



2022 – 2023



# ANNUAL REPORT

OF THE PRESIDENT OF THE INDUSTRIAL COURT OF QUEENSLAND

In respect of the Industrial Court of Queensland,  
Queensland Industrial Relations Commission and  
Queensland Industrial Registry

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### Acknowledgements

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**INDUSTRIAL COURT OF QUEENSLAND  
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

The Honourable Grace Grace MP  
Minister for Education  
Minister for Industrial Relations  
Minister for Racing  
PO Box 15033  
City East QLD 4002

Dear Minister,

I have the honour to furnish to you for presentation to Parliament, as required by section 594 of the *Industrial Relations Act 2016*, the Annual Report on the work of the Industrial Court of Queensland, the Queensland Industrial Relations Commission, the Queensland Industrial Registry and generally on the operation of the *Industrial Relations Act 2016* for the financial year ended 30 June 2023.

Responsibility for the report relating to the Queensland Industrial Relations Commission and Queensland Industrial Registry rests with the President and Industrial Registrar respectively.

A handwritten signature in blue ink, appearing to be 'Peter Davis', with a long horizontal line extending to the right.

The Honourable Justice Peter Davis  
President  
Industrial Court of Queensland

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# PRESIDENT'S REPORT

## OVERVIEW OF JUSTICE DAVIS – 2022-2023

Each year brings with it inevitable changes to certain areas and levels of work, and the Court and Commission are conscious of the need to manage and channel our resources to ensure the timely and fair disposition of our business.

The number of matters filed in the Commission for the period ending 30 June 2023 was 3,142, a slight decrease of 4.84% on the 2021-22 figure of 3,302. This can be attributed mainly to a decrease in the number of Public Sector Appeals filed due to the lifting of the health pandemic mandate (i.e., COVID-19).

A total of 512 Public Sector Appeals (PSA) were filed, a decrease of approximately 39.45% on the previous year filings of 846. This is an average decrease of approximately 73.21% across the various PSA appeal types. Fair Treatment decisions decreased by approximately 86%. Conversion decisions made up approximately 22% of the total PSA filings, with disciplinary decisions accounting for approximately 51%.

Reinstatement applications filed decreased by approximately 26.75% (167 filings) from 2021-22 filings of 228, with Long Service Leave applications increasing approximately 22.5% from 720 in 2021-22 to 882 to 30 June 2023. The increase is most likely attributable to the increase in the cost of living across Australia.

Matters filed in the Industrial Court increased from 29 in 2021-22 to 48 as of 30 June 2023, an increase of approximately 65%.

During 2022–23, the Court and Commission handed down 470 judgments in respect of 484 files (some files involve more than one judgment being delivered – e.g., interlocutory decisions). This is a decrease of approximately 4% on the previous year.

Disposal rates for the year under review were 3,272 matters. This is an increase of 71% compared to 2021-22 of 1,915 matters.

There were a total of 1,810 listings as of 30 June 2023 of which 414 were substantive hearings.

### The new amendments

The *Industrial Relations and Other Legislation Amendment Bill 2022* (the Bill), introduced on 23 June 2022, was in response to the recommendations of the Five-year Review of Queensland's *Industrial Relations Act 2016* (the IR Act). The review was conducted by John Thompson (a retired Member of the QIRC) and Linda Lavarch (former Attorney-General for Queensland), with the Commission participating in consultation throughout the review process.

# PRESIDENT'S REPORT

The changes to Queensland's industrial laws proposed by the Bill include:

- strengthened protections for employees subject to workplace sexual harassment and sex and gender-based harassment;
- the introduction of minimum entitlements and conditions for independent courier drivers;
- improvements to the Queensland Employment Standards;
- enhancing effective representation of employers and employees by organisations registered under the IR Act; and
- enhanced equal remuneration in collective bargaining provisions.

Once the new provisions take effect the Commission will undertake the necessary adjustments to accommodate the additional work.

Last year I reported that I have sought to constitute Full Benches to deal with matters which necessarily need to be expedited. They might be ones that raise complicated questions which have not been the subject of authority. They may be matters of general public importance. They may be matters of organisational importance which might have a broad effect upon a particular department or council or group of employees. Those matters tend to be the ones that could be the subject ultimately of appeal to the Court of Appeal.

It is undesirable with those types of matters that they be dealt with initially by a single commissioner, with inevitable delays in delivering judgment but where appeal is likely so that an appeal lies to the Court and then perhaps on further to the Court of Appeal.

The advantage of this is that when the President sits on a Full Bench, any appeal lies directly to the Court of Appeal. In the right matter, it is desirable to have the issues decided authoritatively by the Full Bench until appeal to the Court of Appeal, rather than a hearing before a Commissioner followed by an appeal to the Court, with then another appeal to the Court of Appeal.

The fact that more matters will be heard by a Full Bench does not diminish the role of the Court. There will still be many significant matters being determined by single commissioners sitting alone. Full Benches cannot, for practical purposes, be convened for matters that require the receipt of large amounts of evidence and the making of complicated factual findings. There are provisions whereby a Full Bench can delegate factual questions to a single commissioner, but that largely defeats the purpose of attempting to expedite a matter through use of the Full Bench.

# PRESIDENT'S REPORT

## *New members*

Last year, Deputy President Hartigan was welcomed as a presidential member of the QIRC and therefore a member of the Court. Her appointment was warmly received by the Court, the QIRC, the profession and other court users. Deputy President Hartigan's appointment assists greatly with initiatives that have been taken in the management of the business of the Court and the Commission over the last couple of years.

The Commission has been one member short since the retirement of Industrial Commissioner Thompson towards the end of 2020. I have been informed that situation is being addressed and, an additional two Commissioners are to be appointed.

## *Acknowledgement*

In my dealings with the Minister for Industrial Relations she has adopted a consultative and cooperative approach in respect of the administration of the Court and the Commission.

I acknowledge and thank the members of the Court and Commission for their extraordinary hard work throughout the year. As this report and the statistics demonstrate, they have all shouldered a high and, in many cases, an unrelenting workload.

I also wish to extend my gratitude to Ms Madonna Shelley, the Industrial Registrar and Ms Bianca Paris, the Deputy Industrial Registrar, and the dedicated registry staff who constantly seek to enhance service delivery without compromising access to justice.

In looking at 2023 and beyond I am confident that with the continued support of stakeholders, my colleagues and our staff, the Court and Commission will continue to meet its objectives and develop its capabilities. Public trust and respect is hard earned and once achieved must be maintained. By maintaining a strong and independent Court and Commission will serve to promote and maintain public confidence in what we do.

Finally, I commend this report to you as an insight into the important work of the Court and Commission.



# YEAR IN REVIEW

## Industrial Court of Queensland

### INDUSTRIAL COURT OF QUEENSLAND

The Industrial Court of Queensland (‘the Court’) is a superior court of record in Queensland. It was first established as the Industrial Court by the *Industrial Peace Act of 1912*. The Court is governed largely by Chapter 11, Part 1 of the *Industrial Relations Act 2016* (the IR Act).

The functions of the President include the management and administration of the Court and Queensland Industrial Relations Commission (‘the Commission’).

Matters filed and heard in the Court are predominantly appeals on errors of law or lack or excess of jurisdiction against decisions of the Commission, an Industrial Magistrate, or the Industrial Registrar.

### PROFILE OF THE INDUSTRIAL COURT OF QUEENSLAND

#### PRESIDENT

The Honourable Justice Peter Davis  
[Judge of the Supreme Court of Queensland]

#### VICE PRESIDENT

The Honourable Vice President Daniel O’Connor, OAM

#### DEPUTY PRESIDENTS

The Honourable Deputy President John Merrell

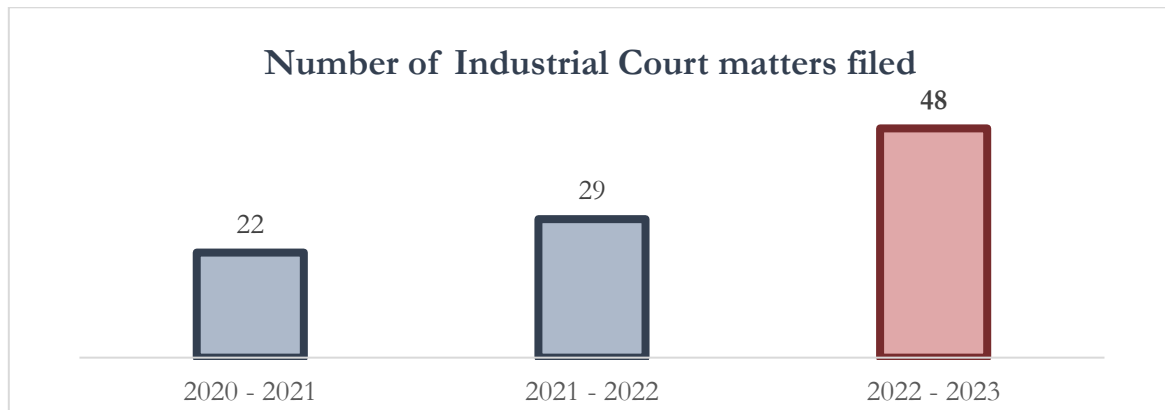
The Honourable Deputy President Catherine Hartigan

# YEAR IN REVIEW

## Industrial Court of Queensland

### CASE LOAD

There were **48** appeals to the Court filed during the year in review which is a significant increase in comparison to the preceding years.



The expanded jurisdiction of the Commission in the areas of workplace discrimination and work health and safety, coupled with the consistent increase in the workload of the Commission in its other areas of jurisdiction, has had an effect on the Industrial Court's workload and will continue to do so in the foreseeable future.

Several Commission matters are also being dealt with by way of a Full Bench, with Justice Davis as the Head of the Bench. This, in turn, allows for an expeditious appeal process as these matters may then be appealed to the Court of Appeal.

Overall, 30 decisions were released and published by the Court in the reporting period.

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Deriving its powers and functions from Chapter 11, Part 2 of the *Industrial Relations Act 2016*, the Commission plays a major role in contributing to the social and economic wellbeing of people throughout Queensland by furthering the objects of the legislation, which is principally to provide a framework for industrial relations that is fair and balanced and supports the delivery of high-quality services, economic prosperity and social justice for Queenslanders.

