

2015 – 2016 Annual Report

**of the President of the Industrial
Court of Queensland**

**In respect of the Industrial Court of Queensland,
Queensland Industrial Relations Commission
and Queensland Industrial Registry**



**Industrial Court
of Queensland**



INDUSTRIAL COURT OF QUEENSLAND
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

7 December 2016

The Honourable Grace Grace MP
Minister for Employment and
Industrial Relations, Minister for Racing and
Minister for Multicultural Affairs
GPO Box 611
BRISBANE QLD 4000.

Dear Minister,

I have the honour to furnish to you for presentation to Parliament, as required by section 252 of the *Industrial Relations Act 1999*, the Annual Report on the work of the Industrial Court of Queensland, the Queensland Industrial Relations Commission, the Industrial Registry and generally on the operation of the *Industrial Relations Act 1999* for the financial year ended 30 June 2016. Responsibility for the report relating to the Queensland Industrial Relations Commission and Queensland Industrial Registry rests with the President and Industrial Registrar respectively.

A handwritten signature in blue ink that reads 'G.C. Martin'.

G.C. Martin
President
Industrial Court of Queensland

TABLE OF CONTENTS

INDUSTRIAL COURT OF QUEENSLAND	3
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION	4
QUEENSLAND INDUSTRIAL REGISTRY	10
AMENDMENTS TO LEGISLATION	13
TABLES	14

INDUSTRIAL COURT OF QUEENSLAND

The work of the Industrial Court has not changed markedly since the last Annual Report. In the reporting year there was a slight decrease in the number of appeals heard with a concomitant reduction in the number of weeks set aside for the sittings of the Court. The members of the Court are: the President, the Vice President (Dianne Linnane) and the Deputy President (Courts) (Daniel O'Connor).

In August 2015 the Treasurer, Minister for Employment and Industrial Relations, and Minister for Aboriginal and Torres Strait Islander Partnerships announced a review of Queensland's industrial relations jurisdiction. That review required a consideration of, and recommendations for Queensland's industrial relations framework, laws and tribunals including the structure, functions and powers of those tribunals. The Chair of the Industrial Relations Legislative Reform Reference Group, Mr Jim McGowan AM, consulted with me on a number of occasions about the issues concerning the structure, functions and powers of the Queensland Industrial Relations Commission and the Industrial Court of Queensland. These consultations were very constructive and allowed for an appropriate exchange of ideas.

The Report which emerged from the review was published in December 2015. It contained a number of recommendations and many of those have been accepted by the government. Of specific relevance to the Industrial Court were the following recommendations:

- “59. That similar protocols to those which the Government introduces for the court system be developed to guide future appointments to the Industrial Court of Queensland and the Queensland Industrial Relations Commission.
60. That the administrative responsibility for the Industrial Court of Queensland and Queensland Industrial Relations Commission be transferred to the Department of Justice and Attorney-General.
61. That a provision be inserted under the powers of the President enabling the President to develop and issue performance measures for the Commission.
62. That a provision be inserted under the powers of the President enabling the President to develop and issue a ‘code of conduct/behaviour’ for users of the Queensland Industrial Relations Commission and the members of the Commission.
65. That the Act ensure that only the President of the Industrial Court of Queensland can hear an appeal from a full bench. The Act should allow an interlocutory matter such as stay applications to be heard by a Deputy President of the Court.
66. That the Act provide for appeals from decisions of the Industrial Court of Queensland to the Queensland Court of Appeal.”

Those recommendations have, in large part, been incorporated into the *Industrial Relations Bill 2016* which was introduced into Parliament after the reporting period.

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

The Queensland Industrial Relations Commission (Commission) derives its powers and functions from Chapter 8, Part 2 of the *Industrial Relations Act 1999* (Act). The Commission plays a major role in contributing to the social and economic well-being of Queenslanders through furthering the objects of the Act which are principally to provide a framework for industrial relations that supports economic prosperity and social justice.

Structure of the Commission

There are eleven Members of the Commission. The Commission is headed by the President, Justice Glenn Martin AM, who is also President of the Industrial Court of Queensland.

Currently the Commission is comprised of the President, the Vice President, four Deputy Presidents and five Industrial Commissioners. The President is responsible for the administration of the Commission and the Industrial Registry. This includes the allocation of all matters, references to Full Benches and the general conduct of Commission business. The President delegated these responsibilities to Deputy President O'Connor on 13 October 2015.

