

**TASMANIAN INDUSTRIAL COMMISSION**

**Industrial Relations Act 1984**

s23 application for award or variation of award

**Liquor, Hospitality and Miscellaneous Union - Tasmanian Branch**  
(T13363 of 2009)

COMMISSIONER J P MCALPINE

HOBART, 16 February 2009

**Award variation – Clause 16 HOLIDAYS WITH PAY– approved from 16/2/09**

**MISCELLANEOUS WORKERS (PUBLIC SECTOR) AWARD**

**ORDER BY CONSENT:**

**No. 1 of 2009**

The MISCELLANEOUS WORKERS (PUBLIC SECTOR) AWARD is varied in the following manner:

By deleting Clause 16 – HOLIDAYS WITH PAY and inserting in lieu thereof the following:

**"16. HOLIDAYS WITH PAY**

(a) (i) All employees (other than casuals) shall be allowed the following days as paid holidays:

New Year's Day, Australia Day, Hobart Regatta Day (south of Oatlands), Labour Day, Cup Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Show Day (as defined), Recreation Day (where Hobart Regatta Day is not observed), Christmas Day and Boxing Day.

(ii) Where any of the aforementioned holidays (with the exception of Anzac Day) fall on a Saturday, Sunday or Rostered Day Off and are observed on the Saturday, Sunday or Rostered Day Off respectively, then the following ordinary working day shall be regarded as a holiday for the purposes of this award.

(b) Payment for the holidays mentioned in subclause (a) which are taken and not worked, shall be at the normal rate of pay which would have applied to the employee concerned when, if it were not for such holiday, he had been at work.

(c) Payment to an employee for work performed on holidays mentioned in subclause (a) shall be at the rates prescribed elsewhere in this award."

**OPERATIVE DATE**

This variation shall come into operation from 16 February 2009.

J P McAlpine  
**Commissioner**

16 February 2009