### PROFILE OF THE QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

#### PRESIDENT

The Honourable Justice Peter Davis  
[Judge of the Supreme Court of Queensland]

#### VICE PRESIDENT

The Honourable Vice President Daniel O'Connor, OAM

#### DEPUTY PRESIDENTS

The Honourable Deputy President John Merrell

The Honourable Deputy President Catherine Hartigan

#### INDUSTRIAL COMMISSIONERS

Industrial Commissioner Minna Knight

Industrial Commissioner Samantha Pidgeon

Industrial Commissioner John Dwyer

Industrial Commissioner Jacqueline Power

Industrial Commissioner Roslyn McLennan

### JUDICIAL APPOINTMENT

Industrial Commissioner Hartigan was appointed Deputy President of the Court and Commission on 16 December 2022.

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### JURISDICTION, POWERS AND FUNCTIONS OF THE COMMISSION

The Commission exercises its jurisdiction, powers and functions under the following enactments [alphabetical order]:

- *Anti-Discrimination Act 1999*
- *Associations Incorporation Act 1981*
- *Building and Construction Industry (Portable Long Service Leave) Act 1991*
- *Child Employment Act 2006*
- *Community Services Industry (Portable Long Service Leave) Act 2020*
- *Contract Cleaning Industry (Portable Long Service Leave) Act 2005*
- *Fair Work Act 2009*
- *Further Education and Training Act 2014*
- *Human Rights Act 2019*
- *Industrial Relations Act 2019, Industrial Relations (Tribunals) Rules 2011 and Industrial Relations Regulations 2008*
- *Local Government Act 2009*
- *Magistrates Courts Act 1921*
- *Pastoral Workers' Accommodation Act 1980*
- *Police Service Administration Act 1990*
- *Public Interest Disclosure Act 2010*
- *Public Sector Act 2022 and Public Sector Regulation 2023*
- *Public Service Act 2008* [repealed 1 March 2023]
- *Trading (Allowable Hours) Act 1990*
- *Work Health and Safety Act 2011*
- *Workers' Compensation and Rehabilitation Act 2003*

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

Through this legislation, the Commission has jurisdiction over the following areas:

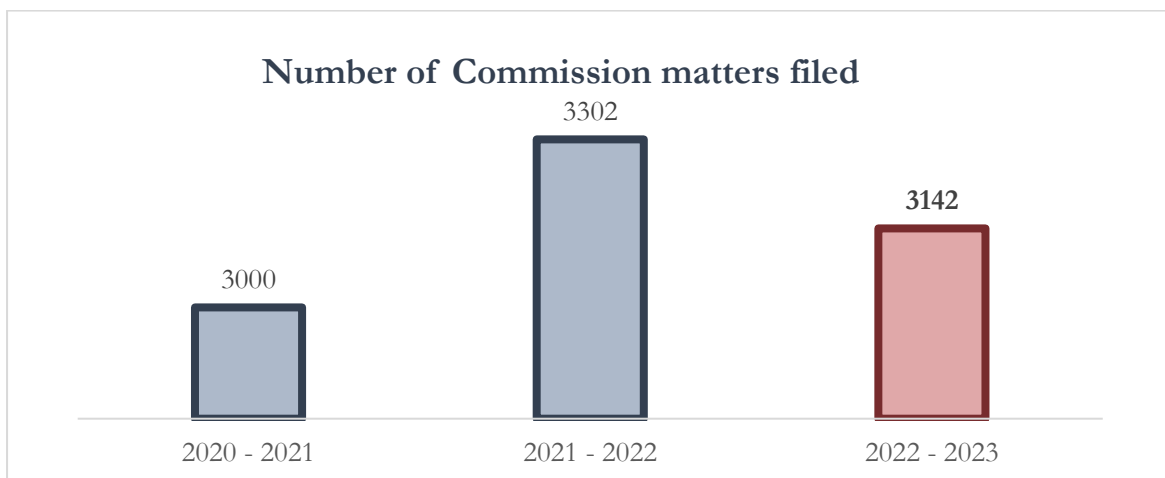
- Awards and agreements
- General protections and bullying
- Industrial disputes
- Long service leave payouts
- Public sector appeals
- Registered Industrial Organisations
- Trading hours
- Unfair dismissal
- Wage recovery
- Work, health and safety reviews
- Workers' compensation appeals
- Work-related anti-discrimination complaint referrals
- Other matters prescribed under various acts

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### CASE LOAD

A total of **3,142** Commission matters were filed in the Industrial Registry during the reporting period, a slight decrease in comparison to the previous reporting year.



Despite the slight decrease in the number of filings, the complexity of those matters filed increases every year, particularly in the areas of anti-discrimination, public sector appeals, workers' compensation appeals and work health and safety.

Overall, there were 1,810 listings for proceedings held throughout the reporting period, 414 of which were hearings.

Decisions released and published in the reporting period totalled 466.

Detail in relation to the different types of matters dealt with by the Commission is outlined as follows.

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### ANTI-DISCRIMINATION REFERRALS AND APPLICATIONS

The Commission deals with work-related matter including complaint that allege discrimination, sexual harassment, and other contraventions of the *Anti-Discrimination Act 1991*, including:

- discrimination at work;
- discrimination when applying for work;
- victimisation by an employer;
- requesting and encouraging discrimination at work;
- requesting unnecessary information at work or when applying for work;
- sexual harassment at work; and
- vilification that occurred at work or when applying for work.

In accordance with the *Anti-Discrimination Act 1991*, the functions of the Commission are:

- to make an order to protect a complainant's interests (before referral to the Commission), at the instigation of either a complainant or the Queensland Human Rights Commission ('QHRC');
- review decisions of the Queensland Human Rights Commissioner regarding the lapsing of a complaint;
- enforcement of agreements emanating from conciliation;
- to hear and decide work-related complaints;
- to grant exemptions from the Act in relation to work-related matters;
- to provide opinions about the application of the Act in relation to work-related matters; and
- to take any other action incidental or conducive to discharge its functions.

Matters are referred to the Commission by the QHRC, in accordance with the Act, in relation to the following:

- an investigation which was unable to be resolved by conciliation;
- a complaint which was not resolved by conciliation;
- an unconciliated complaint; or
- on the request of a complainant if the Human Rights Commissioner has not finished dealing with the complaint after six months.

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

During the reporting year, 102 matters were referred to the Commission from the QHRC, a significant increase of 34 per cent from the previous reporting year. A further 91 conciliation agreements were lodged, as well as five applications for orders protecting a complainant's interests.

In accordance with s 174B(b) of the Act, the Commission is also responsible for determining applications seeking an exemption to allow a person or business to do something that is otherwise unlawful under the Act, for example, advertising for female employees only. Exemptions can also be granted from the operation of a specific provision of the Act. These exemptions may cover a temporary period of up to five years and can be renewed for further periods of up to five years.

During the reporting year, three applications for exemptions were heard and determined by the Commission

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### CERTIFIED AGREEMENTS

Read in conjunction with awards, certified agreements are a written agreement about industrial matters relating to an employer and a group of employee (all or a category of employees), and the registered industrial organisation/s covered by the agreement. Certified agreements cover all employees in the group, regardless of whether they were employed after the agreement came into effect.

Certified under Chapter 4, Part 5 of the *Industrial Relations Act 2016*, these agreements set out wage and salary rates, allowances, role classifications, leave entitlements, grievance procedures, workplace flexibility schemes, as well as other areas relevant to a particular category of employee and/or industry.

The Commission may also provide assistance to parties, by way of conciliation, throughout the collective bargaining process. Should conciliation not resolve the issue/s in dispute between the parties, the Commission may refer a matter to arbitration for determination.



# YEAR IN REVIEW

## Queensland Industrial Relations Commission

Throughout the reporting year, the following agreements were certified/determined by the Commission, each of which replace a corresponding agreement which was terminated at the same time the new agreement was certified/determined:

### Public Sector Agreements

- *Department of Education Certified Agreement 2022*
- *Department of Education Cleaners' Certified Agreement 2022*
- *Department of Education State School Teachers' Certified Agreement 2022*
- *Department of Education Teacher Aides' Certified Agreement 2022*
- *Health Practitioners and Dental Officers (Queensland Health) Certified Agreement (No. 4) 2022*
- *Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022*
- *Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB11) 2022*
- *Office of the Queensland Ombudsman Certified Agreement 2022*
- *Queensland Ambulance Service Certified Agreement 2022*
- *Queensland Fire and Emergency Services Certified Agreement 2022*
- *Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022*
- *Queensland Police Service Certified Agreement 2022*
- *Queensland Public Health Sector Certified Agreement (No. 11) 2022*
- *TAFE Queensland (TAFE Services Employees) Certified Agreement 2022*

### Local Government Agreements

- *Barcaldine Regional Council Certified Agreement 2022*
- *Burke Shire Council Certified Agreement 2022*
- *Cloncurry Shire Council Certified Agreement 2022*
- *Gympie Regional Council Certified Agreement 2022*

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

- *Ipswich City Council Local Government Civic Centre Employees Certified Agreement 2021*
- *Ipswich City Council Local Government Employees Certified Agreement 2021*
- *Ipswich City Council Officers Certified Agreement 2021*
- *Livingstone Shire Council Treatment Plant Operators Certified Agreement 2022*
- *Mareeba Shire Council Determination 2018 – 2021*
- *Murweh Shire Council Certified Agreement 2022*
- *Redland City Council Officers' Certified Agreement 2022*
- *Rockhampton Regional Council Child Care Employees Certified Agreement 2022*
- *Rockhampton Regional Council External Employees Certified Agreement 2022*
- *Rockhampton Regional Council Internal Employees Certified Agreement 2022*
- *Rockhampton Regional Council Waste and Recycling Certified Agreement 2022*
- *Scenic Rim Regional Council Certified Agreement 2022*
- *Southern Downs Regional Council Certified Agreement 2023 – Stream A Employees*
- *Sunshine Coast Events Centre Pty Ltd Certified Agreement 2022*
- *Tablelands Regional Council Certified Agreement 2023*
- *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2022*
- *Whitsunday Regional Council Certified Agreement 2022*

No agreements were declared obsolete by the Industrial Registrar during the reporting year.

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### GENERAL RULINGS AND STATEMENT OF POLICY

Chapter 11, Part 2, Division 4 of the *Industrial Relations Act 2016* outlines powers the Commission has in relation to making general rulings and statements of policy. This allows the Full Bench of the Commission to regulate of industrial matters and employment conditions, ensuring all interested persons are given an opportunity to be heard.