Current Members of the Commission are:

Member	Date sworn in
Justice Glenn Martin AM, President	2 December 2013
Vice President Dianne Linnane	2 August 1999
Deputy President Daniel O'Connor	13 November 2012
Deputy President Deirdre Swan	3 February 2003
Deputy President Adrian Bloomfield	3 February 2003
Deputy President Leslie Kaufman	6 January 2014
Industrial Commissioner Glenys Fisher	12 February 1990
Industrial Commissioner John Thompson	28 September 2000
Industrial Commissioner Gary Black	13 November 2012
Industrial Commissioner Minna Knight	12 December 2012
Industrial Commissioner Graeme Neate	6 January 2014

Jurisdiction, Powers and Functions of the Commission

Members of the Commission exercise jurisdiction, powers and functions under the *Industrial Relations Act 1999*, the *Workers' Compensation and Rehabilitation Act 2003* and various other legislative enactments. That jurisdiction, and those powers and functions, are outlined in the various legislative enactments and have been reported on in detail in previous Annual Reports. The most significant area of the Commission's workload now arises from appeals against review decisions of the Workers' Compensation Regulator (Regulator) under the *Workers' Compensation and Rehabilitation Act 2003*.

In addition to the general workload of the Commission (i.e. workers' compensation appeals, unfair dismissal applications, award modernisation, public service appeals, wage recovery applications, payment of long service leave in lieu of the taking of such leave applications, applications in respect of industrial organisations and trading hours applications), the Members of the Commission have, during the reporting period, exercised the following specific powers:

Award Modernisation:

Prior to this reporting period, on 17 March 2015, the then Minister for Employment and Industrial Relations, the Honourable Curtis Pitt MP, requested the Award Modernisation program being undertaken by Deputy President Bloomfield and the Award Modernisation Team be suspended. This suspension was to enable the government to consult with key stakeholders in light of the variations to the relevant award modernisation provisions resulting from the enactment on 11 June 2015 of the *Industrial Relations (Restoring Fairness) and Other Legislation Amendment Act 2015*. The changes ultimately required the modernisation process to commence afresh, including the re-modernisation of a number of newly-made awards. A variation notice and consolidated request was issued by the Minister on 17 July 2015 requesting the recommencement of the award modernisation process. It also nominated nine awards as 'priority awards'.

By 30 June 2016, 23 of the 31 awards identified as requiring modernisation had been made, including the nine priority awards, and a further two were before a Full Bench for finalisation. The awards made during the reporting period are listed below:

- *General Employees (Queensland Government Departments) and Other Employees Award - State 2015;*
- *Medical Officers (Queensland Health) Award - State 2015;*
- *Queensland Health Framework Award - State 2015;*
- *Queensland Public Service Officers and Other Employees Award - State 2015;*
- *Health Practitioners and Dental Officers (Queensland Health) Award - State 2015;*
- *Nurses and Midwives (Queensland Health) Award - State 2015;*
- *Hospital and Health Service General Employees (Queensland Health) Award - State 2015;*
- *WorkCover Queensland Employees Award - State 2015;*
- *Correctional Employees Award - State 2015;*
- *Legal Aid Queensland Employees Award - State 2015;*
- *Tourism and Events Queensland Employees Award - State 2015;*
- *Queensland Agricultural Colleges Award - State 2015;*
- *Teaching in State Education Award - State 2016;*
- *Queensland Parliamentary Service Award - State 2015;*
- *Queensland Police Service Employees Award - State 2016;*
- *Youth Detention Centre Employees Award - State 2016;*
- *Building, Engineering and Maintenance Services Employees (Queensland Government) Award - State 2016;*
- *Civil Construction, Operations and Maintenance General Award - State 2016;*
- *Parks and Wildlife Employees Award - State 2016;*
- *TAFE Queensland Award - State 2016;*
- *Stadiums Queensland Employees Award - State 2016;*

- *Miscellaneous Administrative Employees Award - State 2016*; and
- *Award for Operational Employees in Disability and Forensic Services - State 2016*.

Reports on progress were made to the Minister on 22 December 2015, 4 April 2016 and 1 July 2016. Any variations to the consolidated request were published on the Commission website, along with those reports.

Industrial Organisations: In the reporting period a number of industrial organisations of employers were de-registered under Chapter 12 Part 16 of the Act. These organisations were generally de-registered because the organisations no longer need registration as industrial organisations in the Queensland jurisdiction. Those organisations de-registered in the reporting year were:

- Queensland Real Estate Industrial Organisation of Employers – deregistered on 21 July 2015;
- Queensland Retail Traders and Shopkeepers Association (Industrial Organisation of Employers) – deregistered on 18 November 2015;
- Queensland Fruit and Vegetable Growers, Union of Employers – deregistered on 10 February 2016; and
- Queensland Major Contractors Association, Industrial Union of Employers– deregistered on 10 February 2016.

