

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022 [2023] QIRC 162*

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

AND

Together Queensland, Industrial Union of Employees

AND

Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees

CASE NO: CB/2023/53

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 2 June 2023

HEARING DATE: 2 June 2023

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022 is certified.***

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

LEGISLATION: *Industrial Relations Act 2016* ss 189, 227, 228

APPEARANCES: Mr G. O’Gorman and Mr M. McGlone, Queensland Health

Mr J. Cosgrove, Mr Fardon and Dr H. Tan,
Australian Salaried Medical Officers' Federation
Queensland, Industrial Organisation of
Employees

Mr M. Thomas, Together Queensland, Industrial
Union of Employees

Reasons for Decision

- [1] On 19 May 2023, the State of Queensland (Queensland Health) ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022* ('the agreement').
- [2] As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was made.
- [3] The named parties to the agreement are the Applicant, Together Queensland, Industrial Union of Employees, and Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees
- [4] The agreement is signed by all the above-mentioned parties.
- [5] The agreement is to apply to health services conducted by/on behalf of the State of Queensland as follows:
- Medical officers (including international medical graduates) employed by Queensland Health (i.e. Hospital and Health Services (HHSs), Clinical Excellence, Corporate Services and other divisions of the Department of Health) who are employed pursuant to awards listed in Clause 1.6;
 - the Chief Executive of the Department of Health, and each HHS established in accordance with the *Hospital and Health Boards Act 2011*, as the employer in relation to such employees.
- [6] Having regard to the submissions made by the parties who appeared today, and to the affidavits of Ms Theresa Hodges, Chief Human Resources Officer, Queensland Health filed on 19 May 2023:
- I am satisfied of each of the relevant requirements in ch 4, pt 5, div 2, sub-div 2 of the Act and ch 5, pt 2, div 2; and
 - there is nothing in the agreement which would require me to refuse to grant the application pursuant to ch 4, pt 5, div 2, sub-div 3 of the Act.

[7] The application to certify the *Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022* is granted.

[8] The *Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022* operates from the day it is certified, namely 2 June 2023.

[9] Although the nominal expiry date of the *Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022* is 30 June 2025, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[10] I make the following order:

- 1. The *Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022* is certified.**