen's birthday holiday to the second half of the year, and of these 96 per cent wanted it on a Monday in October' (Hansard, 2011). It is worthwhile noting that in moving the Queen's birthday holiday, the previous Labor government gave serious consideration to the most appropriate public holiday to move to the second half of the year. The Queen's birthday was chosen as:

the shift would not affect the way the occasion was celebrated. Occasions observed on public holidays are of significant cultural importance and it is obvious that many could not be moved without impacting on the way the day is celebrated. Some respondents in the consultation process suggested moving Labour Day instead of the Queen's Birthday. It was decided, given Labour Day was first celebrated throughout Queensland on this day, that it was not appropriate to move it (Queensland Parliament Hansard, 2011).

Further, the previous Labor government not only consulted widely but also informed the people of Queensland of the reasons for its proposal to move the Queen's Birthday public holiday instead of Labour Day viz:

Labour Day has special significance for Queensland because of its links to events in the labour movement of the late nineteenth century. One of the first Labour Day processions in the world was in Barcaldine on 1 May 1891 and the public holiday has been celebrated in Queensland on the first Monday in May since 1901. Labour Day is celebrated by workers across the state and May 1 is deeply ingrained in Queensland's history as a day to recognise workers' rights.

In contrast the Queen's birthday public holiday originated in 1912 to observe the birthday of King George V on 3 June. Over the years Queensland, along with most other states, has continued to observe the Queen's birthday in June even though the actual birthday of Queen Elizabeth II is 21 April. In Western Australia the Queen's birthday public holiday is held in either September or October. The Queen's birthday is observed as a mark of respect to the sovereign but is not widely celebrated in community events like other public holidays.

For these reasons, it is likely that the Queen's birthday public holiday would be relocated with less disruption to current community events and celebrations than would be the case with a relocation of the Labour Day public holiday (Queensland Government, 2011).

The subsequent LNP government acknowledged that it did not need to consult any further with the public (State of Qld, 2012), yet still decided to break over 120 years of tradition and move Labour day.

Again we thank the Committee for respecting our trade union history and the efforts of generations of past workers.

Christmas Holidays

In the interests of clarity and consistency, the QNU is also seeking the inclusion in the Bill of similar provisions to Part 2, Section 4 of the *Public Holidays Act 2010 NSW* which 4 reads:

(j) *Christmas Day*

Public holiday on 25 December.

When 25 December is a Sunday, there is to be no public holiday on that day and instead the following day (Monday) is to be a public holiday.

(k) *Boxing Day*

Public holiday on 26 December.

When 26 December is a Sunday, there is to be no public holiday on that day and instead the following day (Monday) is to be a public holiday.

When 26 December is a Monday, there is to be no public holiday on that day for Boxing Day and instead the following day (Tuesday) is to be a public holiday for Boxing Day.

Note. When 26 December is a Monday, that day is a public holiday for Christmas Day under paragraph (j).

This means that when Christmas Day falls on a Saturday an additional public holiday is declared on the following Monday. When Christmas Day falls on a Sunday an additional public holiday is declared on the following Tuesday.

References

Davies, G. (2011) retrieved from <http://www.independentaustralia.net/?s=may+day>

Moran, J. (1989) *March of Progress: Part 1 A History of the Eight Hours' Demonstration in Brisbane*, Preferential Publications, Queensland.

Queensland Government (2011) *Getting the Balance Right: A Proposal on Holidays in Queensland*.

Queensland Parliament Hansard (2011) 15 November at 3627.

State of Queensland (2015) *Holidays and Other Legislation Amendment Bill 2012 Explanatory Memorandum*.