Workers' Compensation Appeals: The Workers' Compensation Regulator (the Regulator) is the statutory body that reviews workers' compensation decisions taken by WorkCover Queensland (WorkCover) and self-insurers. Where workers and/or employers feel aggrieved by the decisions of either WorkCover or the self-insurer they may seek a review by the Regulator of that decision. The Commission has jurisdiction to hear appeals from review decisions of the Regulator under s 550 of the *Workers' Compensation and Rehabilitation Act 2003*. During the reporting period there were 200 workers' compensation matters filed in the Industrial Registry.

Early in 2016 the Commission re-established its partnership with the non-profit community legal centre **QPILCH** in order to provide a service to self-represented litigants who make an application in the workers' compensation jurisdiction. Under the management of QPILCH, barristers provide advice and representation during the pre-trial stages of an application, in particular, representing the applicant at conferences conducted by a member of the Commission. At the end of the reporting period, the service was about to recommence.

In order to continually improve the efficiency and cost-effectiveness of the workers' compensation jurisdiction for all parties, a **Workers' Compensation User Group** comprised of stakeholders such as the Regulator, Commissioners, solicitors regularly engaged in WC matters and a representative of the Queensland Law Society, a representative of the Bar Association of Queensland and a number of counsel who are regularly briefed in these matters, was established. The user group provides a forum for discussion and development of ideas to improve access and efficiency of the tribunal. The user group met twice during the reporting period and the following issues were resolved:

- General streamlining of court processes (see below – information under "Industrial Registry");
- Review of timeframes for Directions Orders, especially for the self-represented parties. The existing timeframes for compliance with directions were deemed to be unrealistic by stakeholders, and evidenced by the requirements for extensions to comply in 53% of matters. In consultation with the user group, the timeframes were adjusted to allow timely compliance while still ensuring the matter progresses as quickly as possible; and

- Case management of matters with self-represented parties with matters being allocated to a Member at an earlier stage to provide a single point of contact, guidance with an understanding of the matter, and any interlocutory issues resolved by that Member. Additionally, there would be the opportunity to have two s 552A conferences for self-represented litigants, the first being quite early so that the process can be fully explained to the applicant at the earliest opportunity.

Other issues discussed and that require further development include the effective management of nominated stressors, improvement of the application to appeal form, and advice to parties about outlines of evidence and what to include.

Public Service Appeals: Under s 88A of the *Public Service Act* 2008 the following Members of the Commission have been appointed as Appeals Officers to hear and decide appeals under that Act:

Appeals Officer	Date appointed
Senior Appeals Officer Dianne Linnane	20 June 2013 (Appeals Officer 1 July 2009)
Appeals Officer Daniel O'Connor	25 October 2012
Appeals Officer Deirdre Swan	1 July 2012
Appeals Officer Adrian Bloomfield	1 July 2012
Appeals Officer Leslie Kaufman	2 February 2014
Appeals Officer Glenys Fisher	1 July 2012
Appeals Officer John Thompson	1 July 2012
Appeals Officer Gary Black	25 October 2012
Appeals Officer Minna Knight	11 December 2012
Appeals Officer Graeme Neate	2 February 2014

Chapter 7 of the *Public Service Act* 2008 stipulates the right to appeal a decision, the types of decisions that may or may not be appealed, who may appeal a decision and the appeals procedures. During the reporting period 95 public service appeals were lodged pursuant to s 194 of the *Public Service Act* 2008.

Other Legislative Enactments: In addition to the above, the Commission has jurisdiction under other legislative enactments such as:

- the *Trading (Allowable Hours) Act* 1990;
- the *Further Education and Training Act* 2014;
- the *Contract Cleaning Industry (Portable Long Service Leave) Act* 2005;
- the *Public Interest Disclosure Act* 2010;
- the *Work Health and Safety Act* 2011;
- the *Child Employment Act* 2006; and
- the *Magistrates Courts Act* 1921.

The details of the Commission's jurisdiction under these legislative enactments has been outlined in previous reporting years.

Resources

The Commission hears matters in locations throughout Queensland and in the reporting period heard matters in Cairns, Caloundra, Goondiwindi, Hervey Bay, Gympie, Townsville, Toowoomba, Rockhampton, Maroochydore and Mackay.

