

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Queensland Public Health Sector Certified Agreement (No. 10) 2019*  
[2020] QIRC 118

PARTIES: **State of Queensland (Queensland Health)**

and

**Office of the Health Ombudsman**

and

**Health and Wellbeing Queensland**

and

**Queensland Mental Health Commission**

and

**Queensland Nurses and Midwives' Union of Employees**

and

**The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees**

and

**The Australian Workers' Union of Employees, Queensland**

and

**Together Queensland, Industrial Union of Employees**

and

**Transport Workers' Union of Australia, Union of Employees (Queensland Branch)**

and

**United Voice, Industrial Union of Employees,  
Queensland**

CASE NO: CB/2020/51

PROCEEDING: Certification of Agreement

DELIVERED ON: 13 August 2020

HEARING DATE: On the Papers

HEARD AT: Brisbane

MEMBER: Knight IC

ORDER: ***The Queensland Public Health Sector Certified Agreement (No. 10) 2019 is certified.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for certification of an agreement – requirements for certification – agreement certified.

LEGISLATION: *Industrial Relations Act 2016*

**Reasons for Decision**

- [1] On 7 August 2020, the State of Queensland (Queensland Health), pursuant to s 189 of the *Industrial Relations Act 2016* ("the Act"), made an application to certify the *Queensland Public Health Sector Certified Agreement (No. 10) 2019* ("the agreement").
- [2] The named parties to the agreement are:
- State of Queensland (Queensland Health);
  - Office of the Health Ombudsman;
  - Health and Wellbeing Queensland;
  - Queensland Mental Health Commission;
  - Queensland Nurses and Midwives' Union of Employees;
  - The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees;
  - The Australian Workers' Union of Employees, Queensland;
  - Together Queensland, Industrial Union of Employees;
  - Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and
  - United Voice, Industrial Union of Employees, Queensland.
- [3] The agreement is signed by all the abovementioned parties.

- [4] The agreement applies to:
- (a) the employer parties to the agreement listed in cl 1.3 and their employees for whom classifications and rates of pay are prescribed by the agreement; and
  - (b) the Queensland Ambulance Service established in accordance with the *Ambulance Service Act 1991* (Qld) and the employees who are employed by the Director-General of the Queensland Health department under the *Public Service Act 2008* (Qld), engaged within the Queensland Ambulance Service, covered by this agreement and for whom classification and rates of pay are prescribed by the agreement.
- [5] The application is accompanied by a copy of the agreement signed by each party.
- [6] Affidavits were filed on 7 August 2020 by:
- Ms Theresa Hodges, Chief Human Resources Officer, Human Resources Branch, State of Queensland (Queensland Health);
  - Mr Mark Tuohy, Chief Operating Officer, Health and Wellbeing Queensland;
  - Mr Michael Corne, Business Manager, Corporate Governance and Service Delivery, Queensland Mental Health Commission; and
  - Mr Andrew Stewart, Principal Human Resources Officer, Human Resources Team, Corporate & Strategic Services Division, Office of the Health Ombudsman.
- [7] Having regard to the abovementioned affidavits:
- I am satisfied of each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the Act; and
  - there is nothing in the agreement which would require me to refuse to grant the application pursuant to ch 4, pt 5, div 2, sub-div 3 of the Act.
- [8] The application to certify the *Queensland Public Health Sector Certified Agreement (No. 10) 2019* is granted.
- [9] The *Queensland Public Health Sector Certified Agreement (No. 10) 2019* operates from the day it is certified, namely 13 August 2020.
- [10] Although the nominal expiry date of the *Queensland Public Health Sector Certified Agreement (No. 10) 2019* is 31 August 2022, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[11] I make the following order:

**The *Queensland Public Health Sector Certified Agreement (No. 10) 2019* is certified.**