

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: variations of Ambulance Service Employees Award - State 2016 and others - [2023] QIRC 050*

PARTIES: **State of Queensland (Office of Industrial Relations)**  
(Applicant)

CASE NOS: MA/2023/1 - MA/2023/23

PROCEEDING: Applications to vary modern awards

DELIVERED ON: 16 February 2023

HEARING DATE: On the papers

MEMBER: O'Connor VP

HEARD AT: Brisbane

ORDER: **1. The applications in MA/2023/1-MA/2023/23 to vary the Awards are granted as from 1 March 2023.**

**2. Orders are made in respect of the variations to each Award as set out in the attached Appendix.**

CATCHWORDS: INDUSTRIAL LAW - VARIATION OF A MODERN AWARD - applications to vary twenty-three modern awards - where amendments sought to update awards consistent with prevailing legislation - where proposed variations circulated to union parties - where no objection to proposed variations - applications granted.

LEGISLATION: *Industrial Relations Act 2016 (Qld) s 141, s 147*

### Reasons for Decision

[1] The State of Queensland (Office of Industrial Relations) ("the Applicant") applies, pursuant to s 147 of the *Industrial Relations Act 2016* ("IR Act"), to vary twenty-three (23) modern Awards ("the Awards"). The applications in respect of the following Awards were filed on 8 February 2023:

- MA/2023/1 - Ambulance Service Employees Award - State 2016
- MA/2023/2 - Building, Engineering and Maintenance Services Employees (Queensland Government) Award - State 2016
- MA/2023/3 - Civil Construction, Operations and Maintenance General Award - State 2016
- MA/2023/4 - Correctional Employees Award - State 2015
- MA/2023/5 - Award for Operational Employees in Disability and Forensic Services - State 2016
- MA/2023/ 6 - General Employees (Queensland Government Departments) and Other Employees Award – State 2015
- MA/2023/7 - Hospital and Health Service General Employees (Queensland Health) Award - State 2015
- MA/2023/8 - Health Practitioners and Dental Officers (Queensland Health) Award - State 2015
- MA/2023/9 - Legal Aid Queensland Employees Award - State 2015
- MA/2023/10 - Medical Officers (Queensland Health) Award - State 2015
- MA/2023/11 - Miscellaneous Administrative Employees Award - State 2016
- MA/2023/12 - Nurses and Midwives (Queensland Health) Award - State 2015
- MA/2023/13 - Parks and Wildlife Employees Award - State 2016
- MA/2023/14 - Queensland Parliamentary Service Award - State 2015
- MA/2023/15 - Queensland Police Service Employees Award - State 2016
- MA/2023/16 - Queensland Fire and Emergency Service Employees Award - State 2016
- MA/2023/17 - Queensland Public Service Officers and Other Employees Award - State 2015
- MA/2023/18 - Stadiums Queensland Employees Award - State 2016
- MA/2023/19 - TAFE Queensland Award - State 2016
- MA/2023/20 - Teaching in State Education Award - State 2016
- MA/2023/21 - Tourism and Events Queensland Employees Award - State 2015
- MA/2023/22 - WorkCover Queensland Employees Award - State 2015
- MA/2023/23 - Youth Detention Centre Employees Award - State 2016

[2] The applications pursuant to s 147(2)(b) of the IR Act seek to vary these modern Awards respectively as follows:

- to update references that have been outdated or references that will become outdated from 1 March 2023 upon commencement of the *Public Sector Act 2022* including changes in the new Act title, section references, arrangements and terminology;
- to insert 'cultural parent leave' within the types of parental leave following amendments to s 61A of the IR Act;
- to amend the name of the 'United Voice, Industrial Union of Employees, Queensland' to 'United Workers' Union, Industrial Union of Employees, Queensland' as ordered by the Commission in RIO/2022/53;
- to remove language that implies gendered divisions in parental leave following the enactment of the *Industrial Relations and Other Legislation Amendment Act 2022* on 3 November 2022;
- to reflect the current name of the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships in MA/2023/5 following the Public Service Departmental Arrangements Notice (No 4) 2020 made under the *Public Service Act 2008* on 12 August 2020;
- to correctly cite the *Libraries Act 1988* in MA/2023/6; and
- for the variations to take effect on 1 March 2023 to coincide with the commencement of the *Public Sector Act 2022*.

[3] In her affidavits accompanying the applications, Ms Tara Armstrong, Director, Industrial Relations Public Sector, Office of Industrial Relations deposes that the proposed variations were circulated to the union party/parties to each specific award on 24 January 2023 with a request to identify any concerns by 5.00 pm on 1 February 2023.

[4] Ms Armstrong states there were no concerns identified from any of the union parties in relation to progressing the proposed variations.

[5] Further, in her affidavit Ms Armstrong deposes that the following two corrections were made to the proposed variations circulated on 24 January 2023. The first was in relation to the definition of 'directive' to replace the obsolete reference to 'ruling' with 'directive'. The second was correcting the text 'employed in any paypoint' to 'employed at any paypoint' in relevant Awards. These changes have been reflected in the filed applications.

- [6] In relation to MA/2023/8 Ms Armstrong states that while no concerns were raised, an error was identified in the proposed variation affecting clause 12.8 and Schedule 4 was omitted. A variation to Schedule 5 of a different award was included in error. These have been corrected in the filed application.
- [7] In MA/2023/10, Ms Armstrong said the variation as filed reflects agreement reached during consultation with the Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees in relation to retaining content at clause 4.2 which continues to acknowledge the existence of Directives, despite the removal of Schedule 2.
- [8] Ms Armstrong said the variation as filed in MA/2023/16 reflects agreement reached during consultation with the affected agency and United Firefighters' Union of Australia, Union of Employees, Queensland (with no objection being raised by other union parties) in relation to retaining content at clause 4.3 which continues to acknowledge the existence of Directives.
- [9] In MA/2023/17, Ms Armstrong said minor typographical/grammatical corrections were made to the proposed circulated variation as a result of agency feedback. A reference to 'PO4' in Schedule 5 was corrected to 'PO5' and the text 'employed in any paypoint' in clause 12.2(e) was corrected to 'employed at any paypoint' in the filed version.

### **Consideration**

- [10] Chapter 3 of the IR Act provides for the exercise of powers with respect to modern awards. Section 147 of the IR Act falls within Chapter 3. Section 147 of the IR Act provides that the Commission may make or vary a modern award on its own initiative or by application to provide for "fair and just employment conditions".
- [11] Section 141 of the IR Act requires, that in exercising its powers pursuant to Chapter 3, that the Commission must ensure a modern award:
- (a) provides for fair and just wages and employment conditions that are at least as favourable as the Queensland Employment Standards;<sup>1</sup> and
  - (b) generally reflects the prevailing employment conditions of employees covered, or to be covered, by the award.<sup>2</sup>
- [12] I am satisfied that the variations sought by the Applicant and not opposed to by any of the union parties, ensure that the Awards continue to provide "fair and just employment conditions" and ensures that the Awards generally reflect the prevailing employment conditions of employees covered by the Awards.

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<sup>1</sup> *Industrial Relations Act 2016* (Qld) s 141(1)(a).

<sup>2</sup> *Ibid* s 141(1)(b).

- [13] I am also satisfied that the purpose of the amendments is to update legislation and make other relevant changes to the modern Awards.
- [14] Pursuant to s 147(2)(b) of the IR Act, I grant the applications in MA/2023/1-MA/2023/23 and make the necessary orders to vary the Awards.

**Order:**

- 1. The applications in MA/2023/1-MA/2023/23 to vary the Awards are granted as from 1 March 2023.**
- 2. Orders are made in respect of the variations to each Award as set out in the attached Appendix.**

## APPENDIX

## MA1[2023]

*Ambulance Service Employees Award - State 2016*

1. By deleting the following definitions in clause 3 and inserting the following definitions in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or 223 of the *Public Sector Act 2022*

**union** means United Workers' Union, Industrial Union of Employees, Queensland

2. By deleting clause 4.1(c) and inserting the following in lieu thereof:

(c) United Workers' Union, Industrial Union of Employees, Queensland,

3. Delete clause 4.2.

4. By deleting clause 21(a) and inserting the following in lieu thereof:

(a) Parental leave is provided for in Division 8 of the QES and covers:

- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.

5. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

(c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:

- (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
- (B) remain on parental leave until at least 6 weeks after the birth of the child.

(ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:

- (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
- (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,
- whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
6. By deleting clause 27.1(l) - (m) and inserting the following in lieu thereof:
- (l) Employees who are pregnant may request to be issued with two navy blue smocks, or two pairs of navy blue trousers, or one smock and one pair of trousers and four white shirts, with such articles to be suitable for a pregnant employee to wear.
  - (m) In addition to the uniform issue prescribed above for pregnant employees, an allowance of \$3.24 per week shall be paid where stockings or pantyhose are worn with culottes or pregnancy smocks.
7. By deleting schedule 4.

