

Public and show day holidays

Policy Number: C67 (QH-POL-201)

Publication date: June 2020

Purpose: To outline arrangements for public holidays and agricultural, horticultural and industrial show days.

Application: This policy applies to all Queensland Health employees.
This policy does not apply to Queensland Ambulance Service employees. Instead, Queensland Ambulance Service employees are to refer to their local policy/procedure.

Delegation: The 'delegate' is as listed in the relevant Department of Health Human Resource (HR) Delegations Manual, or Hospital and Health Services Human Resource (HR) Delegations Manual, as amended from time to time.

Legislative or other authority:

- *Holidays Act 1983*
- *Industrial Relations Act 2016*
- Building, Engineering and Maintenance Services Employees (Queensland Government) Award - State 2016
- Health Practitioners and Dental Officers (Queensland Health) Award - State 2015
- Hospital and Health Service General Employees (Queensland Health) Award - State 2015
- Medical Officers (Queensland Health) Award - State 2015
- Nurses and Midwives (Queensland Health) Award - State 2015
- Queensland Public Service Officers and Other Employees Award – State 2015
- Health Practitioners and Dental Officers (Queensland Health) Certified Agreement (No. 2) 2016
- Medical Officers (Queensland Health) Certified Agreement (No. 5) 2018
- Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB10) 2018
- Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No.5) 2011
- Queensland Public Health Sector Certified Agreement (No. 9) 2016
- Compulsory Christmas/New Year Closure HR Policy C32 (QH-POL-117)

1 Policy statement

This policy applies to those employees who are ordinarily required to work on the day of the week, or who are rostered to work on the date, which has been gazetted as a public holiday, agricultural, horticultural or an industrial show day.

2 Public holidays

When a decision has been made to either close or reduce staffing in facilities/services over certain public holidays, employees are stood down or not required (refer to Attachment One).



Employees are to make specific reference to their award and certified agreement regarding their entitlements.

2.1 Working arrangements – payment for Easter Saturday and/or Easter Sunday

When an employee who is normally required to work on a Saturday is rostered off on Easter Saturday, or when an employee who is normally required to work on a Sunday is rostered off on Easter Sunday, the employee may, subject to award provisions, be entitled to:

- be paid an additional day's wage
or
- be granted a day off in lieu, at a time mutually agreed between the employer and the employee
or
- have an extra day added to the employee's recreation leave.

Employees who always work on Saturdays and/or Sundays are entitled to benefits when a public holiday falls on their normal weekend work day/s.

Employees who work in accordance with a roster that rotates over the seven days of the week qualify for benefits only when they are required to regularly work ordinary hours on a Saturday (in relation to Easter Saturday) or a Sunday (in relation to Easter Sunday), i.e. there is to be a regular and consistent pattern of work on those days.

When an employee works Monday to Friday only, or exchanges shifts or works weekend shifts on an irregular or infrequent basis (e.g. to cover absences on leave) there is no entitlement to benefits for public holidays falling on weekends, if they do not regularly work on that day.

3 Show day holidays

When a decision has been made to either close or reduce staffing in facilities/services on a show day holiday, employees are stood down or not required (refer to Attachment One).

Clause 117 of the *Industrial Relations Act 2016* sets out the minimum employee entitlements for Queensland agricultural, horticultural and industrial show day holidays. An employee is entitled to a show day holiday when performing work within a locality in which a show day holiday is declared.

When a show day holiday occurs at an employee's normal place of employment while they attend for duty at another place outside of that locality, the employee has no entitlement to either a show day holiday or a day in lieu. The exception to this are employees covered by the Queensland Public Health Sector Certified Agreement (No. 9) 2016 who are to be given a day off in lieu if the employee is required to perform work duties (including training) at an alternative location to their usual place of work on a day when the show holiday falls upon their usual place of work location.

An employee may qualify for more than one show day holiday per year if the duties require the employee to work in a number of locations, and the employee is working in those locations when a show day holiday falls.

When a particular locality has no show day holiday set out in a notification under the *Holidays Act 1983*, then the local Council determines the ordinary working day to become the show day holiday for all purposes.

When a gazetted show day/special holiday is changed during the year, the Hospital and Health Service is to immediately notify the Human Resources Branch, Department of Health, to enable configuration of the payroll system.

History:

June 2020	<ul style="list-style-type: none"> Policy application amended as a result of changes outlined in the Hospital and Health Boards (Changes to Prescribed Services) Amendment Regulation 2019.
June 2019	<ul style="list-style-type: none"> Policy: <ul style="list-style-type: none"> formatted as part of the HR Policy review amended to update references and naming conventions amended to outline process for determination when locality has no gazetted show day holiday Attachment One amended to include a guide outlining what may occur when employees are not rostered to work on a public or show day holiday.
August 2017	<ul style="list-style-type: none"> Policy: <ul style="list-style-type: none"> formatted as part of the HR Policy review amended to update references and naming conventions updated to include Easter Sunday public holiday application excludes employees of Queensland Ambulance Service.
August 2014	<ul style="list-style-type: none"> Policy amended to incorporate specific public holiday provisions not available in industrial instruments.
May 2014	<ul style="list-style-type: none"> Policy formatted as part of the HR Policy Simplification project. Policy amended to: <ul style="list-style-type: none"> rename policy from 'Public Holidays' to 'Show Day Holidays' update references and naming conventions remove public holiday provisions, as that information is outlined in industrial instruments.
March 2010	<ul style="list-style-type: none"> Developed as a result of the HR policy consolidation project.
Previous	<ul style="list-style-type: none"> IRM 2.5-5 Stand Down over Public Holidays IRM 2.5-8 Working Arrangements – Payment for Easter Saturday IRM 2.7-31 Payment for Overtime on Public Holidays – District Health Services Employees Award IRM 2.8-1 Public Holidays – Cultural and Horticultural Show IRM 2.8-2 Public Holidays: Payment – Nurses Psychiatric Hospitals and Eventide Homes IRM 11.2-6 Leave – Recreation – Additional Week for Work Performed on Public Holidays.

Attachment One – Public and show day holidays

Employees are to make specific reference to their award and certified agreement regarding their entitlements for public and show day holidays.

For information relating to the provisions regarding Christmas Day, Boxing Day and New Year's Day public holidays, refer to Compulsory Christmas/New Year Closure HR Policy C32.

Employees who are rostered to work on a public holiday or show day holiday, and who are stood down, are entitled to ordinary time only.

The below table is a guide only, to outline to employees what may occur when they are not rostered to work on a public or show day holiday*.

Public holiday*	Employees who are in receipt of additional week's leave for work on public holidays	Employees who are not in receipt of additional week's leave for work on public holidays
Australia Day Good Friday Easter Monday Anzac Day Queen's birthday	No additional payment	<ul style="list-style-type: none"> • Additional day salary/wage or • A day off in lieu or • A day added to recreation leave
Easter Saturday Easter Sunday Show Day Labour Day	<ul style="list-style-type: none"> • Additional day salary/wage or • A day off in lieu or • A day added to recreation leave 	<ul style="list-style-type: none"> • Additional day salary/wage or • A day off in lieu or • A day added to recreation leave

*No additional compensation is made for any public holiday to an employee who is not ordinarily required to work on that day.

Some exclusions apply, including but not limited to:

- certain building, engineering and maintenance employees
- nurses who work in Eventide Homes (Nurse Grade 1 to Nurse Grade 4)
- nurses who work in psychiatric hospitals
- nurses who work in Correctional Health Services engaged in continuous shift work or work on two shifts per day over seven days.