



Speech by  
**Grace Grace**

**MEMBER FOR BRISBANE CENTRAL**

Hansard Wednesday, 6 October 2010

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## **HOLIDAYS AMENDMENT BILL**

**Ms GRACE** (Brisbane Central—ALP) (5.00 pm): I rise today to support this bill and I am very glad to do so. I must admit that I am very happy to hear that the opposition is also supporting the bill. The bill before the House today ensures that hardworking employees in industries that operate seven days a week, such as retail, hospitality, accommodation, tourism, manufacturing, mining, health services—including our hardworking nurses—firefighting, police, ambulance and other emergency services, receive the same rest and relaxation as workers who are employed Monday to Friday. For most of Queensland's workforce Christmas Day and New Year's Day means a day off work without loss of pay. Workers are given time off for rest, relaxation and cultural and religious celebrations. These days create opportunities for workers to better balance their work and family life, which I was an advocate for for many years in my past occupation and I still believe and work hard towards that balance of work and family life.

However, for those employees who work in industries that operate seven days a week, a public holiday for Christmas or New Year's Day is sometimes not received, particularly when another day is declared as a public holiday and the actual day of Christmas Day and New Year's Day stops being a public holiday. The loss of a public holiday is not an isolated incident for these employees. I have noticed in the past in my previous occupation and since the introduction of the Holidays Act 1983 workers have potentially lost entitlements for Christmas Day when it fell on a Saturday in 1993, 1999 and 2004 or for New Year's Day in 1983, 1994, 2000 and 2005. As the usual practice has been to appoint only a substitute public holiday for Christmas Day or New Year's Day when it falls on a Saturday, these workers received no additional reward for working on days associated with special cultural, religious or family celebrations. These workers are often forced to miss out on these important occasions with their families and friends and receive no additional benefit in penalty rates as the day is not declared a public holiday because it fails to be so once another day has been declared. I think that is unfair. Christmas Day is Christmas Day; it cannot be changed. Unfortunately for those workers who have to work on that day, they do miss out on being with their friends and families. We all know how much we enjoy that time, yet they have to sacrifice that time away for no additional reward to their family for that loss of time with them.

The bill before the House today will correct this unfair situation and I applaud its introduction. I note that the Holidays Act 1983 does not provide for additional public holidays and does not permit the minister to appoint an additional public holiday. The bill's proposed amendment to the act is required to allow the appointment of additional public holidays for Christmas Day 2010 and New Year's Day 2011. This will ensure consistent treatment and entitlement for the greatest number of workers in the current circumstances. The prescription of public holidays to be observed on Saturday, 25 December and Saturday, 1 January will ensure that weekend workers working on those days will be eligible for public holiday entitlements in accordance with their award or agreement. The prescription of public holidays on Tuesday, 28 December 2010 and Monday, 3 January 2011 will ensure that Monday to Friday workers are entitled to a paid day off—and a paid day off they do deserve.

I believe that this is one for the workers. I can understand that businesses may have some concerns in relation to it. This is generally a very busy time of year for a lot of small businesses. A lot of families are on holidays and money is generally flowing in a lot of areas. Businesses, it is my understanding, will still have the ability to charge a public holiday surcharge where they are able to and this will continue now for

both days. A lot of those additional costs they may recoup can be further recouped by having that surcharge now for those additional two days. The member for Mudgeeraba claimed that some of them may close. Clearly that is a decision for an individual business to make. I do not think there is much substance in that whatsoever.

The member for Mudgeeraba also referred to the Queensland Nurses Union in regard to federal awards or agreements. I advise the member for Mudgeeraba, who clearly has no idea about industrial relations in this state, that the Nurses Union covers nurses in the state jurisdiction and in private hospitals as well. Generally in private hospitals nurses are covered by federal awards or federal agreements as they wish to maintain their classification structure which is developed at a federal level and therefore the relativities that they aim to ensure in those awards and agreements are done through the federal system as well. I say to the member for Mudgeeraba: go back to the textbooks and ascertain the facts before coming in here and making outlandish statements that clearly you have no information on.

I think this legislation is terrific. I think that after all those years that workers have missed out, this is an opportunity for them to recoup what they have missed out on in the past. It gives them the opportunity, where they do work, to be rewarded. It gives them the paid time off. I think it balances it really well. It corrects an unfairness. It is my great pleasure to commend the bill to the House.