

# STATES OF JERSEY



## PUBLIC HOLIDAYS AND BANK HOLIDAYS: DESIGNATION OF 7TH MAY 2010

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Lodged au Greffe on 9th February 2010  
by Deputy M. Tadier of St. Brelade

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STATES GREFFE

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

- (a) to agree that Friday 7th May 2010 should be designated as an extra Public and Bank Holiday for 2010; and
- (b) to request the Chief Minister to bring forward for approval the necessary Act under the Public Holidays and Bank Holidays (Jersey) Law 1951 to give effect to the decision.

DEPUTY M. TADIER OF ST. BRELADE

## REPORT

Members will be aware that under Standing Order 20(3) a proposition *cannot be in the same or substantially the same terms as a proposition which the States have previously debated and voted upon, unless at least 3 months have elapsed since that vote* and so, I will start by pointing out that there is a key difference between this proposition and P.204/2009 in that this proposition asks for Friday 7th May 2010 to be made a public holiday (*not* Monday 10th May) and there are compelling reasons to do this.

Much of this debate *may* focus on the same issue of *whether* or not the public *should* be entitled a *work-day* off. However I do not wish, in this report, to rehash old arguments. This can be done, if necessary, during the debate. I will, rather, concentrate my remarks on the case for having the *Friday* off, rather than any other day, or no day at all.

### **Why should Friday 7th be made a public holiday?**

Members will be aware that this year is no ordinary liberation day, but the 65th anniversary of the day that our island was freed from Nazi occupation. As such, a programme of events has been prepared not only for the 9th May, but also for the 2 days preceding it.

This proposition, if successful will not prevent celebrations of Liberation Day on the 9th May, as some seem to have claimed, rather by spreading the celebrations over a 3 day period, starting on Friday 7th May and culminating with the actual 65th Anniversary on Sunday 9th May, the event will be given *even greater* significance, as is appropriate for such a landmark anniversary.

### **What special Liberation events are happening on the Friday?**

Friday 7th May is the date of the opening of the '*Liberation*' *Jersey International Music Festival*, which will see international stars '*performing with Jersey musicians in amazing heritage sites*' all over the island. It should be noted that the Opening Gala and two subsequent events will be taking place when most people are normally at work.

#### **12:30 Fanfare in Royal Square**

Jon Lord's fanfare based on a traditional Jersey ballad called the "La Chanson de Peirson" will feature in a world premiere at the place where Major Peirson died defending Jersey from the attacking French forces and is performed by Premier Brass.

*Royal Square, St Helier.*

**Admission Free**

#### **12:45 Liberation Reflection**

Poems and readings about Jersey's Liberation interspersed with Bach's beautiful cello suites in Jersey's atmospheric War Tunnels.

*Jersey War Tunnels, St Lawrence.*

**£5**

### **16:00 Key note speech – Freedom and Liberation**

A distinguished speaker, Sir Nicolas Young of the Red Cross talks about Freedom and Liberation.

*Location TBA*

Much hard work has been put into organising these events by many groups and individuals, including the staff at Jersey Tourism, the Red Cross, Jersey Heritage and The Opera House. Priority 16 of the Strategic Plan states that –

*‘Arts, heritage and culture are central to the life of the community’ and that we will ‘support the work of the Jersey Heritage Trust and other organisations responsible for the island’s arts and heritage.’*

I am looking forward to attending as many of these excellent events as I can; as a States Member I am in the fortunate position of having a certain amount of flexibility in the hours I work. However, for most workers in the public and private sectors, this is not the case. If we are serious about promoting the arts, our heritage and a pride in our islands unique identity and traditions, we should also be encouraging participation. With the Friday as a public holiday, islanders young and old will be able to take full advantage of these events to commemorate Jersey’s special history.

### **Serendipity**

On 2nd February, I supported the Chief Minister’s proposition (P.204/2009), however, I think we may have been somewhat serendipitous in rejecting it insofar as that if we *do* accept this proposition, islanders will be able to participate in the important public events of Friday afternoon, which they would not have otherwise.

This proposition, if successful, will not prevent celebrations of Liberation Day on the 9th May, as some seem to have claimed. By spreading the celebrations over a 3 day period, starting on Friday 7th May and culminating with the actual 65th Anniversary on Sunday 9th May, the event will be given even greater significance, as is appropriate for such a landmark anniversary.

### **The Situation Elsewhere**

During the debate on P.204/2009, some drew analogies with countries elsewhere, questioning what they did on their national holiday, if it fell on a Sunday. Convention varies from country to country, however it is worth noting the following –

#### ***USA***

*This year Independence Day (4th July) also falls on a Sunday. On such occasions, when a holiday falls on a non-workday Saturday or Sunday, the holiday usually is observed on Monday (if the holiday falls on Sunday) or Friday (if the holiday falls on Saturday). For most Federal employees, Monday, July 5, will be treated as a holiday for pay and leave purposes.<sup>1</sup>*

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<sup>1</sup>US Office of Personnel Management  
[http://www.opm.gov/Operating\\_Status\\_Schedules/Fedhol/2010.asp](http://www.opm.gov/Operating_Status_Schedules/Fedhol/2010.asp)

### ***Australia***

‘When Australia Day (26th January) falls on a Saturday or Sunday, a holiday in lieu thereof shall be observed on the next Monday.’<sup>2</sup>

### ***France***

In France, the situation is slightly different. *La fête du Travail* (1st May) is the only statutory paid holiday in France. However, the provision of all other (ten) holidays are made by *convention collective de travail*<sup>3</sup>, whose conditions are negotiated between the various *syndicates* (unions) and the employer.

### ***Guernsey***

Guernsey is a small, self-governing island in the English Channel. In 1945 it was liberated from Nazi occupation and consequently, every year it celebrates *Liberation Day* (effectively its national holiday) on 8th May. This year the Liberation Day falls on a Saturday and the *States of Guernsey* (the island’s government) have decided to make the Monday a public holiday *in lieu*.

So there *are* clear precedents and examples of other countries that give a day off *in lieu*, and *without* devaluing their national holiday or interfering with celebrations/memorials taking place on the official day of observance.

### **Financial and manpower implications**

Traditionally, we are told that the cost to the public sector is of the order of £1.5 million. However, members should be aware that this does not mean that £1.5 million will be *saved* by not voting for a day off. Whether States employees work the Friday or not, they will be getting paid for it, so it is wrong to think that this sum will be *saved* for some other capital spending elsewhere. There will, however, be an *actual* cost for those employees on shift work relating to *time in lieu* and *overtime* payments. As the majority of States employees work ‘regular hours’ this total figure will be significantly less than the £1.5 million stated.

It should also be noted, as stated in P.204/2009 that ‘Liberation Day is normally observed as a public holiday in the Island each year and funded as such from departmental budgets.’

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<sup>2</sup> <http://www.rmit.biz/browse;ID=3aef2r7b35f> (Royal Melbourne Institute of Technology website)

<sup>3</sup> Cf. [http://fr.wikipedia.org/wiki/Convention\\_collective](http://fr.wikipedia.org/wiki/Convention_collective)