

Form 2 – Application to Queensland Industrial Relations Commission – non-chapter 12 approved form

INDUSTRIAL REGISTRAR
- 4 JUN 2019
QUEENSLAND

Industrial Relations Act 2016, sections 527 and 989
Industrial Relations (Tribunals) Rules 2011, rule 8

Information

Use this form for making any of the following applications to the Queensland Industrial Relations Commission:

Industrial Relations Act 2016 and Industrial Relations (Tribunals) Rules 2011

- for the commission to deal with a general protections dispute (s 309)
- for a declaration (ss 463, 465, rr 72, and 73)
- to amend or declare void a contract (s 471, r 74)
- for an injunction (s 473, r 75)
- for an order about a demarcation dispute (s 479, r 77)
- to reopen proceedings (s 484, r 78)
- to refer a matter to the full bench (s 486(4), r 79)
- for the interpretation of an industrial instrument (s 467, r 80)
- for an order fixing minimum wages and employment conditions for apprentices and trainees (s 136(4)(b), r 149A)
- for an order about tools (s 137(3)(b), r 149B)
- for an order for employees in labour market program (s 140(3)(b), r 149C)
- for an order ensuring equal remuneration for work of equal or comparable value (s 253, r 151)
- for a compensation order (s 122(1)(b), r 154)
- for an order about severance allowance and other separation benefits (s 326, r 155)

- for order for contravention of the Industrial Relations Act 2016 (ss 269, 329, and 330, rr 185, 156, and 157)
- to make, vary, or revoke a modern award (ss 147(2)(b), and 150(3)(b), rr 160, 161, and 162)
- for a consent arbitration (s 178(1), r 169)
- to revoke or suspend authorised officer's authority (s 338(1), r 187)
- to cancel an aged or infirm person's permit (s 979(7), r 223)
- application for scope order (s 184)
- suspension or termination of protected industrial action (ss 240 and 241)

Public Interest Disclosure Act 2010 and Industrial Relations (Tribunals) Rules 2011

- for injunction (s 48, r 81)

Work Health and Safety Act 2011 and Industrial Relations (Tribunals) Rules 2011

- to disqualify a health and safety representative (s 65, r 84)

Workers' Compensation and Rehabilitation Act 2003 and Industrial Relations (Tribunals) Rules 2011

- for an order that an employer reinstate an injured worker (s 232E, r 83)

Once your form has been processed the Industrial Registry will contact you and provide you with a sealed copy of your application.

PLEASE NOTE: This form requires the completion of a supporting affidavit. Please complete and file a **Form 20 – Affidavit** alongside this form. Ensure that the affidavit complies with the rules (see: rr 11, 50, 51, 52, 53, 54, 55, 57).

Practice Note 1 of 2018 - ELECTRONIC FILING AND HARD COPIES OF DOCUMENTS. Documents which are longer than 30 pages in length must be supplied to the Industrial Registry in hard copy before it will be accepted for filing.

For further information please contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au

Applicant:	Australian Workers' Union of Employees, Queensland Branch

v

Respondent:	State of Queensland

PLEASE NOTE: If there are more than two parties to this application, please complete a **Form 1 – Parties list** and file it with this form.

Application
This is an application to the Queensland Industrial Relations Commission, pursuant to section 458 of the Industrial Relations Act 2016.

1. Applicant			
Title: (please select)	<input type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Ms <input type="radio"/> Miss <input type="radio"/> Mx <input checked="" type="radio"/> Other:		
Name of applicant:	Australian Workers' Union of Employees, Queensland Branch		
Name of contact person:	Aaron Santelises		
Postal address:	GPO Box 88		
	Suburb/Town	Brisbane	Postcode 4001
Phone number:	(07) 3221 8844	Fax number:	(07) 3221 8700
Mobile number:	0447 332 934		
Email address:	secretary@awu.org.au		
Does the applicant have a representative?			
A representative might be a lawyer, a union, an agent or a family member or friend who will speak on behalf of the applicant. There is no requirement to have a representative.			
<input type="radio"/> Yes - provide representative's details below and file a Form 33 or 34 <input checked="" type="radio"/> No			

2. Applicant's representative			
Organisation:			
Name of contact person:			
Postal address:			
	Suburb/Town		Postcode
Phone number:		Fax number:	
Mobile number:			
Email address:			

