

Minister for Environment, Parks and Heritage
Minister for Sport and Recreation
Minister for Hospitality



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- 7 MAR 2011

Dear Mr Old *Steve,*

I am writing in response to your letter to the Premier dated 26 November 2010 regarding pressures facing the hospitality industry.

I hope that with my appointment as Minister for Hospitality, any fears that you might have held that Hospitality would be sidelined have been dispelled. I can guarantee you that I am determined to work alongside yourself and all stakeholders in the industry to achieve positive outcomes for Tasmania.

With regard to the decision to legislate regarding public holidays, I support the Government's decision to protect Christmas Day as an important day for workers and families – and their right to be fully compensated should they work on this day.

As you will appreciate public holidays are established to enable members of the workforce and the general public to enjoy and participate in important public events and to observe and commemorate important beliefs and historical events. These are important entitlements that are afforded to all workers in Australia and this is an issue that the Labor government will continue to support.

The Tasmanian Government's position was simple: workers who work on Christmas Day should be compensated properly. Until the legislative changes, where Christmas Day fell on a Saturday (as it did in 2010) or Sunday, many workers failed to receive public holiday pay as the Christmas Day holiday was observed on the following Monday.

This anomaly in the law meant that many workers could have worked on Christmas Day and received normal wages, while other workers on the Monday would have received public holiday rates. I support the Tasmanian Government's view that this was absurd.

Cabinet reached the view that the best way to rectify this issue would be to make Christmas Day, when it falls on a Saturday or Sunday, an additional public holiday, meaning that both the 25th and the following Monday would attract public holiday rates.

I appreciate that this change will have brought about significant extra costs for THA members who employed staff on Christmas Day. The Government recognises the implications for businesses, and especially businesses in the hospitality industry which are required to pay higher wage rates for workers that are rostered on during these public holidays. We also recognise the important role that your members fulfil on these public holidays, with an increase in demand for their services by those members of the community and workforce enjoying the day in question.

To manage the implications of the decision in the lead up to Christmas in 2010, it is my understanding that Workplace Standards Tasmania, together with key employer organisations and unions, managed a communications strategy designed to make employers aware of the changes. I hope that this will have assisted THA members deal with any difficulties during this time.

Your letter raises concerns about the need for the government to consult with the industry in relation to recent changes to declared public holidays and your need to consult with your members. I am keen to maintain a regular and open dialogue with the THA on any concerns and will ensure that we consult with you and your members on these critical matters into the future so that the industry's concerns are more fully understood and, where appropriate, measures can be adopted to ensure that any potential impacts on the industry are minimized.

The hospitality industry is vital to our economy and a major employer in the state. For these reasons the Labor government is committed to a strong and profitable hospitality industry in Tasmania and is investing in the industry through initiatives such as Hospitality Industry Skill Development Initiative and the proposed Pubwatch scheme.

Finally, you raised concerns regarding the review of the *Anzac Day Observance Act 1929*. My understanding is that the review's four-week consultation period closed but I am happy to discuss with Veterans Affairs Minister Bryan Green, who is conducting the review, any industry views you might have.

I look forward to working with you as Hospitality Minister, alongside many other stakeholders from the industry.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brian', with a long, sweeping horizontal line extending to the right across the page.

Brian Wightman MP
Minister for Hospitality