**MA2[2023]**  
***Building, Engineering and Maintenance Services Employees (Queensland Government)***  
***Award - State 2016***

1. By deleting the following definitions in clause 3 and inserting the following definitions in lieu thereof:
 

**department** means a department as defined in section 10 of the *Public Sector Act 2022*

**directive** means a directive, or part of a directive, made under section 222 or 223 of the *Public Sector Act 2022*
2. By deleting clause 4.1(a)(i) and inserting the following in lieu thereof:
  - (i) section 147 of the *Public Sector Act 2022*; or
3. By deleting clause 4.1(b)(i) and inserting the following in lieu thereof:
  - (i) each chief executive (however titled) of a government entity which employs employees covered by this Award; and
4. By deleting clause 8(b) and inserting the following in lieu thereof:
  - (b) Employees shall be advised of the basis of their employment in writing upon engagement.
5. By deleting clause 8.4(c) and inserting the following in lieu thereof:
  - (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.
6. By deleting clause 12.2(b) and inserting the following in lieu thereof:
  - (b) Employees engaged in the Forepersons stream who are employed pursuant to section 149 of the *Public Sector Act 2022* shall have their previous service as a public service employee counted for the purpose of determining their commencing paypoint and calculation of their salary increment, provided that the employee is reemployed within 12 months of cessation of employment and the employee's previous employment was terminated other than by way of disciplinary action.
7. By deleting clause 12.2(c) and inserting the following in lieu thereof:
  - (c) Notwithstanding clauses 12.2(a) and (b), prior to engagement an applicant who is employed in a position in the Forepersons stream may, at the discretion of the relevant employer, be offered and employed at any paypoint within a level based on recognition of skills, knowledge and abilities.
8. By deleting clause 12.5(b) and inserting the following in lieu thereof:



- (b) An employee engaged in the Forepersons stream who is employed or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

9. By deleting clause 12.8 and inserting the following in lieu thereof:

**12.8 Movement between classifications levels**

- (a) For employees engaged in the Building trades and Engineering streams:
  - (i) Except where classification level descriptors or definitions provide for service based progression, movement between classification levels will be based on employment on merit to vacancies.
  - (ii) Procedures for classification and reclassification are provided in Schedule 4.
- (b) For employees engaged in the Forepersons stream:
  - (i) Movement between classification levels will be based on employment on merit to vacancies.
  - (ii) Subject to clause 12.2(c) an employee promoted to a position at a higher classification level within the same stream shall be employed at paypoint one of that higher classification level.

10. By deleting clause 21(a) and inserting the following in lieu thereof:

- (a) Parental leave is provided for in Division 8 of the QES and covers:
  - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
  - (ii) adoption leave;
  - (iii) surrogacy leave; and
  - (iv) cultural parent leave.

11. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
  - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.

- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
    - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
    - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
  - (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
    - (A) the day specified in the medical certificate; or
    - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
    - (C) the employee commences parental leave; or
    - (D) the day of the employee's confinement,  
  
whichever happens first.
  - (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
12. At Schedule 3 - Classification Structure - Forepersons Stream, within clause S3.2, by deleting the first paragraph under the Work level description for Operational officer level 3 (OO3), and inserting the following in lieu thereof:

Employment at this level requires proven expertise in the particular discipline with demonstrated proficiency in applying established techniques.

**MA3[2023]*****Civil Construction, Operations and Maintenance General Award - State 2016***

1. By deleting the following definitions in clause 3 and inserting the following definitions in lieu thereof:

**chief executive** means a person appointed to that role pursuant to the provisions of the *Public Sector Act 2022* or, for the purposes of this Award, such other person to whom the chief executive has delegated specific authorities

**department** means a department as defined in section 10 of the *Public Sector Act 2022*

**directive** means a directive, or part of a directive, made under section 222 or 223 of the *Public Sector Act 2022*

**foreperson** means an employee on a day-labour job employed as such and who carries out the work, under the control and direction of the supervising engineer, in accordance with the plans and specifications approved for such work

2. By deleting clause 4.1(a) and inserting the following in lieu thereof:
  - (a) employees whose salaries or rates of pay are fixed by this Award employed pursuant to section 149 of the *Public Sector Act 2022*; and
3. By deleting clause 8(b) and (c) and inserting the following in lieu thereof:
  - (b) Employees shall be advised of the basis of their employment in writing upon engagement.
  - (c) Employees shall further be advised upon engagement of their designation as either a radial or a depot based employee.
4. By deleting clause 8.4(c) and inserting the following in lieu thereof:
  - (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.
5. By deleting clause 21(a) and inserting the following in lieu thereof:
  - (a) Parental leave is provided for in Division 8 of the QES and covers:
    - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
    - (ii) adoption leave;
    - (iii) surrogacy leave; and

(iv) cultural parent leave.

6. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
- (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
- (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
- (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,
- whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

7. At schedule 1 - Classification Structure and Level Descriptors, following the heading Construction Worker Level 11 (CW 11) - Relativity to tradesperson - 130%, delete the text 'either of which will qualify them for appointment as a Construction Worker Level 11' and inserting the following in lieu thereof:

either of which will qualify them for employment as a Construction Worker Level 11

8. At schedule 1 - Classification Structure and Level Descriptors, by deleting the first dot point under the heading Construction Worker Level 12 (CW12) - Relativity to tradesperson - 135% and inserting the following in lieu thereof:
  - have successfully completed an additional 6 units of relevant structured training relevant to the requirements of CW 11, which will qualify them for employment as a Construction Worker Level 12.
  
9. At schedule 1 - Classification Structure and Level Descriptors, by deleting first dot point under the heading Construction Worker Level 13 (CW13) - Relativity to tradesperson - 140% and inserting the following in lieu thereof:
  - have successfully completed an additional 9 units of relevant structured training relevant to the requirements of CW 12, which will qualify them for employment as a Construction Worker Level 13.
  
10. At schedule 1 - Classification Structure and Level Descriptors, by deleting first sentence under the heading Construction Worker Level 14 (CW14) - Relativity to tradesperson - 145% and inserting the following in lieu thereof:

A Construction Worker Level 14 (CW14) will hold all the relevant requirements of CW13 which will qualify them for employment as a Construction Worker Level 14.

**MA4[2023**  
***Correctional Employees Award - State 2015***

1. By deleting the definitions of 'directive', 'farm officer' and 'trade instructor' in clause 3 and inserting the following definitions in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

**farm officer** means an employee who is employed in that role by the employer

**trade instructor** means an employee who is employed in that role by the employer

2. By deleting clause 4(a)(ii) and inserting the following in lieu thereof:

(ii) employed pursuant to sections 150, 151 or 152 of the Public Sector Act 2022; and

3. By deleting the text immediately following the heading at clause 8 'Types of employment' from 'An employee may be' to 'upon appointment' inclusive, and inserting the following in lieu thereof:

An employee may be employed on a full-time, part-time, casual or temporary basis. An employee shall be advised in writing of their employment type upon engagement.

4. By deleting clause 8.4(c) and inserting the following in lieu thereof:

(c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.

5. By deleting clause 12.3(c) and inserting the following in lieu thereof:

(c) An employee employed or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

6. By deleting the words 'on appointment' from the title of clause 12.4 and inserting the words 'on employment' in lieu thereof.

7. By deleting clause 21(a) and inserting the following in lieu thereof:

(a) Parental leave is provided for in Division 8 of the QES and covers:

(i) birth-related leave for an employee who is pregnant or whose spouse gives birth;

- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.

8. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
  - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
  - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
  - (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,

whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

**MA5[2023]*****Award for Operational Employees in Disability and Forensic Services - State 2016***

1. By deleting the following definitions in clause 3 and inserting the following definitions in lieu thereof:

**department** means Department of Seniors, Disability Services, and Aboriginal and Torres Strait Islander Partnerships.

**directive** means a directive, or part of a directive, made under section 222 or 223 of the *Public Sector Act 2022*

2. By deleting clause 4.1(a) and inserting the following in lieu thereof

(a) employees whose salaries and rates of pay are fixed by this Award and who are:

(i) employed to provide direct service delivery within the Accommodation Support and Respite Services or the Forensic Disability Service areas of the department; and

(ii) employed pursuant to sections 150, 151 or 152 of the *Public Sector Act 2022*; and

3. By deleting clause 8.4(c) and inserting the following in lieu thereof:

(c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.

4. By deleting the following definitions in 12.1(b) and inserting the following definitions in lieu thereof:

**residential care officer** means an employee who has completed the Certificate IV in Disability (or an approved equivalent qualification) and who has been employed as such.

**direct services team leader** means an employee who has completed a Certificate IV in Disability (or approved equivalent) and has been employed as such.

5. By deleting clause 12.4 and inserting the following in lieu thereof:

**12.4 Movement between classification levels**

(a) Except as provided below and in clause 12.5, movement between classification levels will be based on employment on merit to advertised vacancies.

(b) An employee promoted to a position at a higher classification level shall be employed at paypoint 1 of that higher classification level.



- (c) A public service officer employed pursuant to section 152 of the *Public Sector Act 2022* shall have their previous service as an officer counted for the purpose of determining their commencing paypoint and calculation of their salary increment, provided that the officer is reemployed within 12 months of cessation of employment and the officer's previous employment was terminated other than by way of disciplinary action.
6. By deleting clause 12.6(b)(i) and inserting the following in lieu thereof:
- (i) in the case of an employee employed at the OO3 level, or a Residential Care Officer who has progressed to OO4 level, the conduct, diligence and general efficiency of such employee has been certified by the employer to have been and to be satisfactory; or
7. By deleting clause 21(a) and inserting the following in lieu thereof:
- (a) Parental leave is provided for in Division 8 of the QES and covers:
    - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
    - (ii) adoption leave;
    - (iii) surrogacy leave; and
    - (iv) cultural parent leave.
8. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:
- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
    - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
    - (B) remain on parental leave until at least 6 weeks after the birth of child.
  - (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
    - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
    - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
  - (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:

- (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement, whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

**MA6[2023]*****General Employees (Queensland Government Departments) and Other Employees Award - State 2015***

1. By deleting the definitions of 'department', 'directive', 'employee' and 'public service officer' in clause 3 and inserting the following definitions in lieu thereof:

**department** means a department as defined in section 10 of the *Public Sector Act 2022*

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*

**general employee** means an employee who is engaged pursuant to section 149 of the *Public Sector Act 2022*

2. By deleting clause 4.1(a)(i) and inserting the following in lieu thereof:
  - (i) employees whose salaries or rates of pay are fixed by this Award employed pursuant to:
    - (A) section 149 of the *Public Sector Act 2022*; or
    - (B) section 22 of the *Libraries Act 1988*; or
    - (C) section 21 of the *Queensland Art Gallery Act 1987*; or
    - (D) section 14 of the *Queensland Museum Act 1970*; and
3. By deleting clause 4.1(c)(viii) and inserting the following in lieu thereof:
  - (viii) United Workers Union, Industrial Union of Employees, Queensland,
4. By deleting clause 4.3.
5. By deleting clause 8(c) and inserting the following in lieu thereof:
  - (c) Employees shall be advised of the basis of their employment in writing upon engagement.
6. By deleting clause 8.4(c) and inserting the following in lieu thereof:
  - (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.
7. By deleting clause 12.2(b) and inserting the following in lieu thereof:
  - (b) An employee employed pursuant to s 149 of the *Public Sector Act 2022* shall have their previous service as a public service employee counted for the purpose of determining their commencing paypoint and calculation of their salary increment,

provided that the employee is reemployed within 12 months of cessation of employment and the employee's previous employment was terminated other than by way of disciplinary action.

