

IN THE FAIR WORK COMMISSION

Matter No: AM2019/22 and another

Section 158 – Application to vary or revoke a modern award – Part-day public holidays – multiple modern awards

SUBMISSION OF UNITED WORKERS' UNION

1. On 28 November 2019, the Australian Hotels Association (AHA) made an application to vary the *Hospitality Industry (General) Award 2010* ('Hospitality Award') to alter the part-day public holiday provisions in Schedule H.
2. The terms of the variation sought reflect the Queensland Government's amendment to the *Holidays Act 1983* providing for a part-day public holiday in the state from 6pm to midnight on Christmas Eve (24 December). This will come into effect this year.
3. On 3 December 2019 the Fair Work Commission (FWC) released a Statement¹, indicating that it was the Commission's provisional view that the Hospitality Award should be varied in line with the AHA's proposed amendment and that further, pursuant to the Commission's power to vary a modern award on its own initiative in s 157(3)(a), the additional 112 awards with a part-day public holiday schedule should be varied in the same terms.
4. The United Workers' Union supports the Commission's provisional view.

**United Workers' Union
12 December 2019**

¹ [2019] FWCFB 8182.