Furthermore, a Full Bench of the Commission must ensure that a general ruling regarding a Queensland minimum wage for all employees is made at least once each year.

Throughout the reporting period, three applications for a general ruling regarding wage and allowance adjustments for employees covered by awards, as well as a ruling regarding the minimum wage rate per week for all full-time employees in Queensland, were heard and determined by a Full Bench of the Commission.

The decision, operative from 1 September 2022, was that the wages or salaries for full-time adult employees in all state awards be increased by 4.6% or \$40 per week (whichever was the greater). The decision also increased the minimum wage rate per week for all full-time employees in Queensland to \$850.50.

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### INDUSTRIAL DISPUTES

Chapter 6 of the *Industrial Relations Act 2016* deals with industrial disputes. The Industrial Registrar may be given notice of an industrial dispute if an issue remains unresolved after genuine attempts have been made to settle the dispute between an employer or a registered industrial organisation representing an employer and an employee or a registered industrial organisation representing employees.

The Commission may take steps it considers appropriate for the prevention or prompt settlement of the dispute through compulsory conciliation in the first instance. If the Commission considers that conciliation has not been successful, the matter may be referred to arbitration.

The Industrial Registrar was notified of 124 industrial disputes throughout the reporting period. Of those, only four proceeded to arbitration, illustrating the strong conciliatory function of the Commission.

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### MODERN AWARDS

In accordance with the *Industrial Relations Act 2016*, the Commission must ensure that modern awards:

- provide for fair and just wages and employment conditions that are at least as favourable as the Queensland Employment Standards; and
- generally reflect the prevailing employment conditions of employees cover, or to be covered, by the award.

The Commission has the power to make, vary, review or revoke modern awards, while taking into consideration:

- relative living standards and the needs of low-paid employees;
- the need to promote social inclusion through increased workforce participation;
- the need to promote flexible modern work practices and the efficient and productive performance of work;
- the need to ensure equal remuneration for work of equal or comparable value;
- the need to provide penalty rates for employees who work overtime, work unsocial, irregular or unpredictable hours, work weekends or public holidays, or perform shift work; and
- efficiency and effectiveness of the economy – productivity, inflation, high level of employment.

Throughout the reporting year, there were 23 applications to amend the following modern awards:

- *Ambulance Service Employees Award – State 2016*
- *Building, Engineering and Maintenance Services Employees (Queensland Government) Award – State 2016*
- *Civil Construction, Operations and Maintenance General Award – State 2016*
- *Correctional Employees Award – State 2015*
- *Award for Operational Employees in Disability and Forensic Services – State 2016*
- *General Employees (Queensland Government Departments) and Other Employees Award – State 2015*
- *Hospital and Health Service General Employees (Queensland Health) Award – State 2015*
- *Health Practitioners and Dental Officers (Queensland Health) Award – State 2015*

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

- *Legal Aid Queensland Employees Award – State 2015*
- *Medical Officers (Queensland Health) Award – State 2015*
- *Miscellaneous Administrative Employees Award – State 2016*
- *Nurses and Midwives (Queensland Health) Award – State 2015*
- *Parks and Wildlife Employees Award – State 2016*
- *Queensland Parliamentary Service Award – State 2015*
- *Queensland Police Service Award – State 2016*
- *Queensland Fire and Emergency Service Employees Award – State 2016*
- *Queensland Public Service Officers and Other Employees Award – State 2015*
- *Stadiums Queensland Employees Award – State 2016*
- *TAFE Queensland Award – State 2016*
- *Teaching in State Education Award – State 2016*
- *Tourism and Events Queensland Employees Award – State 2015*
- *WorkCover Queensland Employees Award – State 2015*
- *Youth Detention Centre Employees Award – State 2016*

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### PUBLIC SECTOR APPEALS

The *Public Sector Act 2022* commenced on 1 March 2023 to replace the now repealed *Public Service Act 2008*. The intention of the new act is to provide a modern, employee-focused legislative framework to ensure Queensland's public sector is fair, responsive, inclusive and the leader in public administration. This framework includes employment arrangements for public sector employees such as:

- work performance and personal conduct principles;
- positive performance management principles;
- recruitment and selection processes;
- employment security (including measures aimed at helping non-permanent employees attain permanent roles); and
- independent appeals processes.

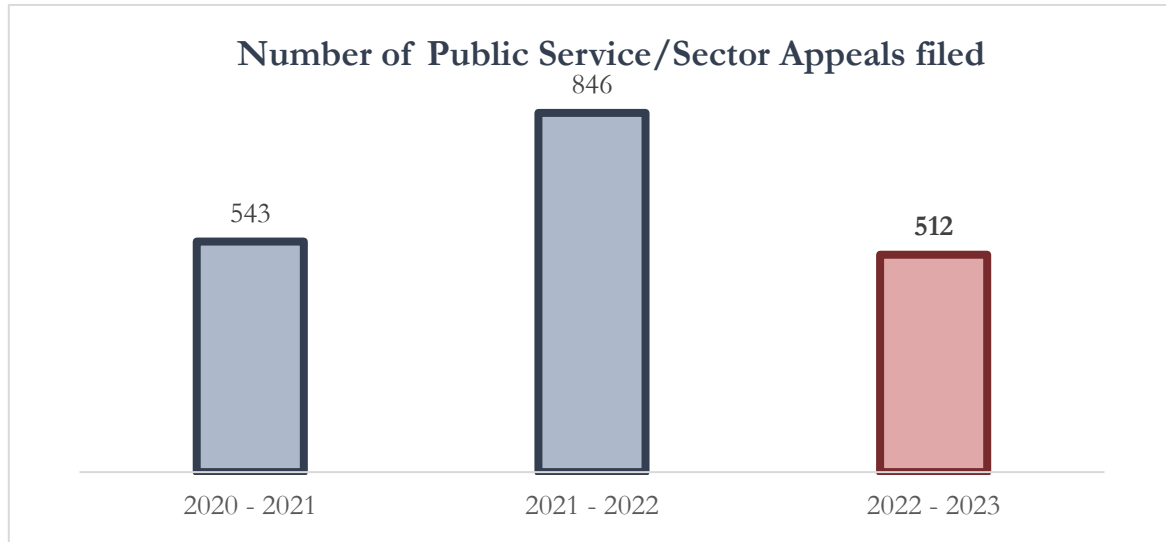
Appeals made under Chapter 3, Part 10 of the *Public Sector Act 2022* are heard and decided by the Commission in accordance with Chapter 11 of the *Industrial Relations Act 2016*. The types of decisions against which appeals may be made are categorised as follows:

- a conversion decision;
- a directive decision;
- a disciplinary decision;
- a fair treatment decision;
- a promotion decision;
- a suspension without pay decision;
- a transfer decision;
- a work performance direction decision; or
- a decision made under another Act which allows a person to appeal.

Public sector appeals continue to occupy a large part of the Commission's workload. During the reporting period, a total of 512 appeals were filed in accordance with both the *Public Service Act 2008* and the *Public Sector Act 2022*, which is a decrease in filing from the previous reporting period. Of those matters, 258 related to Covid (compared to 518 in the previous reporting period), therefore it is evident that there has been a reduction in the impact that Covid vaccination requirements have had on employment matters in the public sector.

# YEAR IN REVIEW

## Queensland Industrial Relations Commission



Those matters filed may be broken down further with regards to the type of decision being appealed against, as follows.

### *Appeals filed 1 July 2022 to 28 February 2023 under the Public Service Act 2008*

Appeal Type		Number filed
s 194(1)(a)	Appeal against a decision under a directive	9
s 194(1)(b)	Appeal against a disciplinary decision	243
s 194(1)(ba)	Appeal against a decision under s 88IA	0
s 194(1)(bb)	Appeal against a suspension without pay decision	27
s 194(1)(c)	Appeal against a promotion decision	4
s 194(1)(d)	Appeal against a transfer decision	9
s 194(1)(e)	Appeal against a conversion decision	74
s 194(1)(eb)	Appeal against a fair treatment decision	51
s 194(1)(f)	Appeal against a decision under another Act	1
<b>Total</b>		<b>418</b>

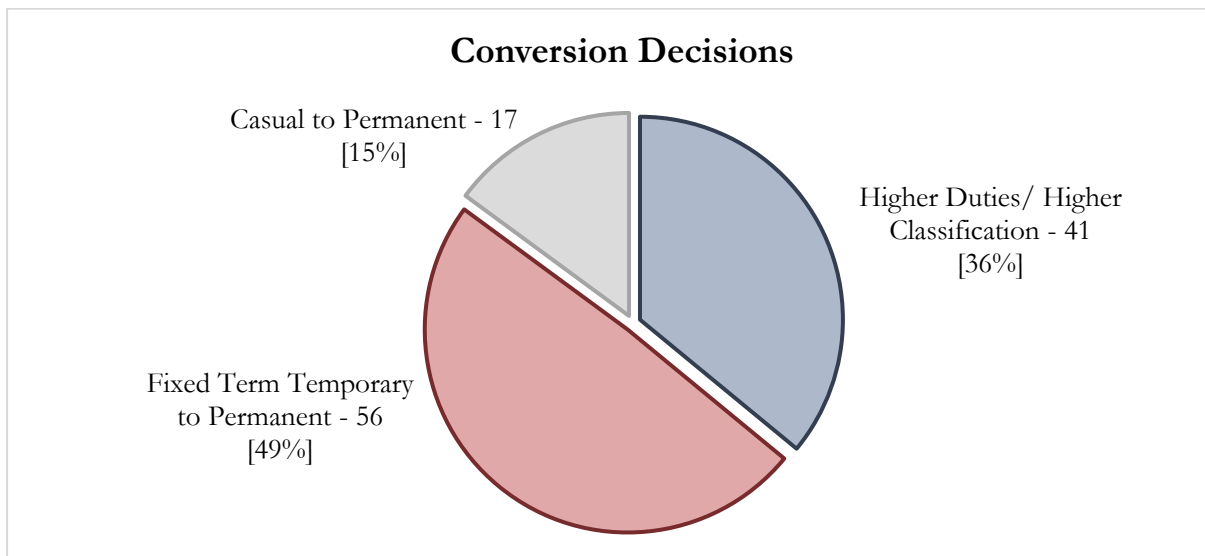
# YEAR IN REVIEW

## Queensland Industrial Relations Commission

*Appeals filed 1 March 2023 to 30 June 2023 under the Public Sector Act 2022*

Appeal Type		Number filed
s 131(1)(a)	Appeal against a conversion decision	40
s 131(1)(b)	Appeal against a directive decision	5
s 131(1)(c)	Appeal against a disciplinary decision	18
s 131(1)(d)	Appeal against a fair treatment decision	26
s 131(1)(e)	Appeal against a promotion decision	2
s 131(1)(f)	Appeal against a suspension without pay decision	3
s 131(1)(g)	Appeal against a transfer decision	0
s 131(1)(h)	Appeal against a work performance decision	0
s 131(1)(i)	Appeal against a decision under another Act	0
<b>Total</b>		<b>94</b>

Appeals against a conversion decision may be further broken down as follows:





# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### TRADING HOURS

The *Trading (Allowable Hours) Act 1990* regulates the allowable trading hours of shops throughout Queensland. The five-year moratorium on the creation and amendment of trading hours in Queensland, which originated in 2018, remains, however that moratorium is due to be lifted on 31 August 2023.