8. By deleting clause 12.2(g) and inserting the following in lieu thereof:

- (g) Notwithstanding anything contained elsewhere in this Award, prior to engagement, an applicant who is employed in a position may, at the discretion of the relevant employer, be offered and employed at any paypoint within a level based on recognition of skills, knowledge and abilities.

9. By deleting clause 12.6 and inserting the following in lieu thereof:

### **12.6 Work allocation**

An employee employed or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

10. By deleting clause 12.8(a) and (b) and inserting the following in lieu thereof:

- (a) An employee employed in the Administrative stream who has satisfied assessment requirements for an AQF3, AQF4, AQF5 or AQF6 qualification acceptable to the chief executive shall be paid no less than classification level 2, paypoint 1.
- (b) An employee employed in the Administrative stream who has satisfied examination requirements for a degree or other post-secondary qualification acceptable to the chief executive shall be paid not less than classification level 2, paypoint 7.

11. By deleting clause 12.9(a) to (d) and inserting the following in lieu thereof:

- (a) Except as provided below and in Schedule 4 of this Award, movement between classification levels will be based on employment on merit to vacancies.
- (b) Annual increments will continue to apply in accordance with the relevant provisions of clause 12.11 to employees moving between classification level 1 and classification level 2 of the Administrative stream.
- (c) Subject to clause 12.2(g) an employee promoted to a position at a higher classification level within the same stream shall be employed at paypoint one of that higher classification level.
- (d) Employment at level 6 of the Forestry stream is by way of promotion of existing level 5 staff to level 6 by way of progression based on satisfying certain criteria as detailed in Schedule 4 with respect to holding exceptional skills and capacity.

12. By deleting clause 12.10(c) and inserting the following in lieu thereof:

- (c) Implicit in movement between levels is the existence of a suitable vacancy to which the employee can be employed. Progression is based on duties of the role rather than tenure.

13. By deleting the note at clause 19 and inserting the following in lieu thereof:

*Note: Where a directive about annual leave covers an employee, the directive applies to the extent that it provides a more generous entitlement.*

14. By deleting clause 21(a) and inserting the following in lieu thereof:

- (a) Parental leave is provided for in Division 8 of the QES and covers:
  - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
  - (ii) adoption leave;
  - (iii) surrogacy leave; and
  - (iv) cultural parent leave.

15. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
  - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
  - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
  - (A) the day specified in the medical certificate; or

- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
- (C) the employee commences parental leave; or
- (D) the day of the employee's confinement,

whichever happens first.

- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
16. At schedule 2 'Generic Level Statements - Operational Stream', following the heading 'Operational officer level 2 (OO2)', at the third paragraph under the heading 'Duties and skills' by deleting words 'Appointees to' and inserting the words 'Employees at' in lieu thereof.
  17. At schedule 2 'Generic Level Statements - Operational Stream', following the heading 'Operational officer level 3 (OO3)', immediately under the heading 'Work level description', by deleting words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.
  18. At schedule 3 'Generic Level Statements - Employees engaged in the Aircrew stream', following the heading 'Senior Aircrew Officer (SACO)', at the 7<sup>th</sup> and 8<sup>th</sup> dot points under the heading 'Minimum role requirements:', by deleting words 'of appointment' and inserting the words 'of employment' in lieu thereof.
  19. At schedule 3 'Generic Level Statements - Employees engaged in the Aircrew stream', following the heading 'Chief Aircrew Officer (CACO)', at the 7<sup>th</sup> and 8<sup>th</sup> dot points under the heading 'Minimum role requirements:', by deleting words 'of appointment' and inserting the words 'of employment' in lieu thereof.
  20. At schedule 4 'Generic Level Statements - Employees engaged by Agriculture and Fisheries in the Forestry Stream', in Section 2 'Classification criteria and supporting principles' under the heading of 'Classification process', by deleting the third dot point and inserting the following in lieu thereof:
    - employees are notified in writing of their employment in a position and the classification level of that position.
  21. At schedule 4 'Generic Level Statements - Employees engaged by Agriculture and Fisheries in the Forestry Stream', in Section 2 'Classification criteria and supporting principles' under the heading of 'Employees deemed to have skills and/or qualifications' by deleting the single instance of the word 'appointed' and inserting the word 'employed' in lieu thereof.
  22. At schedule 4 'Generic Level Statements - Employees engaged by Agriculture and Fisheries in the Forestry Stream', in Section 3 'Classification levels and Award relativities', under the heading of 'Wage level 3' and immediately before the heading

'Indicative duties', by deleting the single instance of the words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.

23. At schedule 4 'Generic Level Statements - Employees engaged by Agriculture and Fisheries in the Forestry Stream', in Section 3 'Classification levels and Award relativities', under the heading of 'Wage level 4' and immediately before the heading 'Indicative duties', by deleting the single instance of the words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.
24. At schedule 4 'Generic Level Statements - Employees engaged by Agriculture and Fisheries in the Forestry Stream', in Section 3 'Classification levels and Award relativities', under the heading of 'Wage level 5' and immediately before the heading 'Indicative duties', by deleting the single instance of the words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.
25. By deleting schedule 9 'Directives which apply as a term of this Award'.

**MA7[2023]*****Hospital and Health Service General Employees (Queensland Health) Award - State 2015***

1. By deleting the definition of 'directive' in clause 3 and inserting the following definition in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*

2. By deleting clause 4.1(c)(v) and inserting the following in lieu thereof:

(v) United Workers Union, Industrial Union of Employees, Queensland,

3. By deleting clause 4.2.

4. By deleting clause 8.4(c) and inserting the following in lieu thereof:

(c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.

5. By deleting clause 12.2(d) and inserting the following in lieu thereof:

(d) Notwithstanding anything contained elsewhere in this Award, prior to engagement, an applicant who is employed in a position may, at the discretion of the relevant employer, be offered and employed at any paypoint within a level based on recognition of skills, knowledge and abilities.

6. By deleting clause 12.4 and inserting the following in lieu thereof:

**12.4 Work allocation**

An employee employed or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

7. By deleting clause 12.6(a) and (b) and inserting the following in lieu thereof:

(a) An employee employed in the administrative stream who has satisfied examination requirements for a degree or other post-secondary qualification acceptable to the chief executive shall be paid no less than classification level 2, paypoint 7.

(b) An employee employed in the professional or technical stream who has obtained the prerequisite qualifications for that stream shall be paid not less than classification level 2, paypoint 1 in that stream.

8. By deleting clause 12.7(a) and inserting the following in lieu thereof:

(a) Except as provided below, movement between classification levels will be based on employment on merit to advertised vacancies.



9. By deleting clause 12.7(d) and inserting the following in lieu thereof:
- (d) Subject to clause 12.2(d), an existing employee promoted to a position at a higher classification level within the same stream shall be employed at the first paypoint of the higher classification level.
10. By deleting clause 21(a) and inserting the following in lieu thereof:
- (a) Parental leave is provided for in Division 8 of the QES and covers:
- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.
11. By deleting clause 21(c) – (d) and inserting the following in lieu thereof:
- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
- (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
- (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
- (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
- (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
- (A) the day specified in the medical certificate; or
- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or

(C) the employee commences parental leave; or

(D) the day of the employee's confinement,

whichever happens first.

(d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

12. At schedule 4 'Generic Level Statements - Professional Stream', following the heading 'Professional officer level 1 (PO1)', by deleting the second paragraph following the heading 'Work level description' and insert the following in lieu thereof:

Employment at this level is solely for the purpose of fulfilling prerequisite education and/or training prior to employment at the substantive grade (UG-1 - Degree) in the Professional stream.

13. At schedule 4 'Generic Level Statements - Professional Stream', following the heading 'Professional officer level 4 (PO4)', by deleting the fifth paragraph following the heading 'Characteristics of the work' and insert the following in lieu thereof:

The application of knowledge obtained through postgraduate specialist qualifications or extensive recognised expertise is required for employment at this level.

14. At schedule 5 'Generic Level Statements - Technical Stream', following the heading 'Technical officer level 1 (TO1)', by deleting the second paragraph following the heading 'Work level description' and inserting the following in lieu thereof:

Employment at this level is solely for the purpose of fulfilling prerequisite education and/or training prior to employment at the substantive grade in the technical stream.

15. At schedule 5 'Generic Level Statements - Technical Stream', following the heading 'Technical officer level 4 (TO4)', and immediately under the heading 'Work level description', by deleting the words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.

16. At schedule 6 'Generic Level Statements - Operational Stream', following the heading 'Operational officer level 3 (OO3)', immediately under the heading 'Work level description', by deleting words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.

17. By deleting Schedule 9 and inserting the following in lieu thereof:

### **Schedule 9 - Directives Which Apply to Employees Covered by this Award**

#### **Application of existing preserved conditions and directives**

Employees engaged prior to 1 March 1993 who:

- were subject to the provisions of, or received the benefits of, the *Public Service Management and Employment Act 1988* and Regulations (now prescribed in the *Public Sector Act 2022*) and as such received the benefits of the terms and conditions prescribed by the *Public Service Act 2008* and Regulations; or
- by Award or administrative prescription, received the benefits of all or part of the provisions as contained in the *Public Service Act 2008* and Regulations,

will continue to be entitled to receive the following terms and conditions of employment of the Directives and Award specified below:

- Leave and travel concessions - Isolated centres
- Locality allowance
- Recreation leave: (Annual leave entitlement for officers headquartered in the Northern and Western Region)
- Salary determinations for overtime as prescribed in clause 6.4 of the *Queensland Public Service Award - State 2003*
- Special leave: (Discretionary leave as prescribed in Clause 8 of Directive No. 9/13).

