

Public Sector Industrial Relations

Level 4 75 William Street Brisbane QLD 4000 Title Show Holidays
Telephone 32252343 Facsimile 32295943 Date 22 August 2000 Circular No. 8/00

Granting of a show holiday in a district where no holiday is appointed.

The public holidays provisions in the *Industrial Relations Act 1999 (s.15)* have been amended as from 1 July 1999 to provide that an employer and an employee are to agree upon a day to be treated as a public holiday in a district that does not have an annual agricultural, horticultural or industrial show (show holiday).

Prior to the amendments to the *Industrial Relations Act 1999* there was no provision for public service employees to be granted a show holiday in a particular district where no day was proclaimed as such in accordance with the provisions of the *Holidays Act 1983*.

The Minister for Employment, Training and Industrial Relations may proclaim show holidays following an application by a local government for the area in which a district is situated.

Notwithstanding that pursuant to the *Holidays Act 1983* a day might be appointed as a special holiday within a specified district for events other than shows e.g. annual race meetings of amateur turf clubs etc., these special holidays are 'bank holidays' not public holidays and are not in substitution for a show holiday. Consequently, where work is undertaken on a special holiday penalty payments do not apply.

Your attention is also drawn to *Directive No. 7/99, Attendance – Recording, Reporting and Public Holidays*, which provides that a chief

executive may require the whole or part of a department to remain open in the public interest for the whole or portion of a public holiday to be observed or a special holiday under the *Holidays Act 1983* and may require the attendance of any public service employee for this purpose.

In instances where an employee is required to work on a public holiday, the provisions regarding payment etc. as contained in the relevant industrial instrument and *Industrial Relations Act 1999* will apply.

Please ensure when distributing this information within your agency that you nominate your own contact officer to respond to enquiries from staff within your agency.



JIM MCGOWAN
General Manager

The Division of Public Sector Industrial Relations provides policy advice and consultancy and training services to Queensland Government departments and agencies. It is part of the Department of Employment, Training and Industrial Relations.

- ❖ Enquiries about this circular should be directed to Public Sector Industrial Relations on telephone 07 3239 0402.
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Copies of all current circulars issued by Public Sector Industrial Relations are available from the department's web site at www.detir.qld.gov.au/ir/psinfo/psinfo.htm

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