3. Respondent			
The applicant must serve a copy of this application on the respondent			
Name of respondent:	State of Queensland		
Name of contact person:	Tony James		
Postal address:	GPO Box 69		
	Suburb/Town	Brisbane	Postcode 4001
Phone number:	(07) 3406 9873	Fax number:	
Mobile number:	0427 147 323		
Email address:			

4. Details of decision sought	
<i>1000 character limit.</i>	
<p>The Applicant seeks the Queensland Industrial Relations Commission to:</p> <ul style="list-style-type: none"> a. make a general ruling to amend all state awards to increase wages by three percent; b. make a general ruling to amend all state awards to increase the existing allowances which relate to work conditions, which have not changed by three percent; c. increase the Queensland minimum wage by three percent; and d. determine items (a) to (c) to be operative by 1 September 2019. <p>The Applicant seeks directions for this matter to ensure that the decisions for items (a) to (c) are operative by 1 September 2019.</p>	

TAKE NOTICE: Please ensure that this application is accompanied by and filed with a properly completed Form 20 – Affidavit.

5. Signature of applicant or representative	
Signature:	
Name in full (please print):	Stephen Kenneth Baker
Date:	4/6/19



Matter Number:

B 1209 / 34

Form 20 – Affidavit

Industrial Relations Act 2016, section 989
Industrial Relations (Tribunals) Rules 2011, rules 52, 53 and 55

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- 4 JUN 2019
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QUEENSLAND

Information

- Please read this form carefully. Please complete all relevant sections. Information that is missing or non-compliant with the relevant section of an Act or the Rules may result in the rejection of your form.
- Practice Note 1 of 2018 - ELECTRONIC FILING AND HARD COPIES OF DOCUMENTS. Documents which are longer than 30 pages in length must be supplied to the Industrial Registry in hard copy before it will be accepted for filing.

For further information please contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au

Applicant/Appellant:	Australian Workers' Union of Employees, Queensland Branch
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v

Respondent:	State of Queensland
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PLEASE NOTE: If there are more than two parties to this application, please complete a Form 1 – Parties list and file it with this form.

PLEASE NOTE: If this affidavit contains exhibits you will need to complete a Form 21 – Certificate of exhibit to affidavit for each exhibit.

This affidavit is filed for the applicant respondent (or as the case may be)

Affidavit of (name of person making affidavit)	
I (Name):	Stephen Kenneth Baker
of (Address):	113/333 Adelaide Street, Brisbane, Qld, 4000
Position:	Secretary of the Australian Workers' Union of Employees, Queensland Branch
<input type="checkbox"/> make oath and say or <input checked="" type="checkbox"/> solemnly and sincerely affirm and declare as follows –	

Signed: _____
(deponent/s to sign)

Taken by: _____
(person taking the affidavit to sign)

I, Stephen Kenneth Baker of Level 13, 333 Adelaide Street, Brisbane in the State of Queensland, solemnly and sincerely affirm and declare:

1. I am the Secretary of the Australian Workers' Union of Employees, Queensland Branch.
2. The application filed with this affidavit is seeking a general ruling pursuant to section 458 of the *Industrial Relations Act 2016 (Qld)* ('Application').
3. The Application is seeking the Queensland Industrial Relations Commission ('QIRC') to increase wages in all state awards, work related allowances that have not increased, and the Queensland minimum wage by three percent.
4. The quantum sought within the Application is the same amount that was decided by the Fair Work Commission for the Annual Wage Review 2018-19 on 30 May 2019.
5. The Application seeks the QIRC to make their decision operative by 1 September 2019, which is consistent with previous state wage cases brought before the commission.
6. All facts herein deposed are true and correct to the best of my knowledge.


Signed:
(deponent/s to sign)

Taken by:
(person taking the affidavit to sign)

Further, I make oath and say solemnly and sincerely affirm and declare

All the facts and circumstances deposed to in this my affidavit are within my own knowledge and belief, except for the facts and circumstances deposed to from information only, and my means of knowledge and sources of information appear on the face of this my affidavit.

Signature	
Signature:	
Name:	Stephen Kenneth Baker
Date:	4/10/19

Taken by	
Sworn/Affirmed by the deponent at:	L13 / 333 Adelaide Street, Brisbane, 4000
on:	4/10/19
Signature:	
Print name:	Auron Renato Santelises
Justice of the peace/commissioner for declarations/lawyer/other qualified person	

Certificate:

Pursuant to section 55 of the *Industrial Relations (Tribunals) Rules 2011*

- I certify that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit.
- I certify that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit, but was physically incapable of signing it.