Other initiatives

In addition to the Workers' Compensation User Group, the Commission established the **Industrial Jurisdiction User Group**. This user group is comprised of industrial organisations, Commissioners, state government employees, solicitors and barristers who regularly appear at the Court and the Commission. The user group met twice during the reporting period. The following issues were resolved:

- General streamlining of court processes (see below – information under "Industrial Registry"); and
- Applications for long service leave payment are now routinely dealt with on the papers, unless a hearing was absolutely necessary (and ideally by telephone to reduce costs to parties).

Professional activities

During the reporting period the following Members utilised their Jurisprudential Allowance and/or Education and Conference Allowance to attend conferences, seminars or courses:

Member	Activity	Location	Date/s
Vice President Linnane	Joint NSW/QLD Industrial Commission Conference	Sydney, Australia	16-18 September 2015
Deputy President O'Connor	Bar Association of Queensland Conference	Gold Coast, Australia	22-23 August 2015
	Joint NSW/QLD Industrial Commission Conference	Sydney, Australia	16-18 September 2015
	International Bar Association Conference	Vienna, Austria	4-9 October 2015
	International Council of Advocates and Barristers Conference	Edinburgh, Scotland	13-14 April 2016
Deputy President Swan	East West Medical and Legal Conference	Berlin, Germany	7-14 July 2015
	Bar Association of Queensland Conference	Gold Coast, Australia	22-23 August 2015
Deputy President Bloomfield	Bar Association of Queensland Conference	Gold Coast, Australia	22-23 August 2015
	Joint NSW/QLD Industrial Commission Conference	Sydney, Australia	16-18 September 2015

Deputy President Kaufman	East West Medical and Legal Conference	Berlin, Germany	7-14 July 2015
	Bar Association of Queensland Conference	Gold Coast, Australia	22-23 August 2015
	Joint NSW/QLD Industrial Commission Conference	Sydney, Australia	16-18 September 2015
Commissioner Fisher	17 th ILERA World Congress Conference	Cape Town, South Africa	7-11 September 2015
	21 st World Congress International Society for Labour and Social Security Law	Cape Town, South Africa	15-18 September 2015
Commissioner Thompson	Joint NSW/QLD Industrial Commission Conference	Sydney, Australia	16-18 September 2015
Commissioner Black	Bar Association of Queensland Conference	Gold Coast, Australia	22-23 August 2015
	Joint NSW/QLD Industrial Commission Conference	Sydney, Australia	16-18 September 2015
	USA Pacific Legal Conference	New York, United State of America	26 June – 3 July 2016
Commission Knight	Judgment Writing, National Judicial College of Australia	Canberra, Australia	21-23 March 2016
Commissioner Neate	Bar Association of Queensland Conference	Gold Coast, Australia	22-23 August 2015
	Joint NSW/QLD Industrial Commission Conference	Sydney, Australia	16-18 September 2015
	Challenges of Social Media for Courts and Tribunals, Australasian Institute of Judicial Administration and The Judicial Conference of Australia	Melbourne, Australia	26-27 May 2016

QUEENSLAND INDUSTRIAL REGISTRY

Registry Services

The Queensland Industrial Registry is the Registry for the Industrial Court of Queensland and Queensland Industrial Relations Commission. The Industrial Registry is an office of the public service. The Industrial Registrar is the head of the Industrial Registry, under the *Public Service Act 2008*.

The Industrial Registrar is appointed under s. 297 of the *Industrial Relations Act 1999* and, apart from administering the Registry, has the functions conferred under that Act and other Acts. The Deputy Industrial Registrar provides support to the Registrar and oversees the operations of the Registry.

Funding for the Court, Commission and Registry is provided through the Department of Justice and Attorney-General (DJAG) with the Department being sensitive to the need to maintain the independence of the Court and the Commission.

The Registry provides administrative support to the Court and the Commission and the Registrar also provides a facilitative service to the general industrial relations community.

The Registry is structured into 4 units: Client Services, Information Services, Registered Industrial Organisation Services and Corporate Services.

Client Services

Client Services is managed by the Registry Officer and the Client Service staff provide support to Members (and Associates) through:

- assisting in administrative activities of each application (e.g. tracking matters, notifications to applicants and respondents);
- organising conferences and hearings; and
- examining, evaluating and processing all applications and other documentation received from applicants, respondents and other parties.

Client Service staff also assist all users of the Court and Commission through:

- responding to public enquiries through:
 - a telephone advisory service
 - across the counter and
 - written correspondence [post, fax and email]
- an advisory role to parties and practitioners who require information on practices and procedures; and
- receiving and filing applications and related documentation.

During 2015-16, a total of 1,495 applications and notifications were filed in the Registry (see Tables 1 & 4).

