

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Health Practitioners and Dental Officers (Queensland Health) Certified Agreement (No. 4) 2022 [2023] QIRC 147*

PARTIES: **State of Queensland (Queensland Health)**
and
Health and Wellbeing Queensland
and
The Australian Workers' Union of Employees, Queensland
and
Together Queensland, Industrial Union of Employees
and
United Workers' Union, Industrial Union of Employees, Queensland

CASE NO: CB/2023/43

PROCEEDING: Application for certification of an Agreement

DELIVERED ON: 26 May 2023

HEARING DATE: 26 May 2023

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: **1. *The Health Practitioners and Dental Officers (Queensland Health) Certified Agreement (No. 4) 2022 is certified.***

CATCHWORDS: INDUSTRIAL LAW - COLLECTIVE BARGAINING - application for certification of Agreement - requirements for certification - Agreement certified

LEGISLATION: *Industrial Relations Act 2016 (Qld) s 189, ch 4, pt 5, div 2, sub-divs 2 and 3, s 227 and s 228*

APPEARANCES: Ms L. Wilkinson and Ms A. North for the State of Queensland (Queensland Health)

Mr D. Goldman for Together Queensland, Industrial Union of Employees

Ms S. Schinnerl for The Australian Workers' Union of Employees, Queensland

Mr M. de Rooy for United Workers' Australia, Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 10 May 2023, the State of Queensland (Queensland Health) ('Applicant') made an application to certify the *Health Practitioners and Dental Officers (Queensland Health) Certified Agreement (No. 4) 2022* ('Agreement') pursuant to s 189 of the *Industrial Relations Act 2016 (Qld)* ('Act').
- [2] The parties bound to the Agreement are set out at clause 1.3. They are:
- State of Queensland (Queensland Health);
 - Health and Wellbeing Queensland;
 - United Workers' Union, Industrial Union of Employees ('UWUQ');
 - Together Queensland, Industrial Union of Employees ('TQ'); and
 - The Australian Workers' Union of Employees, Queensland ('AWUQ').
- [3] The terms of the Agreement have been consented to by all the above-mentioned parties.¹
- [4] The Agreement applies to the employer parties as defined in the Agreement and its employees for whom classifications and rates of pay are prescribed therein. This includes the Applicant, and Health and Wellbeing Queensland. For the avoidance of doubt, the Agreement does not apply to 'service officers' employed under the *Ambulance Service Act 1991 (Qld)*.
- [5] At the hearing, Ms Lisa Wilkinson, Manager (HPDO), Workforce Relations and Policy, read in additional amendments to the Agreement with the consent of all parties.

¹ I note that Mr Shaun Drummond, Director-General, Queensland Health has signed on behalf of the State of Queensland (Queensland Health) and Health and Wellbeing Queensland.

[6] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 26 May 2023 as well as the affidavit of Ms Theresa Hodges, Chief Human Resources Officer of the Human Resources Branch, Corporate Services Division, Department of Health, filed on 10 May 2023, I am satisfied that:

- each relevant requirement in Ch 4, Pt 5, Sub-Div.2 of the Act has been satisfied; and
- there is nothing in the Agreement which would require the Commission to refuse to grant the application pursuant to Ch 4, Pt 5, Sub-Div.3 of the Act.

[7] Accordingly, the application to certify the Agreement is granted.

[8] The Agreement operates from the date it was certified, namely 26 May 2023.

[9] Despite the fact that the nominal expiry date of the Agreement is 16 October 2025, it will continue to operate until it is terminated under s 227 or 228 of the Act.

[10] I make the following order:

1. ***The Health Practitioners and Dental Officers (Queensland Health) Certified Agreement (No. 4) 2022 is certified.***