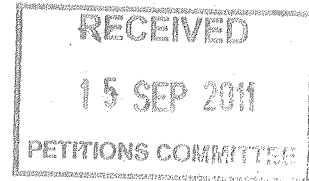




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Senator Chris Evans
Leader of the Government in the Senate
Minister for Tertiary Education, Skills, Jobs and Workplace Relations

The Hon John Murphy MP
Chair
Standing Committee on Petitions
Parliament House
CANBERRA ACT 2600



Dear Mr Murphy

Thank you for your letter of 12 May 2011 concerning the petition presented by Ms Anna Burke MP, Member for Chisholm, requesting that Easter Sunday be recognised as a public holiday under the *Fair Work Act 2009*. I apologise for the delay in responding.

The Australian Government has made significant reforms to the national workplace relations system in Australia, including the introduction of modern awards and the National Employment Standards (NES).

Public holidays form part of the NES and provide employees in the national system with an entitlement to be absent from work, with pay, on a number of nationally significant public holidays. The public holidays that the NES protects are those days traditionally declared by state and territory governments to be public holidays. As Easter Sunday has not traditionally been recognised as a public holiday by state and territory jurisdictions, it is therefore, not included in the NES as a public holiday.

The NES, however, provides that state and territory governments may declare additional public holidays. As indicated in your correspondence, Easter Sunday has recently been declared a public holiday in New South Wales. The ability to declare Easter Sunday to be a public holiday is accordingly available to all other state and territory governments, reflecting longstanding practices with respect to the declaration of public holidays in Australia.

I trust the information provided is helpful.

Yours sincerely

CHRIS EVANS

8 SEP 2011