Information and Corporate Services

Registry staff within the Information & Corporate Services area provide a diverse range of high quality publication and administrative support that contributes to the effective functioning of the Court, Commission and the Industrial Registry. These services include:

- posting of all relevant documentation to the QIRC's web site (www.qirc.qld.gov.au);
- managing the QIRC website to ensure content is relevant and up to date; and
- managing the internal intranet site updating information and tools required by the QIRC and Registry staff.

Under the provisions of the *Financial Accountability Act 2009*, the Chief Executive Officer (Director General) of the Department of Justice and Attorney-General was the accountable officer of the Industrial Registry. The Director General has delegated certain powers to the Industrial Registrar under that Act.

A comprehensive range of corporate services is provided to the Court, Commission and Registry employees. These services are principally provided through the Senior Executive Officer and include:

- human resource management;
- financial management;
- building & security management;
- asset management; and
- administrative policies, practices and procedures.

Registered Industrial Organisations

The Registrar has important functions and powers with regard to industrial organisations (i.e. unions, or organisations, of employers or employees). The Registrar is principally supported by the Senior Registry Officer (Registered Industrial Organisations) and functions include:

- approving amendments to an industrial organisation's rules;
- arranging for the Electoral Commission to conduct an election of officers for an industrial organisation; and
- monitoring compliance with financial and accountability requirements of organisations and their officers.

The monitoring of compliance by Registered Industrial Organisations in relation to provisions of Chapter 12 increased during the reporting year. Many Industrial Organisations have been assisted in their duty to comply with legislative provisions.

Highlights of the 2015-16 reporting year

The 2015-16 reporting year witnessed a number of highlights that had a significant impact on the business of the Industrial Registry.

1. The *Industrial Relations Act 1999* section 242 E 2 (a) was amended allowing the functions of the President to include managing the administration of the business of the Court and the Registry under section 242 G and section 264(1).
2. October saw the establishment of a listings position within the Registry aligning the Registry structure with that of the Supreme & District Court. This enabled the List Manager within the Registry to effectively allocate workloads to the Members in accordance with the judicial calendar allocations (including regional matters) and equally across all members in a timely manner.
3. A fixed circuit booking process has been incorporated into the role of the List Manager. The List Manager is now responsible for liaising with the regional courthouses when booking courtrooms to conduct the work of the Commission for those matters involving regional applicants/respondents.
4. The introduction of a judicial calendar in January identifies the various matter types to be undertaken by members including the members approved leave. This has resulted in the registry being able to promptly identify the availability of a member within a 6 month period whilst streamlining the allocation of workloads evenly across all members. The matter type and leave blocks are approved by Deputy President O'Connor prior to the calendar being released. The Court and Commission calendar aligns with that of the Supreme & District Courts.

5. A Single file system was introduced in December allowing for new applications and any subsequent applications that are filed, to take on the same file number. This had resulted in the reduction of the overall time taken to administer the previous file system within the Registry ultimately improving the ability to search and track applications relating to the same matter.
6. The registry has utilised existing resources to establish a case flow role which was introduced in February. The role is responsible for the timely progression of matters through the Court and Commission by tracking the relevant requirements of a direction order through the case management system. The position also liaises with the parties when required to address any delays or queries as they arise.
7. The administrative processing of Public Service Appeals became the responsibility of the Registry in January 2016. This has seen an increase in the workload for the Registry, particularly affecting the Registered Industrial Organisation team who currently oversee the processing of these applications.
8. Individual Performance Development Plans have been drafted across all levels of staff within the registry. Regular one on one discussions with the member of staff's immediate supervisor have been incorporated into the development plans. They are to be implemented in the next financial year.
9. The drafting of registry procedures and job manuals for all position/roles within the registry commenced in March and will be finalised in the next financial year.
10. QIRC's website (www.qirc.qld.gov.au) again proved invaluable. It provides thousands of files of relevant information for the general public with over 165,000 visits recorded annually. Important public matters such as the 2015 State Wage Case again see the posting of all relevant documentation to the website immediately when lodged with the Registry, including original applications, directions of the Court, Commission and Registry, submissions and responses of all parties, transcripts of proceedings and decisions. This allows timely and cost effective information to be disseminated to all parties.

AMENDMENTS TO LEGISLATION

The following outlines important legislative amendments made during the year which affect the work of the Tribunals.

Holidays and Other Legislation Amendment Act 2015

The *Holidays and Other Legislation Amendment Act 2015* was assented to on 22 October 2015 and amended the *Industrial Relations Act 1999* to change the definition of “public holiday” in Schedule 5 to provide Labour Day (the first Monday in May) at the seventh dot point, and Birthday of the Sovereign (the first Monday in October) at the eighth dot point.

