



Speech by

Hon. Cameron Dick

MEMBER FOR GREENSLOPES

Hansard Thursday, 7 October 2010

HOLIDAYS AMENDMENT BILL

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (12.39 pm), in reply: I thank all honourable members for their contributions to the debate on the Holidays Act Amendment Bill. I particularly want to thank my colleagues in the government for their support, and I acknowledge the support expressed for this amendment by the members for Gladstone, Beaudesert and Nicklin.

The Christmas-new year period is a special time of the year. It is a time for families to come together to celebrate the birth of Jesus Christ and to spend some valuable down time together. While many workers enjoy the benefits of public holidays over this period, a number of occupations are required to work through the holidays. For the inconvenience of being separated from their families, particularly on Christmas Day, workers have normally been eligible to receive extra financial reward through penalty rates, but in the past this benefit has been denied to workers when Christmas Day and New Year's Day have fallen on a Saturday. This bill by the Bligh Labor government will right this wrong. It means that this summer Queenslanders who have to work on these special days and who are required to be away from their families will get the pay they deserve.

You would have to be channelling the original Christmas grinch, Ebenezer Scrooge, to object to workers being paid their proper entitlements on public holidays. This move is particularly good news for those seven-day occupations where workers have to work over the Christmas-new year period. This includes many health workers, firefighters and ambulance officers, hotel and hospitality workers who work at Christmas Day functions, bus and train drivers who provide public transport, staff at fast-food outlets and even workers at suburban medical centres. These are the occupations that make our lives easier, safer and more enjoyable over Christmas, so it is only fair that they get paid the penalty rates that they are entitled to. In a busy world, when so many people are trying to balance work and family commitments, it is important to ensure families are given the opportunity to spend important occasions such as Christmas and New Year's Day together.

The Holidays Act 1983 lists the days that are public holidays including 25 December, Christmas Day, and 1 January, New Year's Day. Although the act provides for the substitution of other days as public holidays, it does not provide for the observance or appointment of additional public holidays. As we know, this year Christmas Day falls on a Saturday. It is not a public holiday because Tuesday, 28 December was appointed as the substitute Christmas Day public holiday. In 2011 New Year's Day also falls on a Saturday. In these circumstances a substitute public holiday is usually appointed on Monday, 3 January and Saturday, 1 January ceases to be a public holiday. Without this bill's amendment of the act, many members working on the actual date of observance of Christmas Day and New Year's Day would receive no additional entitlements for work that would normally attract public holiday penalty rates, particularly double time and a half. To this end the bill provides for the observance of two public holidays for Christmas Day this year—on Saturday, 25 December and Tuesday, 28 December 2010—and two public holidays for New Year's Day next year—on Saturday, 1 January and Monday, 3 January 2011.

The bill does not directly prescribe particular entitlements on public holidays. Such entitlements are determined by the relevant award or agreement. However, the bill bestows the status of a public holiday onto each of the days: Saturday, 25 December 2010; Tuesday, 28 December 2010; Saturday, 1 January 2011; and Monday, 3 January 2011. This activates entitlements in awards and agreements such as the typical double-time-and-a-half penalty rate for workers on each of those public holidays.

In the private sector there are a number of industries operating seven days a week where workers will potentially work on Saturday, 25 December or Saturday, 1 January. These industries include hospitality, accommodation, tourism, retail, and heavy industries such as mining. In the public sector many health workers, firefighters and ambulance officers will also work on these days. It is only fair and appropriate that these workers are compensated for being away from their families and friends on days traditionally used for the most special family occasions of the year.

The government believes that any increased costs to employers, including the government, through the potential for payment of public holiday penalty rates on the additional public holidays will more than be offset by the benefit to hardworking employees who would otherwise receive no additional benefit for working on Christmas Day or New Year's Day. This Labor government believes that Queensland workers who have received inferior public holiday entitlements in the past should not continue to suffer a loss of those entitlements this Christmas.

It is important to note that this bill will achieve consistency with other states. For Christmas Day 2010, Western Australia and New South Wales will observe a public holiday on Saturday, 25 December 2010 and an additional public holiday on 27 or 28 December. For New Year's Day 2011, New South Wales, Victoria and Western Australia will observe public holidays on both Saturday, 1 January and Monday, 3 January. Although this bill changes public holiday arrangements for Christmas Day 2010 and New Year's Day 2011 only, I reiterate that the government will introduce further amendments to the act in 2011 to ensure that this changed public holiday arrangement is made permanent for subsequent years when Christmas Day and Boxing Day fall on a Saturday and we will also consider further amendments to the act.

This is an important reform for workers in Queensland by a Labor government and I am proud to have introduced this bill into the parliament. In conclusion, I thank all honourable members for their support for the bill and this legislative reform. I would also like to thank all departmental officers involved in the preparation of this bill and I commend the bill to the parliament.