

# Form 2 – General Application to Queensland Industrial Relations Commission



*Industrial Relations Act 2016, sections 527 and 989*

*Industrial Relations (Tribunals) Rules 2011, rule 8*

## Information

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

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

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

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

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

- for injunction (s 48, r 81)

### ***Trading (Allowable Hours) Act 1990***

- for an order under s21 (s 23)
- for a special event declaration (s 31A)
- for injunction to enforce observance of trading hours (s 36C)

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

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

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

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

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

**Note:** The applicant may file a **Form 20 - Affidavit** in support of the application

Practice Direction 3 of 2021 - ELECTRONIC FILING AND HARD COPIES OF DOCUMENTS. Documents which are longer than 30 pages in length must be supplied to the Industrial Registry in hard copy before it will be accepted for filing.

For further information please contact the Industrial Registry on 1300 592 987 or via email at [qirc.registry@qirc.qld.gov.au](mailto:qirc.registry@qirc.qld.gov.au)

<b>Applicant:</b>	The Australian Workers' Union of Employees, Queensland

v

<b>Respondent:</b>	State of Queensland (Office of Industrial Relations)

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

<b>Application</b>	
This is an application to the Queensland Industrial Relations Commission, pursuant to s458, 459 and 460 of the Industrial Relations Act 2016.	

<b>1. Applicant</b>			
<b>Title:</b> (please select)	<input type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Ms <input type="radio"/> Miss <input type="radio"/> Mx <input type="radio"/> Other:		
<b>Name of applicant:</b>	The Australian Workers' Union of Employees, Queensland		
<b>Name of contact person:</b>	Geoff Taylor		
<b>Postal address:</b>	GPO Box 88		
	Suburb/Town	Brisbane	Postcode 4001
<b>Phone number:</b>		<b>Fax number:</b>	
<b>Mobile number:</b>	0408 121 580		
<b>Email address:</b>	secretary@awu.org.au; geoff.taylor@awu.org.au		
<p><b>Does the applicant have a representative?</b></p> <p>A representative might be a lawyer, a union, an agent or a family member or friend who will speak on behalf of the applicant. There is no requirement to have a representative.</p> <p><input type="radio"/> Yes - provide representative's details below and file a Form 33 or 34</p> <p><input checked="" type="radio"/> No</p>			

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

### 3. Respondent

The applicant must serve a copy of this application on the respondent

<b>Name of respondent:</b>	State of Queensland (Office of Industrial Relations)		
<b>Name of contact person:</b>	Tony James		
<b>Postal address:</b>	GPO Box 69		
	Suburb/Town Brisbane		Postcode 4001
<b>Phone number:</b>	07 3406 9873	<b>Fax number:</b>	
<b>Mobile number:</b>	0427 147 323		
<b>Email address:</b>	tony.james@oir.qld.gov.au		

### 4. Details of decision sought

*1000 character limit. (Note: If more than 1000 characters are required please attach a schedule)*

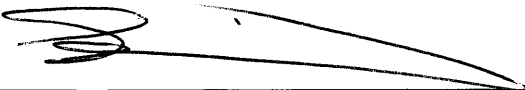
1. To make a general ruling amending all state awards by a wage adjustment 5.75%.
2. To make a general ruling amending all state awards by increasing existing award allowances which relate to work or conditions which have not changed in service increments by 5.75%.
3. To increase the Queensland minimum wage by at least 5.75%.
4. Determine that the operative date for these amendments be 1 September 2023.

## 5. Grounds of Application

For more information on the application process, please refer to the Queensland Industrial Relations Commission website at [www.qirc.qld.gov.au](http://www.qirc.qld.gov.au).

1. On 2 June 2023, the Fair Work Commission Expert Panel handed down the 2022-23 Annual Wage Review 2022-22 granting a 5.75% increase to all federal award minimum wages, and increasing the national minimum wage to \$23.23 per hour.
2. Consequently, the Australian Workers' Union of Employees, Queensland ("AWUEQ") is seeking a general ruling pursuant to section 458 of the Industrial Relations Act 2016 granting an adjustment of 5.75% to all Queensland minimum award wages and work related allowances which have not changed in service increments.
3. The AWUEQ is also seeking an increase to the Queensland minimum wage to an amount to be determined, but at least by 5.75%, taking into consideration adjustments made by the Fair Work Commission to realign the National Minimum Wage from the C14 to the C13 classification rate and to subsequently adjust the C13 rate by a 5.75% increase.
4. The applicant seeks an operative date for the above of 1 September 2023 in line with previous practices of the Commission in relation to the annual State Wage Case.
5. The applicant seeks directions as to the conduct of the matter.

**6. Signature of applicant or representative**

<b>Signature:</b>	
<b>Name in full</b> (please print):	Stacey Schinnerl
	Secretary
<b>Date:</b>	12 / 6 / 23