Such change was made in accordance with the Government’s election commitments.

Building Queensland Act 2015

The *Building Queensland Act 2015* was assented to on the 6 November 2015 and amended the *Industrial Relations Regulations 2011* to include a provision which states that Building Queensland, established under the *Building Queensland Act 2015* is declared not to be a national system employer.

Industrial Relations Amendment Regulation (No.1) 2015

This Regulation was made on the 3 September 2015 and revoked a declaration that had previously declared that the Queensland Training Assets Management Authority (QTAMA) was not a national system employer. This organisation was repealed under the *Queensland training Assets Management Authority Repeal Act 2015*, and therefore there is no necessity to retain the declaration under 145I of the Regulations.

Industrial Relations Amendment Regulation (No.2) 2015

This Regulation was made on the 20 August 2015 and extends the nominal expiry dates in relation to two continuing certified agreements; provides for a wage increase in certain continuing certified agreements, and makes minor consequential amendments to clarify the wage increases. The two continuing certified agreements and their new nominal expiry dates are as follows:

- The *Department of Education and Training (Education) Cleaners’ Certified Agreement 2011* – Nominal expiry date 31 August 2015; and
- The *Department of Education, Training and Employment State School Teachers’ Certified Agreement 2012* – Nominal expiry date 30 June 2016.

Employees under the following agreements are to receive a 2.5% increase to existing wages, with effective dates varying as listed in the amendment:

- *Department of Education and Training (Education) Cleaners’ Certified Agreement 2011*;
- *TMR Enterprise Determination 2011*;
- *Queensland Health Building, Engineering and Maintenance Services Certified Agreement (No.5) 2011*; and
- *QBuild Field Staff Certified Agreement 8 (2011)*.

Employees under the *Nurses and Midwives (Queensland Health) Certified Agreement (EB8) 2012* are to receive 0.3% to the 2.2% already provided on the 1 April 2015. Employees under the *Department of Education, Training and Employment State School Teachers’ Certified Agreement 2012* are to receive a 2.08% subject to prescribed pro-rata provisions.

Industrial Relations Amendment Regulation (No.3) 2015

This Regulation was made on the 29 October 2015 and was to amend the Regulation to prescribe an interim wage increase to employee’s covered by the *Queensland Public Health Sector Certified Agreement (No.8) 2011*, such increase to be 2.5% from the 1 September 2015.

TABLES

Table 1: Matters filed in the Court 2014/15 and 2015/2016

Type of Matter	2014/15	2015/16
Appeals to the Court	46	32
— Magistrate's decisions s 341, s 561WC	9	3
— Commission's decisions s 341, s 561WC	36	29
— Director, WH&S decisions s 152	0	0
— Chief Inspector CMH&S directives and review decisions s 243	1	0
— Electrical Safety Office decisions s 172	0	0
Contempt of Court s 251	0	0
Extension of Time s 346, s 561WC	4	3
Prerogative order s 248	0	0
Stay order s 347, s 174ES, s 151WHS, s 154WHS, s 178CM	1	3
Application for orders – other	0	1
TOTAL	51	39

Table 2: Number of matters filed in the Court 1995/96 - 2015/16

1995/96	89	2002/03	100	2009/10	71
1996/97	81	2003/04	104	2010/11	63
1997/98	90	2004/05	92	2011/12	41
1998/99	95	2005/06	100	2012/13	47
1999/00	61	2006/07	72	2013/14	58
2000/01	74	2007/08	53	2014/15	51
2001/02	102	2008/09	47	2015/16	39

Table 3: Appeals filed in the Court 2014/15 and 2015/2016

Appeals Filed	2014/15	2015/16
Appeals from decisions of Industrial Commission		
IRA s 341(1)	17	10
Work Comp Act s 561	19	19
Appeals from decisions of Industrial Magistrate		
IRA s 341(2)	2	3
WH&S Act s 164	0	0
ES Act s 186	0	0
Work Comp Act s 561	0	0
Appeals from Directives and Review Decisions of Chief Inspector		
CM Act s 243	1	0
Appeals from review decisions WH&S		
WH&S Act s 152	0	0
Appeals from decisions of Electrical Safety Office		
ES Act s 172	0	0
TOTAL	46	32

