

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


INDUSTRIAL REGISTRAR
23 JUN 2020


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:	Queensland Council fo Unions
-------------------	------------------------------

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 checked="" type="radio"/> Mr <input type="radio"/> Mrs <input checked="" type="radio"/> Ms <input type="radio"/> Miss <input type="radio"/> Mx <input type="radio"/> Other:
Name of applicant:	Michael Clifford
Name of contact person:	Jacqueline King
Postal address:	16 Peel Street
	Suburb/Town South Brisbane Postcode 4101
Phone number:	07 3010 2555
Fax number:	07 3844 4865
Mobile number:	
Email address:	
<p>Does the applicant have a representative?</p> <p>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.</p> <p><input type="radio"/> Yes - provide representative's details below and file a Form 33 or 34</p> <p><input checked="" type="radio"/> No</p>	

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:			
Email address:			


4. Details of decision sought

1000 character limit.

1. To make a general ruling amending all state awards by a 1.75 per cent wage adjustment.
2. To make general ruling amending all state awards by increasing existing award allowances which relate to work conditions which have not changed by 1.75 per cent.
3. To increase the Queensland Minimum Wage as it applies to all employees by 1.75 per cent.
4. To determine the above operative from 1 September 2020.

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):	Michael Shayne Clifford
Date:	23 / 06 / 2020



Matter Number:

B 12020/40

Form 20 – Affidavit

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

INDUSTRIAL REGISTRAR
23 JUN 2020
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 glrc.registry@glrc.qld.gov.au

Applicant/Appellant:	Queensland Council of Unions
----------------------	------------------------------

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.

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):	Michael Shayne Clifford
of (Address):	16 Peel Street South Brisbane
Position:	General Secretary
<input checked="" type="checkbox"/> make oath and say or <input type="checkbox"/> solemnly and sincerely affirm and declare as follows –	

Signed:
(deponent/s to sign)

Taken by:
(person taking the affidavit to sign)



© State of Queensland 2018

1. I am General Secretary of the Queensland Council of Unions.
2. The application that this affidavit accompanies seeks a general ruling pursuant to section 458 of the *Industrial Relations Act 2016*.
3. The quantum sought in the application is the same as that brought down by the Fair Work Commission in the Annual Wage Review 2019-20 on 19 June 2020.
4. The general ruling sought would increase wages in all awards; work related allowances that have not moved and the Queensland minimum wage by 1.75 per cent.
5. The application seeks an operative date of 1 September 2019 in line with the previous practice of the Commission in relation to State Wage Cases.
6. In previous cases of this nature, written submissions have been required to be filed and served.
7. The applicant seeks directions that would enable maintenance of the operative mentioned in 5 above.

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:	Michael Shayne Clifford
Date:	23/06/2020

Taken by	
Sworn/Affirmed by the deponent at:	Brisbane
on:	23/06/2020
Signature:	
Print name:	MELANÉE LITTLE
Justice of the peace	



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.