Shops, however, operating within a specified area for an event which is declared to be a "special event" for a declared period by the Commission, are exempt shops and may trade for the entirety of the declared period.

During the reporting year, two applications were filed in accordance with s 31A of the *Trading (Allowable Hours) Act 1990* requesting the Commission make a special event declaration. Those applications were approved by the Commission, declaring the following to be special events:

- the Chinchilla MelonFest 2023 (held in February 2023); and
- the Mount Isa Show (held in June 2023).

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### UNFAIR DISMISSALS

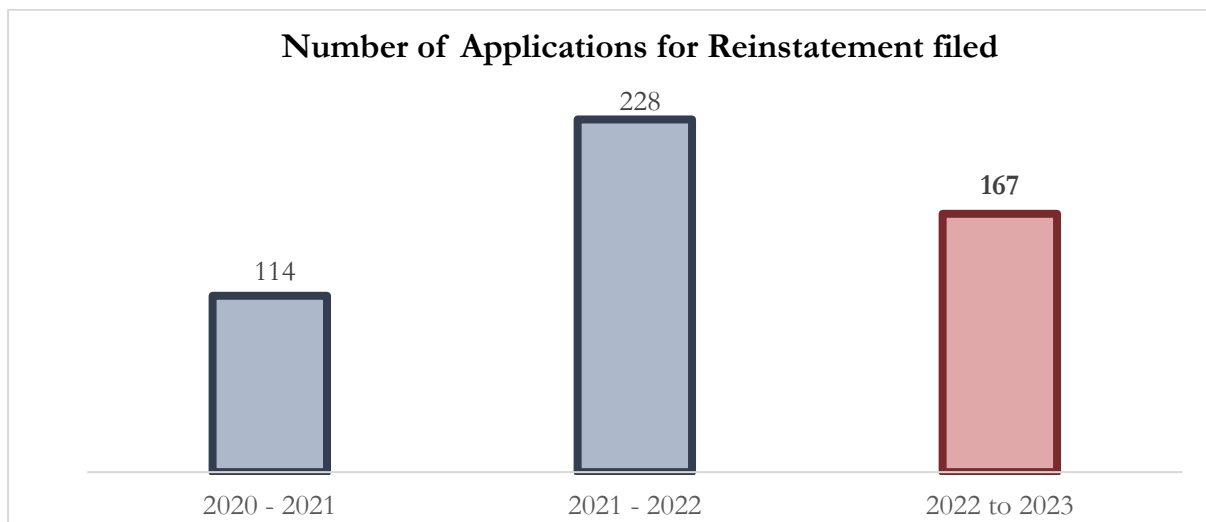
Chapter 8, Part 2 of the *Industrial Relations Act 2016* (Act) deals with the topic of Dismissals. Applications for reinstatement are made to the Commission under s 317 of the Act in circumstances where the worker believes they have been unfairly dismissed by their employer.

A dismissal may be unfair if it was determined to be harsh, unjust or unreasonable.

The outcome of an application depends upon whether the Commission determines an employee was unfairly dismissed. If the dismissal was found to be unfair, the Commission may award remedies as outlined in s 321 of the Act, being either reinstatement, re-employment or compensation.

The Commission deals with these matters by way of conciliation in the first instance. A matter may proceed to arbitration if conciliation is unsuccessful.

During the reporting year, 167 reinstatement applications were filed (69 of which were related to the Covid vaccination mandate). 135 of the matters filed proceeded to conciliation with 61 of those matters being resolved at conciliation.



# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### WAGE RECOVERY

The Commission has jurisdiction to conciliate, hear and determine matters involving claims for unpaid wages, an apprentice's unpaid tool allowance, remuneration lost by an apprentice or trainee, or unpaid contributions to the approved superannuation fund payable to an employee.

The Commission is also responsible for the conciliation of Fair Work claims made in accordance with s 539(1) and (3) of the *Fair Work Act 2009* (Cwlth). Fair Work claims may be filed at either the Industrial Magistrates Court or the Industrial Registry (as the registry for the Industrial Magistrates Court for the purpose of Fair Work claims only). Should these matters not resolve at conciliation, they may be heard and determined by the Industrial Magistrates Court. In addition to Fair Work claims, the Industrial Magistrate also hears Unpaid Amount Claims and Employment claims, both of which may also be conciliated by the Commission.

An application may also be made to the Commission in accordance with s 110 of the *Industrial Relations Act 2016* for payment in lieu of taking long service leave, in part or in full, on compassionate grounds and/or because of financial hardship. Furthermore, registered workers covered by the *Community Services Industry (Portable Long Service Leave) Act 2020*, the *Contract Cleaning Industry (Portable Long Service Leave) Act 2005*, or the *Building and Construction Industry (Portable Long Service Leave) Act 1991* may also be eligible to make an application to the Commission for a payout of long service leave entitlements.

Matter Type		Number filed
<b><i>Industrial Relations Act 2016</i></b>		
s 110	Payment in lieu of Long Service Leave	882
s 326(1)	Application for severance allowance	2
s 379	Recovery of unpaid wages (Unpaid Amount Claim)	10
s 386	Unpaid superannuation contribution	1
s 389	Outworker unpaid wages (Unpaid Amount Claim)	0
s 402	Repayment of fee payable to private employment agent (Unpaid Amount Claim)	0
s 475(1)	Recovery of pro-rata Long Service Leave	34
S 475(1)(a)	Recovery of unpaid wages	21
s 475(1)(d)	Recovery of superannuation contributions	0
s 506(1)(b)(ii)	Damages Claim (Unpaid Amount Claim)	1
	Informal Request for conference – Wage Recovery	8
	Subtotal	959
<b><i>Magistrates Court Act 1921</i></b>		
s 42B	Employment claim	12
<b><i>Fair Work Act 2009</i></b>		
s 539	Fair Work Claim	123
	<b>Total</b>	<b>1094</b>

A Benchbook titled *Wage Recovery Processes in the Queensland Industrial Relations Commission, Industrial Magistrates Court of Queensland, and Magistrates Court of Queensland* was also made available to the public.

# YEAR IN REVIEW

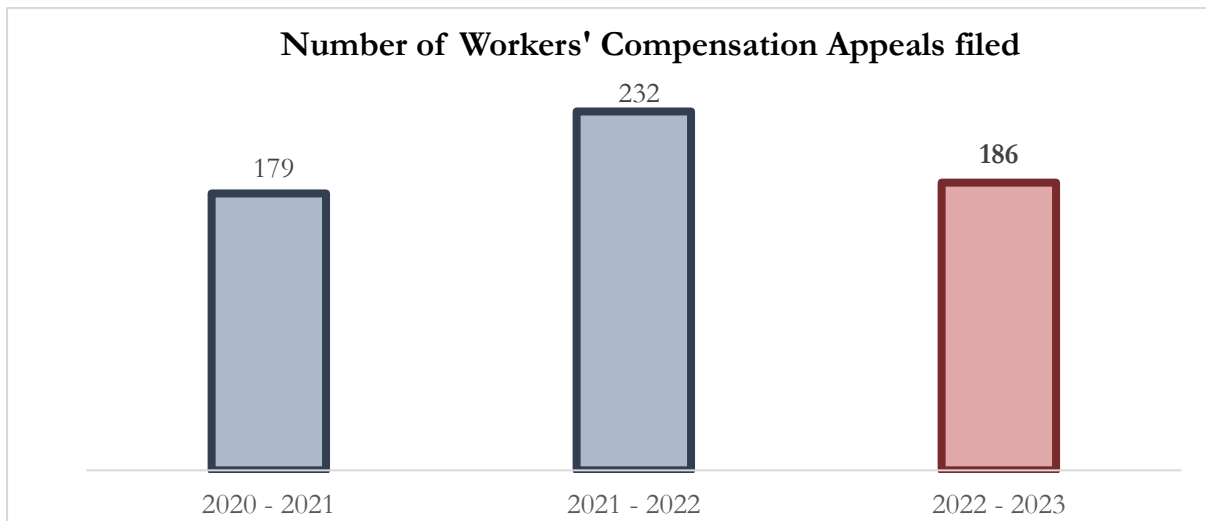
## Queensland Industrial Relations Commission

### WORKERS' COMPENSATION APPEALS

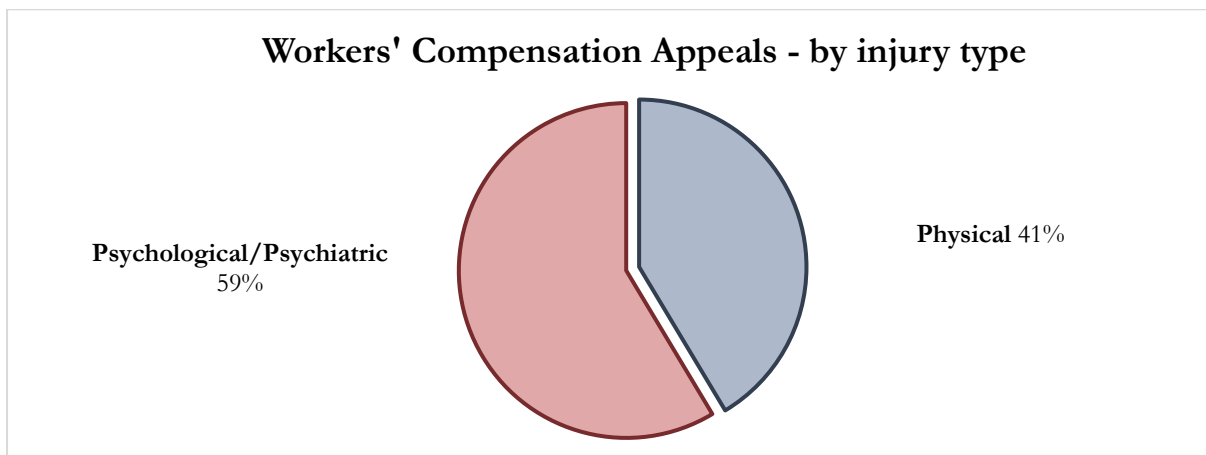
The Workers' Compensation Regulator (the Regulator) is the statutory body that reviews workers' compensation decisions made by WorkCover Queensland (WorkCover) and self-insurers.