Table 4: Matters filed (other than in the Court) 2014/15 and 2015/2016

Section	Type of Application/Matter	2014/15	2015/16
s 52	Long Service Leave – other seasonal employees	0	0
s 53	Long Service Leave - payment in lieu of	190	256
s 74	Application for Reinstatement (Unfair dismissal)	156	127
s 74(2)B	Extension of time	0	1
s 117	Prohibited conduct - breach	0	6
s 125	Awards:		
	- New award	0	0
	- Repeal and new award	0	0
	- Amend award	2	0
s 130	Review of Award	0	0
s 140C	Award modernisation request given by Minister	0	0
s 140CC	Procedure for carrying out modernisation process	27	6
s 140CE	Making of modern awards and repeal of pre-modern awards	4	0
s 140CE1	Making of Modern Awards (MAP's)	0	33
s 140G(5)	Application to make a modern award by an employer	2	0
s 148	Assistance to negotiate a CA	2	0
s 149	Arbitration of CA	1	0
s 152	Certificate – requested representation	5	0
s 156	Certified Agreements:		
	- Approval of new CA	3	1
	- Replacing existing CA	8	9
s 163	Determination of a CA	0	0
s 167	Successor employers bound	0	0
s 168	Extending a CA	0	0
s 169	Amending a CA	0	0
s 172, s 177	Terminate a CA	0	0
s 175, s177	Notice of industrial action	0	1
s 176 (7)	Extension of time for industrial action to start	0	0
s 229	Notification of dispute	104	93
s 230	Arbitration of industrial dispute	1	0
s 231	Mediation by Commission	4	2
s 232E	Reinstatement of Injured Worker	0	2
s 273A	Dispute resolution functions	0	0
s 274	Stay order	3	0
s 274G	General powers	4	7
s 274A	Power to make declarations	3	3
s 274D	Directions	2	2
s 274DA	Dismissal of Application	3	1
s 276	Power to amend or void contracts	2	0
s 277	Power to grant injunctions	4	6
s 278	Claim for unpaid wages/superannuation	16	19
s 280	Re-open a proceeding	3	1

Section	Type of Application/Matter	2014/15	2015/16
s 284	Interpretation	1	0
s 287, s 288	General ruling	2	2
s 317	Commission of its own initiative	0	0
s 319	Requested representation	2	1
s 320	Application to be heard or to intervene	20	5
s 325	Application to be joined	1	0
s 326	Interlocutory orders	2	1
s 331	Application to dismiss application	7	3
s 335, r117	Costs	3	1
s 339AA	Government briefing about State's financial position	0	0
s 342(1)	Appeal to full bench against decision of the Commission	1	1
s 342(2)	Leave to appeal to a full bench	2	1
s 364	Authorisation of industrial officers	208	163
s 365	Revocation of Industrial officers' authorisation	3	
s 409-657	Industrial Organisation matters (Table 5)	95	89
r 32	Application for substituted service	0	0
r 41	Application for directions order	1	0
r 49(3)	Notice to admit facts or documents	0	0
r 61	Setting aside of attendance notice	1	0
r 64E	Objection to production	7	6
r 64H(2)	Production and copying of documents	3	0
r 64G	Industrial tribunal's decision about objection	0	1
r 220	Request for statistical information (Table 7)	51	47
r 230	Lapse of proceeding after at least 1 year's delay	1	0
IR Act, SCH 4, PT 2	Protected action ballot orders	31	16
IR Act	Private conference	1	0
IR Act	Request for recovery conference	6	10
Mags Courts Act s 42B	Employment claim	52	77
PID Act s 48	Application for an injunction about a reprisal	0	0
PS Act s 194(1A)	Appeal against a decision under a directive	6	10
PS Act s 194(1B)	Appeal against a disciplinary decision	49	56
PS Act s 194 (1C)	Appeal against a promotion decision	16	21
PS Act s 194 (1D)	Appeal against a transfer decision	8	2
PS Act s 194 (1E)	Appeal against decision under another Act	3	1
PS Act s 194 (1F)	Appeal against a decision under another Act	0	6
PS Act s 199	Stay of operation of decisions	0	0
T(AH) Act	Trading hours order	19	13
T(AH) Act s 25	Application for leave to appear and be heard	4	6
VETE Act s 62	Reinstatement of training contract	0	0
VETE Act s 230	Apprentice/trainee appeals	0	0
VETE Act s 231	Stay of decision	0	0
FET Act s 168(1D)	Apprentice/trainee appeals	1	0
WC Act s 549	Application to be a party to appeal	0	0
WC Act s 550	Appeal against Q-Comp	0	0

Section	Type of Application/Matter	2014/15	2015/16
WC Act s 550(4)	Appeal against decision of Workers' Compensation Regulator	283	232
WC Act s 555	Application for Adjournment	3	0
WC Act s 556	Order for medical examination	7	1
RG113WC	Costs	2	2
WH&S Act s 65	Disqualification of health and safety representative	0	0
WH&S Act s 131	WHS entry permit	129	104
WH&S Act s 138	Application to revoke WHS entry permit	7	0
WH&S Act s 142	Dispute about right of entry	2	2
TOTAL APPLICATIONS/MATTERS		1,587	1,456

