



Queensland Nurses' Union

Holidays and Other Legislation Amendment Bill 2012

Submission to

The Legal Affairs and Community Safety Committee

August, 2012

Introduction

The Queensland Nurses' Union (QNU) thanks the Legal Affairs and Community Safety Committee (the committee) for providing the opportunity to comment on the *Holidays and Other Legislation Bill 2012*.

In this submission we express our strong objection to the proposal to amend the *Holidays Act 1983* (the Act) to hold Labour Day on the first Monday in October instead of the first Monday in May as has been the case for the last 111 years.

Here, we remind this government of the local, Australian and international events that precipitated Labour Day (*May Day* as it is known elsewhere in Australia and overseas in more than 80 countries as *International Workers' Day* because it is a celebration of workers' achievements held historically during **May**).

About the QNU

Nurses and midwives¹ are the largest occupational group in Queensland Health and one of the largest across the Queensland government. The QNU - the union for nurses and midwives - is the principal health union in Queensland. 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 50,000 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 in Queensland are members of the QNU.

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

¹ The terms 'nurse' and 'nursing' include 'midwife' and 'midwifery'.

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.

There may be those in the community and clearly in the Parliament who are unaware of the history surrounding Labour Day in Queensland. This public holiday 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 in any moves to change the Act.

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 US in 1886 where workers protested police brutality against striking workers led to the declaration of an international holiday in Paris in 1889.

On 1 May 1891, hundreds of striking shearers held 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 government as well, 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. Although the current government's attempts to trivialise the importance of Labour Day by casually moving it to another date may resonate within the LNP, it cannot change the legacy of those who have gone before and those who are yet to come.

Consultation

The *Explanatory Memorandum to the Bill* (State of Queensland, 2012) states that there were a 'considerable proportion' of comments received at the time advocated the movement of Labour Day rather than the Queen's birthday. There were also a 'considerable portion' of comments that *did not* support the change. Indeed, the survey distributed by the previous Labor government in September, 2011 indicated overwhelming support to move the Queen's birthday holiday 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 therefore disingenuous and misleading for the LNP government to suggest that there is significant community support to move Labour Day.

It is worthwhile reminding this government that the previous 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 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).

Given the LNP government has acknowledged that it did not consult any further with the public (State of Qld, 2012) and the results of the original survey indicated a preference to move the Queen's Birthday (Queensland Government, 2011), we must assume that the overriding motive to move the Labour Day public holiday is one of ideological conceit.

Again, we see a state government prepared to exercise its parliamentary power over workers and trade unions just because it can. This time it is to reject their history and tradition in favour of 'production and services for business and industry' (State of Queensland, 2012), the very reasons why the efforts of generations of past workers were originally acknowledged on this day.

The LNP government may be attempting to unsettle and distract the union movement by striking at the pillars that commemorate its past, but they cannot deny our history or the will of workers to stand united in the face of this disrespectful onslaught. Such acts of arrogance that generated the original celebrations remind us why workers honour freedom of association and collective action in the first place.

References

Davies, G. (2011) retrieved 23 August 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 (2012) *Holidays and Other Legislation Amendment Bill 2012 Explanatory Memorandum*.