Where workers or employers feel aggrieved by a decision of either WorkCover or a self-insurer, they may seek a review of that decision by the Regulator. The Commission then has jurisdiction to hear appeals of those review decisions made by the Regulator pursuant to s 550 of the *Workers' Compensation and Rehabilitation Act 2003*.

During the year, 186 appeals against review decisions of the Regulator were filed.



Of those appeals filed, 77 related to physical injuries in comparison to 109 relating to psychological/psychiatric injuries.



# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### PRACTICE DIRECTIONS

Practice Directions are issued by the Court, Commission and Industrial Registry as a guidance for parties. Pursuant to s 552 of the *Industrial Relations Act 2016* and rule 92 of the *Industrial Relations (Tribunals) Rules 2011*, the following Practice Directions were issued and/or amended during the reporting year.

- **Practice Direction 1 of 2023** – *Parties or Persons Applying for Leave to be Represented by a Lawyer in Certain Proceedings before the Commission* – 5 April 2023
- **Practice Direction 2 of 2023** – *Written Submissions* – 5 April 2023
- **Practice Direction 3 of 2023** – *Modification of a Document before Publication* – 5 April 2023
- **Practice Direction 4 of 2023** – *Guideline for the Modification of a Document before Publication* – 5 April 2023
- **Practice Direction 5 of 2023** – *Pronunciation of Names and Preferred Forms of Address* – 5 April 2023
- **Practice Direction 3 of 2021** – *Electronic Filing and Hard Copies of Documents* – 5 April 2023

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### APPROVED FORMS

The following new or amended forms were approved by the Rules Committee of the Court and Commission in accordance with s 989(1) of the *Industrial Relations Act 2016* for use in the Court, Commission, Industrial Registry and Industrial Magistrates Court:

- Form 10 – Notice of industrial dispute – 22 June 2023
- Form 38 – Advice of intention to begin negotiations for a project agreement – 22 June 2023
- Form 39 – Notice to be a party to a project agreement – 22 June 2023
- Form 44 – Request for help to make a certified agreement – 22 June 2023
- Form 46 – Application for certification of an agreement – 22 June 2023
- Form 47 – Application for a decision about a designated award for a certified agreement – 22 June 2023
- Form 49 – Application to amend a bargaining instrument – 22 June 2023
- Form 50 – Notice of intention to terminate a certified agreement or arbitration determination – 22 June 2023
- Form 51 – Application for approval to terminate a certified agreement or arbitration determination – 22 June 2023
- Form 68 – Application for a claim before an Industrial Magistrate – 15 March 2023
- Form 90 – Fair Work Claim – 30 June 2023
- Form 101 – Application for leave to be represented by a lawyer in certain proceedings – 23 June 2023
- Form 102 – Response to application for leave to be represented by a lawyer in certain proceedings – 5 April 2023
- Form 103 – Objection to relevant Incorporations Act application – 19 May 2023
- Form 104 – Application for a Declaration – 19 May 2023

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### REGIONAL SITTINGS

To fulfill its functions, the Commission conducts conferences and hearings in many locations throughout Queensland.

During the reporting year, in addition to Brisbane, the Commission held proceedings in the following regions:

- **Townsville**
  - July and November 2022, and May 2023
- **Maroochydore**
  - August 2022
- **Proserpine**
  - September 2022
- **Cairns**
  - October and November 2022, and March 2023
- **Hervey Bay**
  - October 2022
- **Bundaberg**
  - January 2023
- **Mackay**
  - April and May 2023
- **Innisfail**
  - May 2023

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### EXTERNAL ENGAGEMENT, EDUCATION AND DEVELOPMENT

Members of the Court, Commission and Industrial Registry were actively involved in the training and further education of members of the public and the profession throughout the year.

- **Anna Stewart Memorial Project – 28 July 2022**
  - Industrial Commissioner Pidgeon hosted a delegation of participants of the Anna Stewart Memorial Project (a women's leadership training and development program).
  
- **Industrial Relations Society of Queensland – Advocacy Course – 13 August 2022**
  - Industrial Commissioner McLennan co-presented (with Nate Burke – President of IRSQ) – *Conferences in the Commission*
  
- **Asian Australian Lawyers Association Inc and Level Twenty-Seven Chambers**
  - *The 'Visibility Series' – Part 1: Associateships* – 24 August 2022
  - Deputy President Merrell was a panellist (along with the Honourable Justice Kerri Mellifont of the Supreme Court and President of QCAT)
  
- **Office of Industrial Relations – Emerging Practitioners – 25 August 2022**
  - Senior Registry Officer Hayley Button conducted a tour and information session and Deputy President Merrell presented a paper *Expectations of Members for those appearing before the Court and Commission*
  
- **Industrial Relations Society of Queensland – Advocacy Course and Moots – 26 August 2022**
  - Vice President O'Connor, Deputy President Merrell and Industrial Commissioner McLennan presented and participated



# YEAR IN REVIEW

## Queensland Industrial Relations Commission

- **Griffith University student visit** – 30 August 2022
  - Senior Registry Officer Hayley Button conducted a tour and information session for final year students studying a Bachelor of Business, including an observation of a hearing before the Commission
  
- **Together Women's Conference** – 22 November 2022 – *Women, Equity and the Queensland Public Sector*
  - Industrial Commissioner Pidgeon and Industrial Commissioner McLennan were panellists, along with Dr Linda Colley (Special Commissioner for Equity and Diversity)
  
- **Office of Industrial Relations 'Masterclass'** – 15 March 2023
  - Justice Davis and Vice President O'Connor presented *Practical Aspects of Running and Defending Unfair Dismissal Claims*
  
- **Together Delegates Conference** – 28 March 2023
  - Industrial Commissioner McLennan presented *Collective Bargaining*
  
- **Industrial Relations Jurisdiction User Group (IJUG) and Workers' Compensation Jurisdiction User Group (WCJUG)** – 22 May 2023
  - A combined meeting of the IJUG and WCJUG was held, chaired by Justice Davis, Vice President O'Connor and Deputy President Hartigan with approximately 48 participants from government, unions, legal profession and Workers' Compensation Regulator.
  
- **Aitken Legal** – 2 June 2023
  - Deputy President Merrell presented *Understanding Reasonable Management Action Claims*

# YEAR IN REVIEW

## Queensland Industrial Relations Commission

### PROFESSIONAL ACTIVITIES

The *Judicial Remuneration Act* 2007 provides for the salaries and allowances for judicial officers, including Members of the Court and the Commission. The various allowances are only payable for expenses actually incurred for the purposes of the allowance. Expenditure of the Education and Conference Allowance for a conference or educational purpose is approved by the President. Drawings on allowances are administered by the Industrial Registry.

Some Members of the Court and Commission utilised their Jurisprudential Allowance or Education Allowance to attend conferences, seminars or courses. Those attendances are listed below.

- **Vice President O'Connor**
  - Queen's University Belfast in Association with Irish Legal History Society – 25th British Legal History Conference (Belfast) – 6 to 9 July 2022
  - International Bar Association Annual Employment and Diversity Law Conference 2022 (Madrid) – 7 to 9 September 2022
  - Australian Judicial Officers Association Colloquium (Hobart) – 7 to 9 October 2022
- **Deputy President Hartigan**
  - International Association of Women Judges Conference 2023 (Marrakech) – 10 to 14 May 2023
- **Industrial Commissioner Knight**
  - LeadWELL Evolution, Planning, Prioritising and Productivity in the Workplace Program – various dates – February to June 2023
- **Industrial Commissioner Pidgeon**
  - National Judicial College of Australia (NJCA) Reflections on the Judicial Function (Sydney) – 26 to 28 October 2022
  - 2023 Council of Australian Tribunals (COAT) National Conference (online) – 8 to 9 June 2023
- **Industrial Commissioner Dwyer**
  - 2023 Council of Australian Tribunals (COAT) National Conference (Sydney) – 8 to 9 June 2023
- **Industrial Commissioner Power**
  - National Judicial College of Australia (NJCA) Reflections on the Judicial Function (Sydney) – 26 to 28 October 2022
  - 2023 Council of Australian Tribunals (COAT) National Conference (online) – 8 to 9 June 2023

# YEAR IN REVIEW

## Queensland Industrial Registry

### QUEENSLAND INDUSTRIAL REGISTRY

The Industrial Registry is the registry for the Industrial Court of Queensland and Queensland Industrial Relations Commission. The Industrial Registry is also the registry for the Industrial Magistrates Court in relation to Fair Work Claims only. The Industrial Registry is a public sector entity. The Industrial Registrar is the head of the Industrial Registry, pursuant to the *Industrial Relations Act 2016* and the *Public Sector Act 2022*.

Appointed by the Governor in Council in accordance with s 514 of the *Industrial Relations Act 2016*, the Industrial Registrar is responsible for the management and administration of the Industrial Registry, as well as certain functions conferred under that Act in addition to other legislation. A large part of these functions and powers lies within Chapter 12 of the *Industrial Relations Act 2016* in relation to registered industrial organisations, being those organisations registered in accordance with Part 2 of Chapter 12.

The Industrial Registrar is directly supported by the Deputy Industrial Registrar. The Deputy Industrial Registrar and all Industrial Registry Officers are appointed in accordance with the *Public Sector Act 2022*.

Funding for the Court, Commission and Industrial Registry is provided through the Department of Education as part of the Office of Industrial Relations appropriation with the Office of Industrial Relations being sensitive of the need to maintain the independence from the Court and Commission.