**MA8[2023]*****Health Practitioners and Dental Officers (Queensland Health) Award - State 2015***

1. By deleting the following definition in clause 3 and inserting the following definition in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

2. By deleting clause 4.1(c)(iv) and inserting the following in lieu thereof:

(iv) United Workers' Union, Industrial Union of Employees, Queensland,

3. By deleting clause 4.2.

4. By deleting clause 8.4(c) and inserting the following in lieu thereof:

(c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.

5. By deleting clause 12.2(d) and inserting the following in lieu thereof:

(d) Notwithstanding anything contained elsewhere in this Award, prior to engagement, an applicant who is employed in a position may, at the discretion of the relevant employer, be offered and employed at any paypoint within a classification level based on recognition of skills, knowledge and abilities.

6. By deleting clause 12.4 and inserting the following in lieu thereof:

**12.4 Work allocation**

An employee employed or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

7. By deleting clause 12.6 and inserting the following in lieu thereof:

**12.6 Employment at classification levels - health practitioners**

(a) Employment at a classification level will be based on employment on merit to advertised vacancies.

(b) The following entry levels for health practitioner positions will apply as a minimum

(i) an employee with a relevant qualification of diploma or equivalent (provided the employee is applying that qualification to a relevant position) will commence at level HP2.1;

(ii) an employee employed in a position requiring a minimum three year tertiary qualification of a degree or equivalent will commence at level HP3.0;

- (iii) an employee employed in a position requiring a minimum four year tertiary qualification of a degree or equivalent will commence at level HP3.1; and
  - (iv) an employee employed in a position requiring tertiary courses such as a two year masters' program for registration purposes or entry level into the discipline will commence at level HP3.1.
- (c) An employee employed in the HP1 classification level must be paid at the HP1.4 classification level on reaching 21 years of age.
- (d) (i) All employment at the HP8 classification level will be by advertisement and merit selection processes and the employer will determine the salary level for HP8 positions having regard for the context of the position and the responsibilities required.
- (ii) Movements between all paypoints of the HP8 level are not incremental. However, the employer may, upon application, review an employee's paypoint to take into account changed circumstances, responsibilities and/or duties of the position.

*Note: Where a directive about recognition of previous service and employment covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.*

8. By deleting clause 12.7 and inserting the following in lieu thereof:

**12.7 Movement between classification levels - general**

- (a) Movement between classification levels will be based on employment on merit to advertised vacancies.
- (b) Subject to clause 12.2(d), an existing employee promoted to a position at a higher classification level within the same stream shall be employed at paypoint 1 of the higher classification level.

9. By deleting clause 12.8 and inserting the following in lieu thereof:

**12.8 Movement between classification levels - health practitioner stream**

An employee who moves between classification levels HP2 and HP3 will be employed at a paypoint in the HP3 classification level that is the next highest to that which the employee was paid under the HP2 classification level.

10. By deleting clause 21(a) and inserting the following in lieu thereof:

- (a) Parental leave is provided for in Division 8 of the QES and covers:
  - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
  - (ii) adoption leave;

- (iii) surrogacy leave; and
- (iv) cultural parent leave.

11. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
  - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
  - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
  - (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,

whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

12. By deleting the following words within Schedule 4 under the Generic Level Description for the Dentist (Level 1) classification and inserting the following in lieu thereof:

Dentists employed as such will commence on a paypoint according to years of experience and satisfactory work performance, and will be eligible to advance by increment to paypoint 1.6, and no further.

13. By deleting the following words within Schedule 4 under the Generic Level Description for the Senior Dentist (Level 2) classification and inserting the following in lieu thereof:

Employment in Senior Dentist positions is merit based.

Senior Dentists employed as such will routinely commence on paypoint DO2.1 and will be eligible to advance by annual increments to paypoint 2.4, and no further.

14. By deleting the following words within Schedule 4 under the Generic Level Description for the Principal Dentist (Level 3) classification and inserting the following in lieu thereof:

Principal Dentists employed as such will commence on paypoint DO3.1 and will be eligible to advance by annual increments to paypoint 3.2, and no further.

15. By deleting the following words within Schedule 4 under the Generic Level Description for the Director (Level 4) classification and inserting the following in lieu thereof:

Directors employed as such will commence on paypoint 4.1, and advance by annual increments to paypoint 4.2, and no further.

16. By deleting the following words within Schedule 4 under the Generic Level Description for the Dental Specialist (Level DS1) classification and inserting the following in lieu thereof:

Dental Specialists employed as such will commence on paypoint DS1.1, and advance by annual increments to paypoint DS1.5, and no further.

17. By deleting the following words within Schedule 4 under the Generic Level Description for the Senior Dental Specialist (Level DS2) classification and inserting the following in lieu thereof:

Employment in Senior Dentist Specialist positions is merit based.

Senior Dental Specialists employed as such will commence on paypoint DS2.1, and advance by annual increments to paypoint to DS2.3 and, no further.

18. By deleting Schedule 6.

**MA9[2023]**  
***Legal Aid Queensland Employees Award - State 2015***

1. By deleting the definition of directive in clause 3, and inserting the following definitions in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or 223 of the *Public Sector Act 2022*

2. By deleting clause 4.2.
3. By deleting clause 21(a) and inserting the following in lieu thereof:

**21. Parental leave**

(b) Parental leave is provided for in Division 8 of the QES and covers:

- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.

4. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
  - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
  - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:



- (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement, whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
5. At Schedule 3 'Generic Level Statements - Professional Stream', following the heading 'Professional officer level 1 (PO1)', and under the sub-heading 'work level description', by deleting the first paragraph and inserting the following in lieu thereof:
- Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Sector Act 2022* plus the educational requirements for acceptance into an appropriate tertiary institution.
6. At Schedule 4 'Generic Level Statements - Technical Stream', following the heading 'Technical officer level 1 (TO1)', and under the sub-heading 'Work level description', by deleting the first paragraph and inserting the following in lieu thereof:
- Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Sector Act 2022* plus the educational requirements for acceptance into the appropriate tertiary institution.
7. By deleting Schedule 7.

**MA10[2023]**  
***Medical Officers (Queensland Health) Award - State 2015***

1. By deleting the definition of 'directive' in clause 3 and inserting the following definition in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

2. By deleting clause 4.2 and inserting the following in lieu thereof:

**4.2 Directives applying to employees covered by this Award**

In addition to conditions of employment provided in this Award, Chapter 6, Part 5 of the *Public Sector Act 2022* (Qld) provides for creation and application of Directives that may apply to employees covered by this Award.

3. By deleting clause 24(a) and inserting the following in lieu thereof:

(a) Parental leave is provided for in Division 8 of the QES and covers:

- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.

4. By deleting Clause 24(c) - (d) and inserting the following in lieu thereof:

(c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:

- (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
- (B) remain on parental leave until at least 6 weeks after the birth of the child.

(ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:

- (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 24(c)(i)(A); or

- (B) the employee is fit to resume duty - reduce the period mentioned in clause 24(c)(i)(B).
  - (iii) If the employer makes a decision under clause 24(c)(ii)(A) to reduce the period, the approval is of effect until:
    - (A) the day specified in the medical certificate; or
    - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
    - (C) the employee commences parental leave; or
    - (D) the day of the employee's confinement,whichever happens first.
  - (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
5. By deleting Schedule 2 'Directives Which Apply to Employees Covered by this Award'.

**MA11[2023]*****Miscellaneous Administrative Employees Award - State 2016***

1. By deleting clause 4.1(a)(i) and inserting the following in lieu thereof:
  - (i) employed pursuant to sections 150, 151 or 152 of the *Public Sector Act 2022* or classified as an employee of the public service at the date of the commencement of this Award; or
2. By deleting clause 21(a) and inserting the following in lieu thereof:
  - (a) Parental leave is provided for in Division 8 of the QES and covers:
    - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
    - (ii) adoption leave;
    - (iii) surrogacy leave; and
    - (iv) cultural parent leave.
3. By deleting clause 21(c) and inserting the following in lieu thereof:
  - (c) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of the child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

**MA12[2023]**  
***Nurses and Midwives (Queensland Health) Award - State 2015***

1. By deleting the following definitions in clause 3 and inserting the following in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

**RANIP employee** means a permanent or long term temporary (greater than 12 months) Nurse Grade 3 and above, employed or working in a rural or remote location, as listed in Schedule 4, under the Remote Area Nurse Incentive Package

2. By deleting clause 4.2, and subsequently renumbering clause 4.3 as clause 4.2.
3. By deleting the sentence immediately following the heading at clause 8 'Types of employment' and inserting the following in lieu thereof:

Employees covered by this Award are to be advised in writing of their employment category upon engagement.

4. By deleting clause 8.5(c) and inserting the following in lieu thereof:
  - (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.

5. By deleting clause 8.6(a)(i) and inserting the following in lieu thereof:
  - (i) the duties are consistent with those performed by classifications in this Award and within the educational preparation required for employment at such classifications;  
or

6. By deleting clause 12.4(b) and inserting the following in lieu thereof:
  - (b) Movement from one Grade or Band to the next is by promotion only. Upon promotion from one Grade or Band to another, or if the employee has advanced to the next paypoint by some other method, progression to the next paypoint within the Grade or Band must only occur as follows:
    - (i) full-time and part-time employees - after a further 12 month period from the date of new promotion;
    - (ii) casual employees - after a further 1200 hours and 12 months of continuous service.