Table 5: Industrial organisation matters filed 2014/15

Industrial Organisation matters		2015/2016
s 473	Name Amendment	1
s 474	Part Amendment - eligibility rule	3
s 478	Amendment to rules - other than eligibility	12
s 481	Request for conduct of election	57
s 580	Exemption from conduct of election	8
s 590	Exemption from accounting or audit obligations for employer organisations that are corporations	1
s 602	Cancellation of exemption	1
s 613	Orders about Invalidity	3
s 638	Order - deregistration	2
s 639	Order - deregistration (Registrar's application)	1
TOTAL		89

Table 6: Industrial Organisations of Employees Membership

Industrial Organisation	Members As at 30/06/15	Members As at 30/06/16
Australasian Meat Industry Union of Employees (Queensland Branch)	5,789	5,584
Australian Federated Union of Locomotive Employees, Queensland Union of Employees	1,258	1,222
Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District	648	598
Australian Maritime Officers Union Queensland Union of Employees	36	25
Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch	6,641	6,307
Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees	2,389	2,178
Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland	16,051	14,874
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland	23,519	24,222
Finance Sector Union of Australia, Queensland Branch, Industrial Union of Employees	4,838	4,641
Plumbers & Gasfitters Employees' Union Queensland, Union of Employees	3,503	3,650
Queensland Fire and Rescue – Senior Officers Union of Employees	123	110
Queensland Independent Education Union of Employees	16,708	16,945

Industrial Organisation	Members As at 30/06/15	Members As at 30/06/16
Queensland Nurses' Union of Employees	52,946	56,109
Queensland Police Union of Employees	11,508	11,615
Queensland Services, Industrial Union of Employees	11,786	11,967
Queensland Teachers Union of Employees	42,579	43,224
Shop, Distributive and Allied Employees Association (Queensland Branch) Union of Employees	31,199	32,020
The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees	3,435	2,571
The Australian Workers' Union of Employees, Queensland	42,508	38,545
The Bacon Factories' Union of Employees, Queensland	611	606
The Electrical Trades Union of Employees Queensland	13,592	12,693
The Queensland Police Commissioned Officers' Union of Employees	290	305
The Seamen's Union of Australasia, Queensland Branch, Union of Employees	1,223	878
Together Queensland, Industrial Union of Employees	26,540	26,959
Transport Workers' Union of Australia, Union of Employees (Queensland Branch)	10,365	9,223
United Firefighters' Union of Australia, Union of Employees, Queensland	2,344	2,383
United Voice, Industrial Union of Employees, Queensland	27,508	27,406
Total Membership	359,937	356,860
Number Employee Organisations	27	27

Table 7: Industrial Organisations of Employers Membership

Industrial Organisation	Members As at 30/06/15	Members As at 30/06/16
Agforce Queensland Industrial Union of Employers	4,397	4,600
Australian Dental Association (Queensland Branch) Union of Employers	847	923
Local Government Association of Queensland Ltd	77	77
Master Electricians Association, Queensland Industrial Organisation of Employers formerly Electrical and Communications Association, Queensland Industrial Organisation of Employers	1,631	1,680
Master Painters, Decorators and Signwriters' Association of Queensland, Union of Employers	303	307
Master Plumbers' Association of Queensland (Union of Employers)	1,069	1,096
Motor Trades Association of Queensland Industrial Organisation of Employers	1,307	1,217
National Retail Association Limited, Union of Employers	995	1,025
Queensland Cane Growers' Association Union of Employers	21	21
Queensland Chamber of Commerce and Industry Limited ACN 009 662 060	3,916	4,135
Queensland Fruit and Vegetable Growers, Union of Employers	459	Deregistered
Queensland Hotels Association, Union of Employers	784	775
Queensland Major Contractors Association, Industrial Organisation of Employers	12	Deregistered
Queensland Master Builders Association, Industrial Organisation of Employers	8,634	8,247
Queensland Real Estate Industrial Organisation of Employers	326	Deregistered
Queensland Retail Traders and Shopkeepers Association (Industrial Organization of Employers)	No Members	Deregistered
The Baking Industry Association of Queensland - Union of Employers	121	159
The Registered and Licensed Clubs Association of Queensland, Union of Employers	482	460
UNiTAB Agents Association, Union of Employers Queensland	76	69
Total Membership	25,457	24,791
Number of Employer Organisations	19	15