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### REGISTRY SERVICES

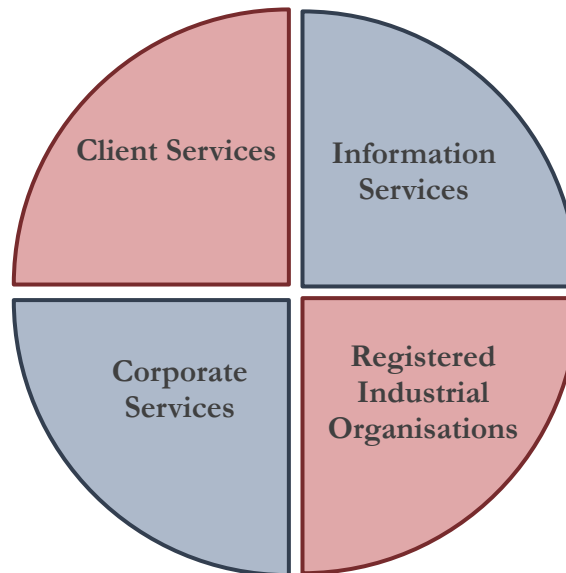
The Industrial Registry provides high level administrative support to the Court, Commission and Industrial Registrar. As outlined in the Strategic Plan, the Industrial Registry's vision is to provide high quality and timely services to all Court and Commission users through innovation and a high performing, positive workplace culture. The Industrial Registry's key values and priorities are as follows:

<i>Values</i>	<i>Priorities</i>
<ul style="list-style-type: none"><li>▪ Independence</li><li>▪ Integrity</li><li>▪ Professionalism</li><li>▪ Responsiveness</li><li>▪ Innovation</li><li>▪ Transparency</li></ul>	<ul style="list-style-type: none"><li>▪ Improved recording and monitoring of compliance reporting for Registered Industrial Organisations</li><li>▪ Sustainable, future-focussed information technology</li><li>▪ Responsive and innovative service delivery</li><li>▪ Professional and engaged workforce</li><li>▪ Transparency and accountability through improved governance</li></ul>

# YEAR IN REVIEW

## Queensland Industrial Registry

The Industrial Registry establish is made up of 15.8 full-time equivalent positions, including the Industrial Registrar, and is structured into four main units.



### CLIENT SERVICES

The Registry Officers within Client Services provide support to the Industrial Registrar, Court, Commission and Associates through:

- examining, evaluating and processing all filed material, correspondence and other documentation received from stakeholders (either by email, post or over the counter);
- fielding enquiries from all stakeholders;
- assisting in administrative activities for each application and tracking the progress of matters through Case HQ (the case management system);
- organising, listing, booking, and notifying of proceedings before the Court and Commission (in Brisbane and throughout the State); and
- managing the accurate and efficient record keeping functions of Court, Commission and Industrial Registry files, both current and historical.

The Client Service team have processed an average of 8,800 emails per quarter, which has amounted to approximately 35,200 emails in the reporting period. The Client Service team have answered approximately 4,000 telephone enquiries throughout the same period. The Client Service team also service the public through the filing of applications and material, and face-to-face enquires over the counter. As recorded, a total of 3,142 applications were filed with the Industrial Registry which were processed by the Client Service team.

# YEAR IN REVIEW

## Queensland Industrial Registry

The Industrial Registry also facilitates requests to search and copy/inspect documents made in accordance with rule 228 of the *Industrial Relations (Tribunals) Rules 2011*. The fulfilling of these requests is subject to the approval of the Industrial Registrar. Over the reporting period, a total of 31 requests were received, 23 of which were approved. Further to that, the Client Service team also received 511 litigation search requests requiring a total of 1,177 searches to be conducted and reported.

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### INFORMATION SERVICES

Senior Registry staff within the Industrial Registry support the Industrial Registrar in the provision of a diverse range of high-quality publication material and administrative support including research, communication, and information and courtroom technology, that contribute to the effective functioning of the Court, Commission, and the Industrial Registry. Information services provided by Industrial Registry are pivotal in the efficient exercise of the Court and Commission's functions. These services include:

- managing and maintaining the QIRC website (which has been accessed over 315,000 times over the reporting period) to ensure content is relevant and up to date;
- ongoing review and ensuring accessibility of relevant forms, guides, benchbooks, information sheets etc for all users;
- publication of all relevant documentation to the QIRC website, in accordance with legislative requirements;
- arranging for the publication of decisions on the Supreme Court Library website;
- managing and maintaining an internal intranet site, including information and research tools required by the Court, Commission, Associates and Industrial Registry officers and the updating and implementation of processes and procedures;
- managing the Court and Commission case management system, including the provision of statistical reporting; and
- managing court and conference room technology.

# YEAR IN REVIEW

## Queensland Industrial Registry

### CORPORATE SERVICES

A comprehensive suite of corporate services is provided to Court and Commission Members and Associates, as well Industrial Registry officers. Managed by the Deputy Industrial Registrar and supported by two Senior Registry Officers, those corporate services include:

- human resource management;
- financial management;
- building and security management;
- asset management; and
- administrative policies, practices and procedures.

In accordance with the provisions of the *Financial Accountability Act 2009*, the Director-General of the Department of Education is the accountable officer of the Industrial Registry. The Director-General has further delegated certain powers to the Industrial Registrar under that Act to carry out financial functions and transactions for the Industrial Registry.

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### REGISTERED INDUSTRIAL ORGANISATIONS

A large part of the Industrial Registrar's functions and powers lie within Chapter 12 of the *Industrial Relations Act 2016*. Supported by a Senior Registry Officer, these functions and powers include:

- approving amendments to the rules of a Registered Industrial Organisations;
- making arrangements through the Electoral Commission to conduct elections of officers;
- approving:
  - exemptions from elections;
  - financial management training;
  - accounting or audit obligations;
- monitoring compliance with financial and other accountability requirements of Registered Industrial Organisations and their officers;
- maintaining an up-to-date register of officers;
- processing, issuing and publishing Work Health and Safety Entry Permit cards; and
- processing and issuing authorities for Authorised Industrial Officer Entry Permit cards.

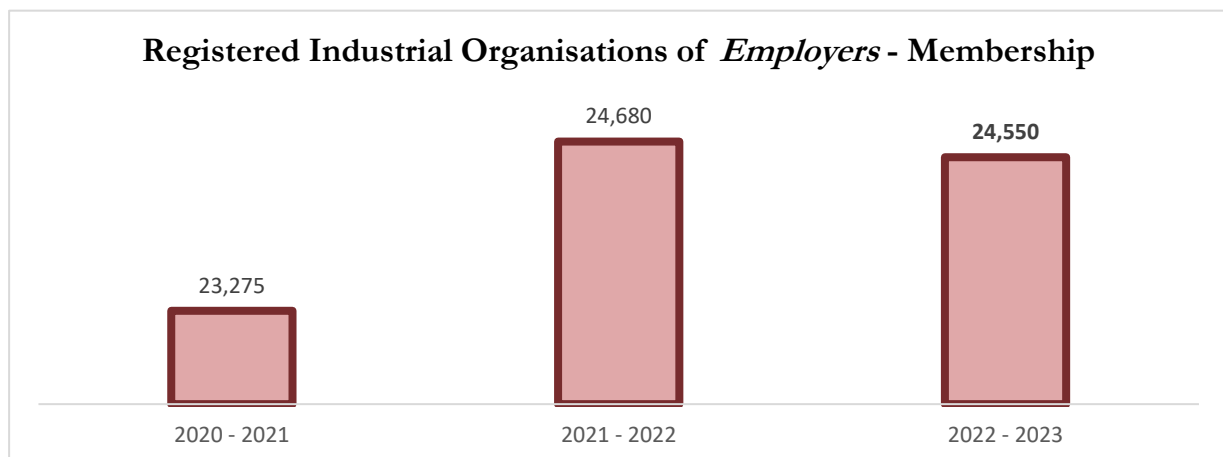
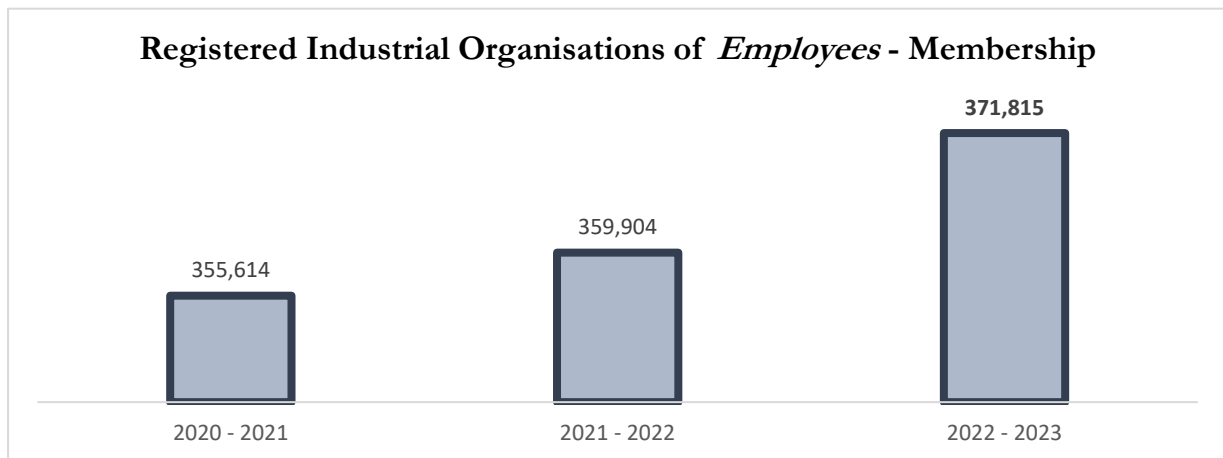
# YEAR IN REVIEW

## Queensland Industrial Registry

Registered Industrial Organisations are assisted in their duty to comply with legislative provisions through several tools developed and updated by the Industrial Registry.

Throughout the reporting period, a total of 236 matters were filed and processed relating to Registered Industrial Organisations, including one application for deregistration. The Schedule contains a further breakdown of the types of matters filed.

Membership numbers of the "employee" organisations has seen an increase over the reporting year, however member numbers of the "employer" organisations has decreased slightly (illustrated below). A breakdown of membership numbers by organisation may also be found in the Schedule to this report.



# LEGISLATIVE AMENDMENTS

## LEGISLATIVE AMENDMENTS

Significant legislative amendments which have had a direct effect on the work of the Court, Commission and Industrial Registry over the reporting year are outlined below.

### ***INDUSTRIAL RELATIONS ACT 2016***

#### ***Holidays and Other Legislation Amendment Act 2022***

15 September 2022 – Amended the definition of 'public holiday' in Schedule 5 of the Act to include a public holiday which was observed on 22 September 2022 for the National Day of Mourning for Her Majesty The Queen.