7. By deleting clause 12.5 and inserting the following in lieu thereof:

12.5 Engagement at classification

- (a) Nursing Grade 1, Band 2
  - (i) Where a Nursing Grade 1, Band 1 paypoint 6 employee is promoted to Nursing Grade 1, Band 2, the employee will be employed at paypoint 2 of Band 2.
  - (ii) Where a Nursing Grade 1, Band 1 employee who is in receipt of the targeted training allowance in accordance with clause 13.18 is promoted to Nursing Grade 1, Band 2 the employee will be employed at paypoint 3 of Band 2.
- (b) Nurse Grade 3
  - (i) Subject to clause 12.5(b)(ii), an employee employed at Nurse Grade 3 will be employed at paypoint 2 subject to the recognition of previous service provisions at clause 12.6.
  - (ii) Re-entry enrolled nurse

An employee who is an enrolled nurse holding provisional registration who does not meet the NMBA's Recency of Practice Registration Standard, and who is undertaking an approved program of study/supervision for re-entry as an enrolled nurse as determined by the NMBA, is to be treated as follows:

- (A) The employee will remain at paypoint 1 while undertaking the approved program of study/supervision for re-entry until the employee appears on the AHPRA Register of Practitioners and holds a current practising certificate as an enrolled nurse.
- (B) During the period of engagement at Nurse Grade 3 paypoint 1, the employee will work under the direct or indirect supervision of a registered nurse by assisting with the care of residents/patients as delegated by the registered nurse.
- (C) Once the employee has gained registration as an enrolled nurse all service, including the period of engagement at Nurse Grade 3 paypoint 1, will be recognised in accordance with clause 12.6.

8. By deleting clause 12.6(g) and inserting the following in lieu thereof:

- (g) The temporary service of an employee who is permanently employed will be counted towards the employee's length of service for all purposes of this Award, providing such service is continuous and immediately preceded the employee's employment.

9. By deleting clause 12.6(k) and inserting the following in lieu thereof:

- (k) In applying this matrix to a classification, recognition of previous experience will apply consistent with the matrix up to the maximum paypoint of the applicable classification.

For example, if in accordance with the matrix six years previous experience is recognised and the applicable classification has only four paypoints, the employee would be employed at paypoint 4.

10. By deleting clause 13.15(b)(iv) and inserting the following in lieu thereof:
- (iv) For the purpose of calculating the allowance, nurses and midwives engaged after 30 September in any calendar year will receive a pro rata entitlement for the period from the date of engagement to the last pay period of the following September.
11. By deleting clause 21(a) and inserting the following in lieu thereof:
- (a) Parental leave is provided for in Division 8 of the QES and covers:
- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.
12. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:
- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
- (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
- (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
- (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
- (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
- (A) the day specified in the medical certificate; or
- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
- (C) the employee commences parental leave; or

(D) the day of the employee's confinement, whichever happens first.

(d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

13. By deleting clause 25.2(c) and inserting the following in lieu thereof:

(c) The full annual entitlement to leave is available from 1 January each year or anniversary date if the employee is engaged after 1 January 2007.

14. By deleting the following parts of Schedule 2, S2.12 under 'Nurse Grade 7' and inserting the following in lieu thereof:

An employee who is a registered nurse/registered midwife who:

(a) is employed in an advanced practice nursing and/or midwifery position; and

15. By deleting the following parts of Schedule 3, S3.3 under 'Industrial Arrangements' and inserting the following in lieu thereof:

(a) Participation

(i) Participation in a caseload midwifery model of care will be voluntary, except as provided at S3.3(a)(ii).

(ii) If a midwife is employed in a position as part of a midwifery caseload model under this agreement and there is no core midwifery service in the hospital, the midwife will be a permanent employee of the midwifery caseload model.

16. By deleting schedule 5.



**MA13[2023]**  
***Parks and Wildlife Employees Award - State 2016***

1. By deleting the definitions of 'chief executive' and 'directive' in clause 3 and inserting the following definitions in lieu thereof:

**chief executive** means a person appointed to that role pursuant to the provisions of the *Public Sector Act 2022* or, for the purposes of this Award, such other person to whom the chief executive has delegated specific authorities

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*

2. By deleting clause 4.1(a) and inserting the following in lieu thereof:
  - (a) rangers and wildlife officers whose salaries or rates of pay are fixed by this Award employed pursuant to section 149 of the *Public Sector Act 2022*; and
3. By deleting clause 8(c) and inserting the following in lieu thereof:
  - (c) Employees shall be advised of the basis of their employment in writing upon engagement.
4. By deleting clause 8.4(c) and inserting the following in lieu thereof:
  - (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.
5. By deleting clause 12.2(b) and inserting the following in lieu thereof:
  - (b) Notwithstanding anything contained elsewhere in this Award, prior to engagement an applicant who is employed in a position may, at the discretion of the relevant employer, be offered and employed at any paypoint within a level based on recognition of skills, knowledge and abilities.
6. By deleting clause 12.4 and inserting the following in lieu thereof:

**12.4 Work allocation**

An employee employed in or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

7. By deleting clause 12.6(a) and inserting the following in lieu thereof:
  - (a) Movement between classification levels will be based on employment on merit to vacancies.

8. By deleting clause 12.6(c) and inserting the following in lieu thereof:
  - (c) An employee promoted to a position at a higher classification level shall be employed at paypoint 1 of that higher classification level unless the employee has been acting in a role at that higher level, or above, immediately prior to the promotion, in which case the time spent by the employee acting in the higher duties capacity is to be taken into account in determining the paypoint to which the employee is to be assigned.
9. By deleting clause 12.8(c)(i) and inserting the following in lieu thereof:
  - (i) the relieving was at the same or at a higher level to the classification level to which the employee has been employed under this Award; and
10. By deleting clause 21(a) and inserting the following in lieu thereof:
  - (a) Parental leave is provided for in Division 8 of the QES and covers:
    - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
    - (ii) adoption leave;
    - (iii) surrogacy leave; and
    - (iv) cultural parent leave.
11. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:
  - (c)
    - (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
      - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
      - (B) remain on parental leave until at least 6 weeks after the birth of the child.
    - (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
      - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
      - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).

(iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:

- (A) the day specified in the medical certificate; or
- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
- (C) the employee commences parental leave; or
- (D) the day of the employee's confinement,

whichever happens first.

(d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

12. At Schedule 1 'Generic Level Statements - Operational Stream', under the heading of 'Operational officer level 2 (OO2)' and 'Duties and skills', by deleting the third paragraph from 'Appointees to this level' up to and including 'skills and knowledge' and inserting the following in lieu thereof:

Employees at this level undertake a range of functions requiring the practical application of acquired skills and knowledge.

13. At Schedule 1 'Generic Level Statements - Operational Stream', under the heading of 'Operational officer level 3 (OO3)', by deleting the first paragraph immediately under the heading 'Work level description' and inserting the following in lieu thereof:

Employment at this level requires proven expertise in the particular discipline with demonstrated proficiency in applying established techniques.

14. At Schedule 3, by deleting the following text:

**Directives which apply as a term of this Award**

The terms and conditions of employment in the directives about the matters specified below shall apply to employees covered by this Award until 5 April 2018.

- Domestic travelling and relieving expenses
- Higher duties
- Hours, overtime and excess travel (insofar as it relates to excess travel).

**MA14[2023]**  
***Queensland Parliamentary Service Award - State 2015***

1. By deleting the definition of 'directive' in clause 3 and inserting the following definition in lieu thereof:
 

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.
2. By deleting clause 4.1(c)(iii) and inserting the following in lieu thereof:
 

(iii) United Workers Union, Industrial Union of Employees, Queensland,
3. By deleting clause 22(a) and inserting the following in lieu thereof:
 

(a) Parental leave is provided for in Division 8 of the QES and covers:

  - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
  - (ii) adoption leave;
  - (iii) surrogacy leave; and
  - (iv) cultural parent leave.
4. By deleting clause 22(c) - (d) and inserting the following in lieu thereof:
 

(c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:

  - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.

(ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:

  - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 22(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 22(c)(i)(B).

(iii) If the employer makes a decision under clause 22(c)(ii)(A) to reduce the period, the approval is of effect until:

- (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,
- whichever happens first.

- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
5. At Schedule 3 'Generic Level Statements - Professional Stream' in the paragraph immediately following the headings 'Professional officer level 1 (PO1)' and 'Work level description', by deleting the words '*Public Service Act 2008*' and replacing them with the words '*Public Sector Act 2022*'.
  6. At Schedule 4 'Generic Level Statements - Technical Stream' in the paragraph immediately following the headings 'Technical officer level 1 (TO1)' and 'Work level description', by deleting the words '*Public Service Act 2008*' and replacing them with the words '*Public Sector Act 2022*'.

**MA15[2023]**  
***Queensland Police Service Employees Award - State 2016***

1. By deleting the following definitions in clause 3 and inserting the following definitions in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

**police support officer** means an employee of QPS who has been employed as such and who satisfactorily completes a required and approved course of training orientated towards a range of police duties. Such officers will carry out the assigned duties of a police support officer for which they have been appropriately trained. A police support officer does not include temporary or permanent administrative or clerical staff

**staff member** means a Police Liaison Officer, Assistant Watchhouse Officer, Police Pipes and Drums Bandperson, and a Torres Strait Island Police Support Officer, all of whom are engaged pursuant to section 149 of the *Public Sector Act 2022*

2. By deleting clause 4.1(a)(ii) and inserting the following in lieu thereof:

(ii) section 149 of the *Public Sector Act 2022*; and

3. By deleting clause 8(e) and inserting the following in lieu thereof:

(e) Employees shall be advised of the basis of their employment in writing upon engagement.

4. By deleting clause 8.4(c) and inserting the following in lieu thereof:

(c) Where a staff member's service is considered satisfactory or where a staff member's service exceeds the designated probationary period or agreed extension, the staff member's employment will be deemed to be confirmed.

5. By deleting clause 12.3(b) and inserting the following in lieu thereof:

(b) Staff members shall have their previous service as a public service employee counted for the purpose of determining their commencing paypoint and calculation of their salary increment, provided that the employee is re-employed within 12 months of cessation of employment and the employee's previous employment was terminated other than by way of disciplinary action.

