

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the Making of the Queensland Police Service Certified Agreement 2022* [2022] QIRC 442

PARTIES: **State of Queensland (Queensland Police Service)**

v

Queensland Police Union of Employees
(First Respondent)

&

The Queensland Police Commissioned Officers' Union of Employees
(Second Respondent)

CASE NO: CB/2022/127

PROCEEDING: Application for certification of agreement

DELIVERED ON: 15 November 2022

HEARING DATE: 15 November 2022

MEMBER: O'Connor VP

HEARD AT: Brisbane

ORDER: **1. *The Queensland Police Service Certified Agreement 2022 is certified***

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – application for certification of an agreement – requirements for certification – agreement certified

LEGISLATION: *Industrial Relations Act 2016 (Qld) s 191*

Industrial Relations (Tribunals) Rules 2011
(Qld) r 93

APPEARANCES: Mr G Patterson for the Applicant.

Mr L Hodge and Mr K Thomas for the First Respondent

No appearance for the Second Respondent.

Reasons for Decision

- [1] On 11 November an application was made to certify the *Queensland Police Service Certified Agreement 2022* ('the Agreement').
- [2] The Agreement applies to the Queensland Police Union of Employees ('QPUE') and the Queensland Police Commissioned Officers Union of Employees ('QPCOUE') who are the First and Second Respondents respectively.
- [3] The proposed agreement as filed in the Industrial Registry on 11 November 2022 is signed by the Applicant and both Respondents.
- [4] The affidavit of Commissioner Carroll filed on 11 November 2022 sought a shortening of the 7 day notice period for certifying under s 191 of the Act. The Commissioner deposes that it is necessary to truncate the period because:
- The Service is unique in having compulsory age 60 retirement for sworn police officers.
- ...
- There exists a period from 4th to 14th November during which there are no age-retiring officers, however a number of sworn officers will be age-retiring on 15 November and others age retiring in the following days. These officers will not have an entitlement to any benefits under the proposed new certified agreement if they retire before the date of certification.
- [5] Pursuant to r 93 of the *Industrial Relations (Tribunals) Rules 2011*, I am vested with the discretion, subject to the Act or Rules to extend or shorten the time prescribed for doing anything.
- [6] In the Affidavit of Commissioner Carroll, she deposes that all parties have consented to the shortened period. Accordingly, I informed the parties through the Industrial Registry on 11 November 2022 that I had exercised my discretion to allow the 7-day period to be waived and for the matter be listed before me today.

[7] This agreement applies to the QPUE, the QPCOUE and the Commissioner of the Queensland Police Service. In addition, the following persons are also covered by the agreement:

1. Police officers of the Service;
2. Police Liaison Officers;
3. Torres Strait Island Police Liaison Officers;
4. Employees of the Police Pipes and Drums Band; and
5. Assistant Watchhouse Officers.

[8] Executive officers appointed under the *Police Service Administration Act 1990* (Qld) are not covered by the 2022 Agreement.

[9] In considering the application for certification, I have had regard to the affidavits of Commissioner Carroll and Ms Deborah Paterson, both dated 11 November 2022, as well as the oral submissions of Mr Patterson for the Applicant and Mr Hodge on behalf of the QPSU.

[10] The application to certify the *Queensland Police Service Certified Agreement 2022* is granted.

[11] The nominal expiry for this agreement is 30 June 2025, however it continues to operate until it is terminated under s 227 or s 228 of the Act.

[12] I make the following order:

1. **The *Queensland Police Service Certified Agreement 2022* is certified.**