#### ***Industrial Relations and Other Legislation Amendment Act 2002***

3 November 2022 - The amendments made as a result of the *Industrial Relations and Other Legislation Amendment Act 2022*, in response to the recommendations of the *Five-year Review of Queensland's Industrial Relations Act 2016- Final Report* were significant with the main areas of note outlined below:

- strengthen protections against workplace sexual harassment and sex or gender-based harassment with regards to employment (amendments also made to the *Anti-Discrimination Act 1991*) including amending the definition of 'industrial matter';
- clarification of when an agent can represent a person or party in proceedings before the Commission (including Public Sector Appeals), including clarity about the rights and responsibilities of employee and employer organisations registered under the Act to represent employees and employers, therefore clarifying the distinction between registered and unregistered bodies to avoid misrepresentation and confusion. This includes the insertion of a new Chapter around a review mechanism of relevant applications for incorporated associations made under the *Associations Incorporation Act 1981*, providing for the ability for objections to be made in relation to the application. This was to address a concern that agents may be charging fees and misrepresenting their services, and to avoid legal practitioners attempting to avoid regulatory requirements by providing legal services as an 'agent' rather than a 'lawyer';
- updating the Queensland Employment Standards ensuring alignment to prevailing federal standards in relation to parental leave, adoption-related leave, cultural parental leave, and amending the language around implied gender divisions in parental leave. This also includes extending the scope of paid domestic and family violence leave to casual employees;



# LEGISLATIVE AMENDMENTS

- insertion of a new Chapter 10A with regards to independent couriers to introduce minimum entitlements and conditions, including the ability to create collectively negotiated agreements (has not yet commenced);
- updating the collective bargaining framework, including enhancing the equal remuneration provisions as well as allowing for the ability a single Commissioner to arbitrate during bargaining negotiations (by consent) rather than a Full Bench; and
- allowing the Commission discretion to consider the unique features of the jurisdiction when making a determination of the application of State Wage outcomes on Awards.

## ***Public Sector Act 2022***

1 March 2023 - Amendments were made in relation to references to the *Public Sector Act 2022* (as opposed to the *Public Service Act 2008*).

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## ***PUBLIC SERVICE ACT 2008***

This Act was repealed on 1 March 2023.

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## ***PUBLIC SECTOR ACT 2022***

Commencing on 1 March 2023, this Act replaced the *Public Service Act 2008*. Chapter 3, Part 10 of the Act deals specifically with Appeals.

The decisions against which appeals may be made are contained within s 131 of the Act, as follows:

- a conversion decision;
  - a directive decision;
  - a disciplinary decision;
  - a fair treatment decision;
  - a promotion decision;
  - a suspension without pay decision;
  - a transfer decision;
  - a work performance direction decision; or
  - a decision about anything else against which another Act allows for a person to appeal.
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## NOTABLE CASES

### *Turay v Workers' Compensation Regulator [2023] ICQ 013*

Member: Justice Davis, President  
Matter type: Appeal  
Delivered: 16 June 2023

APPEAL AND NEW TRIAL – RIGHT OF APPEAL – SCOPE AND EFFECT OF APPEAL – where WorkCover made a decision adverse to the appellant – where the Workers' Compensation and Rehabilitation Act 2003 (WCR Act) provided for a right of review of that decision to the respondent – where the respondent affirmed the decision – where the WCR Act provided for an appeal to the Queensland Industrial Relations Commission (QIRC) from the decision of the respondent – where the appellant appealed to the QIRC – where the QIRC dismissed her appeal – where the appellant appealed to the Industrial Court of Queensland – where the WCR Act provided for the appeal to be “by way of rehearing” – where the Industrial Relations Act 2016 (IR Act) provided for appeals from the QIRC to the Industrial Court of Queensland – where the IR Act provided for appeals on grounds limited to errors of law or excess or want of jurisdiction – whether an appeal from the QIRC to the Industrial Court of Queensland against a decision made under the WCR Act is limited to errors of law or excess or want of jurisdiction.

APPEAL AND NEW TRIAL – APPEAL – GENERAL PRINCIPLES – INTERFERENCE WITH DISCRETION OF COURT BELOW – INTERFERENCE WITH JUDGE'S FINDINGS OF FACT – where the appellant lodged a claim for workers' compensation under the WCR Act – where the application was lodged out of time – where WorkCover had a discretion to waive the time limit – where the discretion arose if the appellant had reasonable cause for not lodging the application within time – where WorkCover did not waive the breach of the time limit – where the appellant sought review of the decision of the respondent – where the respondent upheld the decision of WorkCover – where the appellant appealed the respondent's decision to the QIRC – where the QIRC heard the matter de novo – where the QIRC dismissed the appellant's appeal – where the appellant appealed to the Industrial Court of Queensland – where the appeal was one by way of rehearing – whether the findings of fact by the QIRC were open and properly made – whether the inferences drawn by the QIRC were open and properly drawn – whether the discretion to find that there was no reasonable cause was infected by error.

## NOTABLE CASES

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### *State of Queensland (Queensland Police Service) v Workers' Compensation Regulator & Neville Stretton [2023] ICQ 015*

Member: Vice President O'Connor  
Matter type: Appeal  
Delivered: 28 June 2023

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WORKERS' COMPENSATION – ENTITLEMENT TO COMPENSATION – QUEENSLAND – APPEALS – APPEAL TO INDUSTRIAL COURT – where the Commission found the second respondent was a worker who suffered a psychiatric or psychological injury and his employment was the major significant contributing factor to the injury – where Commission found investigation into complaint not conducted in a reasonable way – where Commission found second respondent's injury is not excluded by s 32(5) of the *Workers' Compensation and Rehabilitation Act 2003* – whether Commission erred in finding information provided by officers in investigation had a significant impact on second respondent's health and was the major significant contributing factor to the development of the injury – whether Commission erred in finding entire investigation conducted unreasonably – appeal dismissed.

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### *Mackenzie v State of Queensland (Queensland Health) [2023] QIRC 121*

Members: Justice Davis, President, Vice President O'Connor, Industrial Commissioner Dwyer  
Matter type: Application for Reinstatement  
Delivered: 5 May 2023

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INDUSTRIAL LAW – QUEENSLAND –DISMISSALS – UNFAIR DISMISSAL – application for reinstatement – where matter referred to Full Bench – where application in existing proceedings for matter to be dismissed – where Health Employment Directive 12/21 (HED12/21) issued under s 51A of the *Hospital and Health Boards Act 2011* – whether HED 12/21 inconsistent with the *Anti-Discrimination Act 1991* (Qld) and/or *Human Rights Act 2019* (Qld) – whether respondent had obligation to consult with the applicant under the *Work Health and Safety Act 2011* (Qld) – where applicant failed to comply with directive – where applicant failed to articulate dismissal unfair – whether further proceedings necessary or desirable in the public interest – application for reinstatement struck out – further orders issued in application for costs.

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## NOTABLE CASES

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### *Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch v Brisbane City Council [2023] QIRC 115*

Members: Vice President O'Connor, Deputy President Hartigan, Industrial Commissioner Power  
Matter type: Application for Reinstatement  
Delivered: 28 April 2023

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INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – application for help to make a certified agreement pursuant to s 175 of the *Industrial Relations Act 2016* – where unresolved matter removal of the 'cap' on the classification levels that casual bus operators may attain – where casual passenger service employees wage level progression – where application opposed by council – where introduction of merit-based recruitment into traineeship – where introduction of full roster availability requirement by respondent – where proportion of casual bus operators increased beyond the numbers provided for in the certified agreement – where applicant claims requirement to undertake a traineeship pathway in order to be appointed to full and part-time vacancies has outlived its usefulness – where employer claims no basis or evidence for removing this pathway has been demonstrated by the applicant – application dismissed.

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### *Together Queensland, Industrial Union of Employees v State of Queensland (Queensland Police Service) [2023] QIRC 141*

Members: Justice Davis, President, Deputy President Hartigan, Industrial Commissioner Knight  
Matter type: Application [legal representation]  
Delivered: 25 May 2023

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INDUSTRIAL LAW – QUEENSLAND – where the Queensland Police Service (QPS) is regulated by the *Police Service Administration Act 1990* – where the Government Entities Certified Agreement 2019 (Core CA) applies to public sector employees – where the Core CA applies to many employees of the QPS – where the applicant seeks a scope order excluding QPS employees from a certified agreement which will replace the Core CA – where the State seeks leave to be represented by King's Counsel on the application – whether, having regard to the complexity of the application, representation of the State by King's Counsel would enable the proceedings to be dealt with more efficiently.

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## NOTABLE CASES

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*State of Queensland (Department of Health) v Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees*  
[2023] QIRC 061

Members: Deputy President Merrell, Industrial Commission Pidgeon, Industrial Commissioner Dwyer  
Matter type: Application for declaration  
Delivered: 23 February 2023

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INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – EMPLOYEES IN EMPLOYMENT OF STATE – APPLICATION FOR DECLARATORY RELIEF – Applicant and Respondent are parties to certified agreements entitled *Medical Officers' (Queensland Health) Certified Agreement (No. 4) 2015* and *Medical Officers' (Queensland Health) Certified Agreement (No. 5) 2018* – both certified agreements contained clauses entitled 'Emergency Department speciality allowance' which provided for an allowance of 25% of base salary to be paid to Senior Medical Officers in certain circumstances – genuine dispute between the Applicant and the Respondent over whether Senior Medical Officers, to whom the clauses in both certified agreements applied, have to work all of their hours of work in an Emergency Department to be entitled to the 25% allowance – Applicant applied for a declaration that the clauses in both certified agreements only apply to Senior Medical Officers who must be engaged to work in an Emergency Department under an extended hours roster within the meaning of the certified agreements and who must work all of their rostered hours under the extended hours roster in an Emergency Department – principles of construction of certified agreements made and approved under the *Industrial Relations Act 1999* and *Industrial Relations Act 2016* – whether, on the construction of the two certified agreements, a Senior Medical Officer was required to work all of their rostered hours in an Emergency Department to be entitled to the allowance of 25% of base salary – on the construction of the clauses in both certified agreements, a Senior Medical Officer did have to work all of their rostered hours in an Emergency Department to be entitled to the allowance of 25% of base salary – when discretion should be exercised by the Queensland Industrial Relations Commission to make a declaration – whether discretion to make a declaration should be exercised in the present case – whether declaration should be made in the form sought by the Applicant – declaration made to resolve a genuine dispute between the parties – declaration made in the form sought by the Applicant.