6. By deleting clause 12.3(d) and inserting the following in lieu thereof:

(d) Notwithstanding anything contained elsewhere in this Award, prior to engagement, an applicant who is employed in a staff member position may, at the discretion of QPS, be offered and employed at any paypoint within a level based on recognition of skills, knowledge and abilities.

7. By deleting clause 12.9 and inserting the following in lieu thereof:

### 12.9 Movement between classification levels - staff members

- (a) Except as provided below and in Schedule 1 of this Award, movement between classification levels within the Operational stream will be based on employment on merit to advertised vacancies.
  - (b) Subject to clause 12.3(d) a staff member promoted to a position at a higher classification level shall be employed at paypoint one of that higher classification level.
8. By deleting clause 22(a) and inserting the following in lieu thereof:
- (a) Parental leave is provided for in Division 8 of the QES and covers:
    - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
    - (ii) adoption leave;
    - (iii) surrogacy leave; and
    - (iv) cultural parent leave.
9. By deleting clause 22(c) - (d) and inserting the following in lieu thereof:
- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
    - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
    - (B) remain on parental leave until at least 6 weeks after the birth of the child.
  - (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
    - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 22(c)(i)(A); or
    - (B) the employee is fit to resume duty - reduce the period mentioned in clause 22(c)(i)(B).
  - (iii) If the employer makes a decision under clause 22(c)(ii)(A) to reduce the period, the approval is of effect until:
    - (A) the day specified in the medical certificate; or

- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,
- whichever happens first.

(d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.

10. At schedule 1, by deleting the third paragraph under the duties and skills heading for Operational officer level 2 (OO2) and inserting in lieu thereof:

Employees at this level undertake a range of functions requiring the practical application of acquired skills and knowledge.

11. At schedule 1, by deleting the first paragraph under the work level description heading for Operational officer level 3 (OO3) and inserting in lieu thereof:

Employees at this level requires proven expertise in the particular discipline with demonstrated proficiency in applying established techniques.

12. By deleting schedule 5 and inserting in lieu thereof:

**Schedule 5 - Directives Which Apply to Employees Covered by this Award**

**Directives referenced in the body of the Award and which apply by operation of the Directive itself - staff members**

- Court attendance and jury service
- Early retirement, redundancy and retrenchment
- Long service leave
- Motor vehicle allowances
- Paid parental leave
- Recognition of previous service and employment
- Recreation
- Sick leave
- Special leave.



**MA16[2023]**  
***Queensland Fire and Emergency Service Employees Award - State 2016***

1. By deleting the definition of 'directive' in clause 3 and inserting the following definition in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

2. By deleting clause 4.3 and inserting the following in lieu thereof:

**4.3 Directives applying to employees covered by this Award**

In addition to the conditions of employment provided in this Award, Chapter 6, Part 5 of the *Public Sector Act 2022* (Qld) provides for creation and application of Directives that may apply to employees covered by this Award.

3. By deleting Clause 21(a) and inserting the following in lieu thereof:

(a) Parental leave is provided for in Division 8 of the QES and covers:

- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.

**MA17[2023]*****Queensland Public Service Officers and Other Employees Award - State 2015***

1. By deleting the definitions of 'department', 'directive', 'employee' and 'public service officer' in clause 3 and inserting the following definitions in lieu thereof:

**department** means a department as defined in section 10 of the *Public Sector Act 2022* or an agency, authority or entity however named created by, or referred to as being covered by, one of the Acts mentioned in clause 4.1(a)

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*

**employee** means a person appointed or employed pursuant to one of the designated provisions in one of the Acts mentioned in clause 4.1(a)

**public service officer** means an employee employed pursuant to section 152 of the *Public Sector Act 2022*

2. By deleting clause 4.1(a)(i)(A) and inserting the following in lieu thereof:
  - (A) employed pursuant to sections 150, 151 or 152 of the Public Sector Act 2022 or classified as an employee of the public service at the date of commencement of that Act; or
3. By deleting clause 8.4(c) and inserting the following in lieu thereof:
  - (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.
4. By deleting clause 12.2(e) and inserting the following in lieu thereof:
  - (e) Notwithstanding anything contained elsewhere in this Award, prior to engagement, an applicant who is employed in a position may, at the discretion of the relevant employer, be offered and employed at any paypoint within a level based on recognition of skills, knowledge and abilities.

5. By deleting clause 12.4 and inserting the following in lieu thereof:

**12.4 Work allocation**

An employee employed or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

6. By deleting clause 12.6(a) to (e) and inserting the following in lieu thereof:

- (a) An employee employed in the Administrative stream who has satisfied assessment requirements for an AQF3, AQF4, AQF5 or AQF6 qualification acceptable to the chief executive shall be paid no less than classification level 2, paypoint 1.
- (b) An employee employed in the Administrative stream who has satisfied examination requirements for a degree or other post-secondary qualification acceptable to the chief executive shall be paid not less than classification level 2, paypoint 7.
- (c) An employee employed at level 1 of the Technical stream having obtained the prerequisite qualification shall be appointed to the minimum rate prescribed in level 2 of that stream.
- (d) A new employee or employee employed at level 1 of the Professional stream having obtained the prerequisite qualifications shall be employed at level 2 of that stream and commence at the appropriate paypoint as set out hereunder:

3 year qualification	paypoint 1
4 year qualification	paypoint 2
5 year qualification	paypoint 3

- (e) A new employee or employee employed at level 2 of the Professional stream who acquires or possesses qualifications higher than the minimum prerequisite qualifications (e.g. Honours, Masters and Doctorates) will commence at or progress to the appropriate paypoint as set out hereunder:

4 year qualification	paypoint 2
5 year qualification	paypoint 3
6 year qualification	paypoint 4
7 year qualification	paypoint 5
8 year qualification	paypoint 6

7 By deleting clause 12.7(a) and inserting the following in lieu thereof:

- (a) Except as provided below, movement between classification levels will be based on employment on merit to advertised vacancies.

8 By deleting clause 12.7(d) and (e) and inserting the following in lieu thereof:

- (d) Subject to clause 12.2(e) an employee promoted to a position at a higher classification level within the same stream shall be employed at paypoint one of that higher classification level.
- (e) A public service officer employed pursuant to section 152 (officer) of the *Public Sector Act 2022* shall have their previous service as an officer counted for the purpose of determining their commencing paypoint and calculation of their salary increment, provided that the officer is reemployed within 12 months of cessation of employment and the officer's previous employment was terminated other than by way of disciplinary action.

9 By deleting clause 13.2(a) and inserting the following in lieu thereof:

- (a) An employee employed at level 1 or level 2 of the Administrative stream who occupies a cashier-type position and is personally responsible for any shortages that may occur shall be paid an allowance as set out below:

<b>Average daily cash received and/or disbursed</b>	<b>Full-time employee - allowance payable per fortnight</b>	<b>Part-time employee - allowance payable per day</b>
	<b>\$</b>	<b>\$</b>
Less than \$500	Nil	Nil
\$500 and up to and including \$2,499.99	30.60	3.06
\$2,500 and up to and including \$2,999.99	41.80	4.18
\$3,000 and up to and including \$3,499.99	49.40	4.94
\$3,500 and up to and including \$3,999.99	57.60	5.76
\$4,000 and up to and including \$4,499.99	63.90	6.39
\$4,500 and over	71.30	7.13

10 By deleting the words 'appointed to' in clause 18.1(a) and inserting the word 'employed' in lieu thereof.

11 By deleting clause 21(a) and inserting the following in lieu thereof:

- (a) Parental leave is provided for in Division 8 of the QES and covers:

- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.

12 By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
- (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:

- (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
- (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,
- whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
- 13 At schedule 3, clause S3.3.4, by deleting the definition of 'temporary employee' and inserting the following in lieu thereof:

**temporary employee** means any employee engaged pursuant to section 150 of the *Public Sector Act 2022* for fixed periods of one school term or greater

- 14 At schedule 5 'Generic Level Statements – Professional Stream', following the heading 'Professional officer level 1 (PO1)', by deleting the four paragraphs following the heading 'Work level description' and inserting the following in lieu thereof:

Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Sector Act 2022* plus the education requirements for acceptance into an appropriate tertiary institution.

Employment at this level is solely for the purpose of fulfilling prerequisite education and/or training prior to employment at the substantive grade (degree) in the professional stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular professional group.

Employees at this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant profession, but at a level and under a degree of supervision appropriate to the skills held. This may include some work normally which would be carried out by level 2 (i.e. practising) professional,

provided such work is verified or validated by a qualified and experienced professional employee.

- 15 At schedule 5 'Generic Level Statements - Professional Stream', following the heading 'Professional officer level 4 (PO4)', by deleting the fifth paragraph following the heading 'Characteristics of the work' and inserting the following in lieu thereof:

The application of knowledge obtained through postgraduate specialist qualifications or extensive recognised expertise is required for employment at this level.

- 16 At schedule 5 'Generic Level Statements - Professional Stream', following the heading 'Professional officer level 5 (PO5)', by deleting the words 'Appointees to' immediately following the heading 'Work level description' and inserting the words 'Employees at' in lieu thereof.

- 17 At schedule 5 'Generic Level Statements - Professional Stream', following the heading 'Professional officer level 5 (PO5)', in the third paragraph under the heading 'Characteristics of the work', by deleting the words 'This level requires that appointees' and inserting the words 'This level requires that employees' in lieu thereof.

- 18 At schedule 5 'Generic Level Statements - Professional Stream', following the heading 'Professional officer level 6 (PO6)', in the second paragraph under the heading 'Work level description', by deleting the words 'Appointees to' and inserting the words 'Employees at' in lieu thereof.

- 19 At schedule 6 'Generic Level Statements - Technical Stream', following the heading 'Technical officer level 1 (TO1)', by deleting the four paragraphs following the heading 'Work level description' and inserting the following in lieu thereof:

Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Sector Act 2022* plus the education requirements for acceptance into the appropriate tertiary institution.

Employment at this level is solely for the purpose of fulfilling prerequisite education and/or training prior to employment at the substantive grade in the technical stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular technical group.

Employees at this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant occupation, but at a level and under a degree of supervision appropriate to the skills held. This may include some work which normally would be carried out by level 2 (i.e. practising) technical officer, provided such work is verified or validated by a qualified and experienced technical employee.

- 20 At schedule 6 'Generic Level Statements - Technical Stream', following the heading 'Technical officer level 4 (TO4)', and immediately under the heading 'Work level description', by deleting the words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.

- 21 At schedule 6 'Generic Level Statements - Technical Stream', following the heading 'Technical officer level 6 (TO6)', and immediately under the heading 'Work level description', by deleting the word 'Appointees' and inserting the word 'Employees' in lieu thereof.
- 22 At schedule 7 'Generic Level Statements - Operational Stream', following the heading 'Operational officer level 2 (OO2)', at the third paragraph under the heading 'Duties and skills' by deleting words 'Appointees to' and inserting the words 'Employees at' in lieu thereof.
- 23 At schedule 7 'Generic Level Statements - Operational Stream', following the heading 'Operational officer level 3 (OO3)', immediately under the heading 'Work level description', by deleting words 'Appointment to' and inserting the words 'Employment at' in lieu thereof.
- 24 At schedule 8 'Generic Level Statements --Nursing Stream', following the heading 'Level 3', and immediately under the heading 'Work level description', by deleting words 'A registered nurse may be appointed to' and inserting the words 'A registered nurse may be employed in' in lieu thereof.
- 25 At schedule 8 'Generic Level Statements – Nursing Stream', following the heading 'Level 4', and immediately under the heading 'Work level description', by deleting words 'A registered nurse may be appointed to' and inserting the words 'A registered nurse may be employed in' in lieu thereof.
- 26 At schedule 8 'Generic Level Statements - Nursing Stream', following the heading 'Level 5', by deleting words 'A registered nurse may be appointed to' and inserting the words 'A registered nurse may be employed in' in lieu thereof.

**MA18[2023]**  
***Stadiums Queensland Employees Award - State 2016***

1. By deleting clause 4.1(c)(iv) inserting the following in lieu thereof:
  - (iv) United Workers Union, Industrial Union of Employees, Queensland,
2. By deleting clause 8(b) and inserting the following in lieu thereof:
  - (b) Each employee shall be advised of the basis of their employment in writing upon engagement.
3. By deleting clause 8.5(c) and inserting the following in lieu thereof:
  - (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.
4. By deleting clause 12.3.3(a)(ii) and inserting the following in lieu thereof:
  - (ii) Each level of the Clerical stream contains varying paypoints which provide for automatic yearly service increments within a classification level. Employment at a higher classification level is to occur where an employee is required to perform duties and skills at a higher level in accordance with the classification criteria.
5. By deleting clause 21(a) and inserting the following in lieu thereof:
  - (a) Parental leave is provided for in Division 8 of the QES and covers:
    - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
    - (ii) adoption leave;
    - (iii) surrogacy leave; and
    - (iv) cultural parent leave.
6. By deleting clause 21(c) and inserting the following in lieu thereof:
  - (c) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
7. At Schedule 1 'Definitions and Position Descriptors - Child Care Stream' under the heading 'Children's services worker - 1 year qualified', by deleting the first dot point immediately following the word 'An employee at this level:' and inserting the following in lieu thereof:



- has completed an AQF Certificate 3 or 4 in Children's services but has not been employed in the position of group leader; or

**MA19[2023]**  
***TAFE Queensland Award - State 2016***

1. By deleting clause 4.1(d)(vii) and inserting the following in lieu thereof:  

(vii) United Workers' Union, Industrial Union of Employees, Queensland,
2. By deleting clause 8.5(b)(i) and inserting the following in lieu thereof:  

(i) A government entity as defined in section 276 of the *Public Sector Act 2022* (Qld);
3. By deleting clause 23(a) and inserting the following in lieu thereof:  

(a) Parental leave is provided for in Division 8 of the QES and covers:

  - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
  - (ii) adoption leave;
  - (iii) surrogacy leave; and
  - (iv) cultural parent leave.
4. By deleting clause 23.1(b) and inserting the following in lieu thereof:  

(b) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of the child or lesser period as approved by TAFE Queensland, may request to work part-time or other flexible work arrangements.

**MA20[2023]**  
***Teaching in State Education Award - State 2016***

1. By deleting the following definitions in clause 3 and inserting the following definitions in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

**temporary employee** means an employee-employed pursuant to section 150 of the *Public Sector Act 2022*

2. By deleting clause 4.1(a) and inserting the following in lieu thereof:

(a) employees employed pursuant to sections 150, 151 or 152 of the *Public Sector Act 2022* whose salaries or rates of pay are fixed by this Award; and

3. By deleting clause 6.2(d)(iv) and inserting the following in lieu thereof:

(iv) The composition of consultative forums should take account of representation of the target groups identified in the *Public Sector Act 2022*; and

4. By deleting clause 8.2.1(e)(ii) and inserting the following in lieu thereof:

(ii) Teachers, heads of program, school leaders, community teachers or assistant teachers employed in a part-time capacity **after 5 July 1994**

(A) Eligibility

This clause applies to teachers, heads of program, school leaders, community teachers or assistant teachers who are:

- employed part-time after 5 July 1994 who had previously been employed full-time; or
- currently employed part-time who were not employed full-time immediately prior to their current employment; or
- newly employed part-time who were not employed full-time immediately prior to their current employment.

(B) Eligible teachers, heads of program, school leaders, community teachers and assistant teachers may upon application and submission of a preference list be employed in a full-time position. Full-time employment will occur at the earliest available opportunity, or at the latest from the commencement of the next school year, provided that the application is made by the closing date for the normal transfer cycle and is subject to available vacancies.

(C) The order of preference for employment to available vacancies will be as follows:

- persons who are employed part-time after 5 July 1994 who had previously been employed full-time will be considered simultaneously with those persons currently employed full-time seeking transfer;

[Note: every effort will be made to ensure that such persons will be afforded sufficient priority in the transfer process to enable their return to full-time

status by the commencement of the next school year, other than in exceptional circumstances];

- persons currently employed part-time who were not employed full-time immediately prior to their current employment;
- persons newly appointed part-time who were not employed full-time immediately prior to their current employment.

(D) Where, at the time of application, no vacancy for a full-time position is available within an employee's preference list, the employee may either accept employment at another school or remain at the employee's current school and fraction of full-time employment until a suitable vacancy becomes available.

(E) Discretion may be exercised to waive the notice requirement stated above in emergent or compassionate circumstances.

5. By deleting clause 8.2.2(h) and inserting the following in lieu thereof:

(h) A part-time counsellor may be employed in more than one position in the public sector provided that the maximum number of ordinary hours for which they are employed shall not exceed 72.5 hours per fortnight.

6. By deleting clause 8.6.1(a) and inserting the following in lieu thereof:

(a) Teachers, newly employed heads of program and school leaders, community teachers and assistant teachers commencing employment will, subject to clauses 8.6.1(b), (c) and (g), serve a probationary period of 8 months from commencement.

7. By deleting clause 8.6.1(d) and inserting the following in lieu thereof:

(d) There will be a system of performance appraisals during the 8 month period incorporating an interim performance review at approximately 3 months by the principal/supervisor (or their delegate), and a formal performance report at approximately 6 months by the principal/supervisor (or their delegate) either confirming permanent employment or recommending termination of employment. An appropriate course of action will be developed by the principal/supervisor in consultation with the teacher, head of program, school leader, community teacher or assistant teacher.

8. By deleting clause 8.6.2(c) and inserting the following in lieu thereof:

(c) Where a counsellor's service is considered satisfactory or where a counsellor's service exceeds the designated probationary period or agreed extension the counsellor's employment will be deemed to be confirmed.

9. By deleting clause 12.3.1(b) and inserting the following in lieu thereof:

(b) The employment conditions (including monetary and non-monetary incentives) for executive principals are contained within an instrument of appointment made under the provisions of the *Public Sector Act 2022* that protects the tenure of the employee and affords them reversionary rights.

10. By deleting clause 12.3.2(a) - (c) and inserting the following in lieu thereof:

- (a) Where DoE provides employment opportunities for high-calibre pre-service teachers to undertake school-based internships, interns will be employed at the salary step of Band 1, Step 1.
- (b) A 3 year trained teacher will be employed at Band 1 Step 1.
- (c) A 4 year trained teacher will be employed at Band 2 Step 1.

11. By deleting clause 12.3.3 and inserting the following in lieu thereof:

**12.3.3 Deputy principals**

- (a) A deputy principal employed, or serving in, a secondary school will be remunerated in accordance with classification Band DSL3.
- (b) A deputy principal employed, or serving in, a position at a Band 9, 10 or 11 primary or special school will be remunerated in accordance with classification Band DSL2.
- (c) A deputy principal employed, or serving in, a school below Band 9 will be remunerated in accordance with classification Band DSL1.

12. By deleting clause 12.3.4 and inserting the following in lieu thereof:

**12.3.4 Heads of program and school leaders - changing bands**

- (a) On employment in a head of program or school leader position at a higher salary band, the employee shall be paid at the salary step with the lowest salary that provides an increase of no less than one per cent compared to the salary of their substantive position.
- (b) A transfer to a lower band will only occur at the request of the employee or as a result of the relinquishment from position procedure or as a result of disciplinary action in accordance with the *Public Sector Act 2022*.
- (c) In the case of an employee who requests a transfer to a lower band, the salary step at the lower band will have the same salary or, if no such salary step exists, the highest salary less than the salary of their substantive position. In circumstances where there are overlapping paypoints and where further progression is possible at the new salary band the employee will complete a total of no more than one year on the salary step on the lower band and the salary step at the higher band.
- (d) In other cases, the appropriate salary step will be determined in accordance with the disciplinary and appeal procedures provided under the *Public Sector Act 2022*.

13. By deleting clause 12.4 and inserting the following in lieu thereof:

**12.4 CTAT stream**

- (a) A community teacher A in the first year of service shall be employed at Step 3 of the CTAT stream.
- (b) A community teacher B in the first year of service shall be employed at Step 1 of the CTAT stream.

- (c) An assistant teacher in the first year of service shall be employed at Step 1 of the CTAT stream.

14. By deleting clause 12.5 and inserting the following in lieu thereof:

**12.5 CEC stream**

- (a) Community education counsellors not holding a diploma, advanced diploma or equivalent qualification, including those persons currently enrolled and pursuing such a qualification, shall be employed at Level 1 Step 1 of the CEC stream. These employees will progress by annual increments, except in the case of a casual counsellor where a period of at least 12 months at a particular classification and paypoint, and 1,200 ordinary hours worked in such classification is required.
- (b) Community education counsellors holding a diploma, advanced diploma or equivalent qualification upon appointment or upon later completion of such a qualification shall be employed at Level 2 Step 1 of the CEC stream. These employees will progress by annual increments, except in the case of a casual counsellor where a period of at least 12 months at a particular classification and paypoint, and 1,200 ordinary hours worked in such classification is required.
- (c) Community education counsellors holding a degree or equivalent qualification shall be employed at Level 3 Step 1 of the CEC stream. These employees will progress by annual increments, except in the case of a casual counsellor where a period of at least 12 months at a particular classification and paypoint, and 1,200 ordinary hours worked in such classification is required.
- (d) Community education counsellors employed at selected positions operating at a regional or statewide level shall be employed at Level 4 Step 1 of the CEC stream. These employees will progress by annual increments, except in the case of a casual counsellor where a period of at least 12 months at a particular classification and paypoint, and 1,200 ordinary hours worked in such classification is required. Employment at Level 4 shall be by way of successful application to specific vacant positions.

15. By deleting clause 12.6.1(c)(vii)(C) and inserting the following in lieu thereof:

- (C) Any teacher aggrieved by the decision to remove their senior teacher employment or to refuse them re-entry to senior teacher may access the grievance and dispute settlement procedure in clause 7.2 of this Award.

16. By deleting clause 12.6.1(h)(i) and inserting the following in lieu thereof:

- (i) Subject to clause 12.6.1(h)(iv), a teacher who relieves a head of program or school leader shall be paid a higher duties allowance which will consist of the relevant percentage of the difference between the relieving teacher's normal salary and the salary which the teacher would be paid if actually employed in the head of program or school leader position.

17. By deleting clause 12.9.2(b)(vi) and inserting the following in lieu thereof:

- (vi) A teacher will retain all rights under the Act, the *Public Sector Act 2022* or the Regulations made under these Acts or any Acts or Regulations in substitution or amendment thereof to challenge any outcome under clause 12.9.2(b).

18. By deleting clause 12.9.3(d) and inserting the following in lieu thereof:

(d) Broad banding - HOSES and principals

- (i) Broad banding of a HOSES's or principal's position will involve the grouping of adjacent bands in order that an employee employed on merit or through relocation to a school of a particular band may progress to a higher band in cases where that school has been re-evaluated to the next band.
- (ii) However, it will not be possible for a principal to broad band into an executive principal position.
- (iii) A principal or HOSES shall be eligible for only one such progression in accordance with this provision without employment to a higher band through a merit selection process.
- (iv) A principal or HOSES for whom such progression occurs will be eligible for relocation and application for merit selection as if the progression constituted new employment.

19. By deleting clause 12.10.1(c) and inserting the following in lieu thereof:

- (c) Upon completion of a recognised course of study, other than a course qualifying an employee for employment as a community teacher A or B or as a registered teacher, an assistant teacher shall progress to the salary step higher than the employee's current salary step.

20. By deleting clause 21(a) and inserting the following in lieu thereof:

(c) Parental leave is provided for in Division 8 of the QES and covers:

- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (ii) adoption leave;
- (iii) surrogacy leave; and
- (iv) cultural parent leave.

21. By deleting clause 21(c) - (d) and inserting the following in lieu thereof:

- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:
  - (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
  - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or

- (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
- (A) the day specified in the medical certificate; or
- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
- (C) the employee commences parental leave; or
- (D) the day of the employee's confinement, whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
22. At Schedule 1- Classification Descriptors, by deleting the entirety of the THSL Stream provision and inserting the following in lieu thereof:

**THSL stream**

**Three year trained teacher** means a person employed as a teacher who holds an approved three year full-time equivalent degree from a recognised tertiary education institution or such other qualifications as may be recognised by DoE for this purpose. Types of teachers may include a classroom teacher, instrumental music teacher/instructor, specialist teacher, advisory visiting teacher, teacher-librarian, teachers seconded for special duties to another part of DoE or related statutory authorities, and teachers seconded as Education Officer (Special Duties).

**Four year trained teacher** means a person appointed as a teacher who holds:

- an approved four year full-time equivalent degree from a recognised tertiary education institution that includes at least one year of teacher education; or
- an approved three year full-time equivalent tertiary qualification plus:
  - at least one year of teacher education; or
  - such other qualifications recognised by DoE as equivalent to one year of teacher education.

Types of teachers may include a classroom teacher, instrumental music teacher/instructor, specialist teacher, advisory visiting teacher, teacher-librarian, Assistant Regional School Sport Officer, teachers seconded for special duties to another part of DoE or related statutory authorities, and teachers seconded as Education Officer (Special Duties).

23. At Schedule 4, by deleting the heading *Directives which apply as a term of this Award* and the entirety of the content below the aforementioned heading.



**MA21[2023]**

***Tourism and Events Queensland Employees Award - State 2015***

1. By deleting Clause 21 and inserting the following in lieu thereof:

**21. Parental leave**

Parental leave is provided for in Division 8 of the QES and covers:

- a) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- b) adoption leave;
- c) surrogacy leave; and
- d) cultural parent leave.

**MA22[2023]**  
***Workcover Queensland Employees Award - State 2015***

1. By deleting Clause 21(a) and inserting the following in lieu thereof:

**21. Parental leave**

- (d) Parental leave is provided for in Division 8 of the QES and covers:
- (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
  - (ii) adoption leave;
  - (iii) surrogacy leave; and
  - (iv) cultural parent leave.

**MA23[2023]**  
***Youth Detention Centre Employees Award - State 2016***

1. By deleting the definition of 'directive' in clause 3 and inserting the following definition in lieu thereof:

**directive** means a directive, or part of a directive, made under section 222 or section 223 of the *Public Sector Act 2022*.

2. By deleting clause 4(a)(ii) and inserting the following in lieu thereof:

(ii) employed pursuant to sections 150, 151 or 152 of the *Public Sector Act 2022*; and

3. By deleting clause 8.4(c) and inserting the following in lieu thereof:

(c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's employment will be deemed to be confirmed.

4. By deleting clause 12.1(b) and inserting the following in lieu thereof:

(b) **Role descriptors:**

**court supervisor** means an employee who leads and co-ordinates the delivery of services to the Children's Court and who has been employed as such

**gym instructor** means an employee who develops, manages and delivers recreational activities to young people in detention and who has been employed as such

**section supervisor** means an employee who supervises the activities of Youth Workers in the delivery of services to young people in detention and who has been employed as such

**shift supervisor** means an employee who is responsible on a shift by shift basis for the co-ordination of centre-wide and residential services and activities for young people in detention and who has been employed as such

**structured day co-ordinator** means an employee who develops, co-ordinates, monitors and supervises the activities of section supervisors and youth workers in the delivery of services to young people in youth detention during the structured day and who has been employed as such

**visits co-ordinator** means an employee who is responsible for leading, co-ordinating, arranging and supervising visits to young people in detention and who has been employed as such

**youth worker** means an employee who is responsible for the provision of management, care and supervision of young people in detention and who has been employed as such

5. By deleting clause 12.4 and inserting the following in lieu thereof:

**12.4 Movement between classification levels**

- (a) Except as provided below and in clause 12.5, movement between classification levels will be based on employment on merit to advertised vacancies.
  - (b) An employee promoted to a position at a higher classification level shall be employed at paypoint 1 of that higher classification level.
  - (c) A public service officer employed pursuant to section 152 of the *Public Sector Act 2022* shall have their previous service as an officer counted for the purpose of determining their commencing paypoint and calculation of their salary increment, provided that the officer is reemployed within 12 months of cessation of employment and the officer's previous employment was terminated other than by way of disciplinary action.
6. By deleting clause 12.6(b)(i) and inserting the following in lieu thereof:
- (i) in the case of an employee employed at the OO3 level, or a youth worker who has progressed to OO4 level, the conduct, diligence and general efficiency of the employee has been certified by the employer to have been and to be satisfactory;  
or
7. By deleting clause 15.2(c) and inserting the following in lieu thereof:
- (c) All employees employed as youth workers, section supervisors or shift supervisors may be required to perform continuous rotation shift duties to suit the convenience of the management of each resident facility
8. By deleting Clause 21(a) and inserting the following in lieu thereof:
- (a) Parental leave is provided for in Division 8 of the QES and covers:
    - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
    - (ii) adoption leave;
    - (iii) surrogacy leave; and
    - (iv) cultural parent leave.
9. By deleting Clause 21(c) - (d) and inserting the following in lieu thereof:
- (c) (i) An employee who is pregnant, whether or not they have given their employer written notice of the date/s on which they propose to start and/or end parental leave, must:

- (A) commence parental leave at least 6 weeks prior to the expected date of birth of the child; and
  - (B) remain on parental leave until at least 6 weeks after the birth of the child.
- (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
- (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
  - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
- (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
- (A) the day specified in the medical certificate; or
  - (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences parental leave; or
  - (D) the day of the employee's confinement,
- whichever happens first.
- (d) An employee who is pregnant, during the term of their pregnancy until 6 weeks before the expected date of birth of their child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.