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## NOTABLE CASES

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### *Mocnik & Others v State of Queensland (Queensland Health) [2023] QIRC 058*

Member: Vice President O'Connor  
Matter type: Applications for Reinstatement  
Delivered: 22 February 2023

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INDUSTRIAL LAW – QUEENSLAND – DISMISSALS – UNFAIR DISMISSAL – applications for reinstatement – where public health emergency declared for Queensland under the *Public Health Act 2005* – where Health Employment Directive 12/21 (HED) issued under s 51A of the *Hospital and Health Boards Act 2011* (HHB Act) – where agreement reached for a joint set of common issues to be considered by the Commission – whether HED 12/21 about 'conditions of employment' within the meaning of s 51A of the HHB – whether HED 12/21 inconsistent with the *Anti-Discrimination Act 1991* (Qld) and/or *Human Rights Act 2019* (Qld) – whether respondent had obligation to consult with the applicants individually under the *Work Health and Safety Act 2011* (Qld) – whether respondent had an obligation to consult with the applicant(s)' representatives (not being a registered employee organisation pursuant to chapter 12 of the *Industrial Relations Act 2016* (Qld)) prior to implementing the HED – whether the respondent had an obligation under the *Work Health and Safety Act* (Qld), Part 5 to provide a risk assessment for each business unit – whether dismissals unfair – determined none of the issues would make the dismissals unfair for the purposes of the *Industrial Relations Act 2016* (Qld).

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### *Graf and Ors v State of Queensland (Department of Education) [2022] QIRC 451*

Member: Deputy President Merrell  
Matter type: Public Service Appeals  
Delivered: 21 November 2022

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PUBLIC SERVICE – EMPLOYEES AND SERVANTS OF THE CROWN GENERALLY – PUBLIC SERVICE APPEAL – Appellants employed by the State of Queensland in various positions in schools operated by the Department of Education – by cl 5 of the *Department of Education Employment Direction 1/21 – COVID-19 Vaccinations*, the Appellants were required to receive a first dose of a COVID-19 vaccine by 17 December 2021 and to provide evidence of such vaccination – Appellants failed to comply with the Direction – Appellants afforded the opportunity to show cause why they should not be suspended without pay – Appellants provided responses – Appellants appealed against decisions to suspend them without pay – two of the Appellants further appealed against decisions not to reimburse their remuneration upon suspensions being lifted – whether decisions appealed against were fair and reasonable – decisions appealed against fair and reasonable – decisions confirmed.

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## NOTABLE CASES

### *Baigorri v Workers' Compensation Regulator [2023] QIRC 190*

Member: Deputy President Merrell  
Matter type: Appeal against decision of Workers' Compensation Regulator  
Delivered: 21 November 2022

WORKERS' COMPENSATION – ENTITLEMENT TO COMPENSATION – PERSONS ENTITLED TO COMPENSATION – WHO IS A WORKER OR EMPLOYEE – Appellant reopened application for workers' compensation for a back and shoulder injury due to items falling on him – application for workers' compensation rejected by WorkCover Queensland on the basis that the Appellant was not a 'worker' within the meaning of the *Workers' Compensation and Rehabilitation Act 2003* – Appellant sought review of the WorkCover Queensland decision by the Respondent – Respondent confirmed the WorkCover Queensland decision – appeal by Appellant against review decision of the Respondent – whether Appellant deemed to be a worker within the meaning of sch 2, pt 1, s 3 of the *Workers' Compensation and Rehabilitation Act 2003* – whether Appellant was a 'contractor' prior to making an independent courier contract with Allied Express Transport Pty Ltd – whether Appellant was performing work not incident to a business regularly carried on by him at the date of injury – Appellant not a worker within the meaning of sch 2, pt 1, s 3 of the *Workers' Compensation and Rehabilitation Act 2003* – Respondent's review decision confirmed – parties to be heard as to costs.

STATUTES – ACTS OF PARLIAMENT – PRINCIPLES OF CONSTRUCTION OF STATUTES – construction of sch 2, pt 1, s 3 of the *Workers' Compensation and Rehabilitation Act 2003* – history of provision – whether individual has to be a contractor prior to making a contract with someone else for the performance of work – meaning of the phrase '... incident to a trade or business regularly carried on by the contractor' – whether provision is applicable to a circumstance where a person, who is not a contractor, subsequently enters into a continuing contract for services with a principal as part of the commencement of a business as a courier driver.

## NOTABLE CASES

### *MPG Constructions Brisbane Pty Ltd v The Regulator under the Work Health and Safety Act 2011 [2023] QIRC 186*

Member: Deputy President Merrell  
Matter type: Application for external review  
Delivered: 20 June 2023

WORK HEALTH AND SAFETY – DUTIES AND LIABILITIES – INVESTIGATIONS AND SECURING COMPLIANCE – Applicant was the principal contractor of a multi-level commercial construction project situated at 152 Wharf Street, Spring Hill – workers on the construction project were engaged by the Applicant directly or were caused to be engaged by the Applicant through subcontractors – pt 5, div 3 of the *Work Health and Safety Act 2011* deals with the election for one or more health and safety representatives to represent workers who carry out work for a business or undertaking – determination of work groups required for such elections – subsequent decision by Inspector, appointed under s 54 of the *Work Health and Safety Act 2011*, that there should be a work group consisting of plasterers and glaziers and another work group consisting of workers engaged in concreting works – Applicant sought internal review of decision of Inspector – decision of Inspector confirmed on internal review – Applicant seeks external review of the internal review decision – whether or not an Inspector could be validly appointed, pursuant to s 54 of the *Work Health and Safety Act 2011*, to decide matters mentioned in s 52(3) of the *Work Health and Safety Act 2011* in relation to multiple-business work groups – whether or not an Inspector so appointed could validly decide, pursuant to s 52(3) of the *Work Health and Safety Act 2011*, the number and composition of work groups in relation to multiple-business work groups – whether or not the decision of the Inspector should be confirmed or set aside – Regulator had no power to appoint an Inspector to make the decision that was made – Inspector had no power to make the decision made – review decision set aside and a decision is substituted for the decision, namely, that no decision can be made in relation to the multi-level commercial construction project situated at 152 Wharf Street, Spring Hill.

### *Del Bono v Workers' Compensation Regulator [2022] QIRC 453*

Member: Industrial Commissioner Hartigan (as she was then)  
Matter type: Appeal against decision of Workers' Compensation Regulator  
Delivered: 23 November 2022

WORKERS' COMPENSATION – APPEAL AGAINST DECISION OF THE WORKERS' COMPENSATION REGULATOR – ENTITLEMENT TO COMPENSATION – whether appellant was a 'worker' for the purposes of s 11 of the Act – lack of corroborating evidence as appellant is 92 years old and the event in question occurred between 67 and 72 years ago – the application of s 36(a) of the Act is not in contention – Appellant found to be a 'worker' who had worked at Mount Isa Mines Limited.



## NOTABLE CASES

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### *Corney v Workers' Compensation Regulator [2023] QIRC 170*

Member: Deputy President Hartigan  
Matter type: Objection to Notice of Non-Party Disclosure  
Delivered: 9 June 2023

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INDUSTRIAL LAW – DISCLOSURE – Notice of Non-Party Disclosure –whether the Appellant is an affected party – Appellant is an affected party – leave is granted to object – Notice of Non-Party Disclosure set aside.

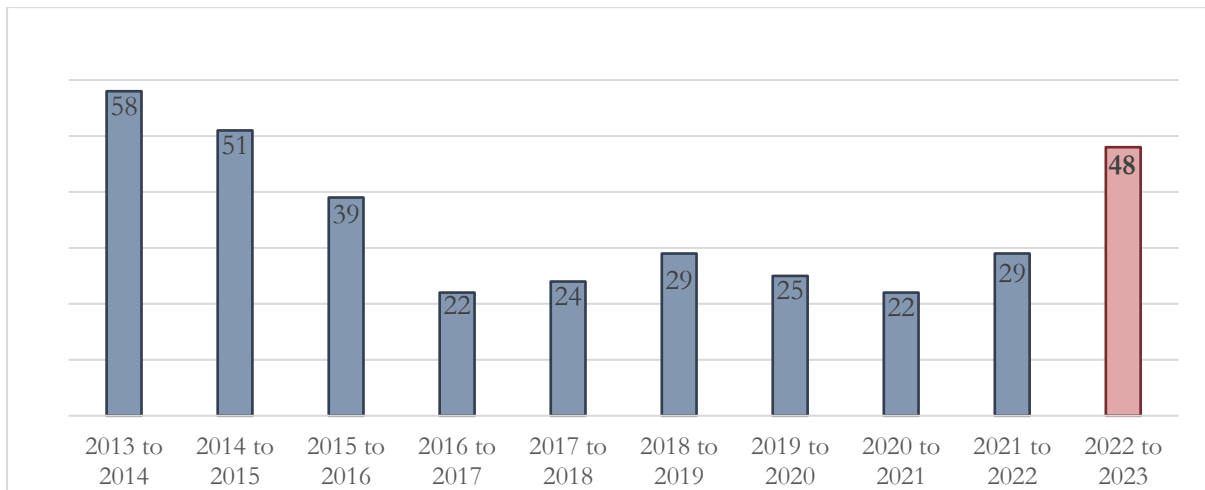
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# SCHEDULE

## MATTERS FILED IN THE INDUSTRIAL COURT

Appeal Type	Number filed 2021 - 2022	Number filed 2022 - 2023
Appeal against a decision of an Industrial Magistrate (s 556 of the <i>Industrial Relations Act 2016</i> )	0	1
Appeal against a decision of the Commission (s 557 of the <i>Industrial Relations Act 2016</i> ) [includes Appeals against a decision of the Commission in relation to a Public Service Appeal – 8]	18	28
Appeal against a decision of the Commission (s 561 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> )	7	3
Appeal against a stand-down (s 562(1) of the <i>Workers' Compensation and Rehabilitation Act 2003</i> )	0	0
Stay of operation of a directive (s 178 of the <i>Coal Mining Safety and Health Act 1999</i> )	0	0
Appeal against a decision of an Industrial Magistrate (s 255 of the <i>Coal Mining Safety and Health Act 1999</i> )	2	11
Appeal against Chief Inspector's directives and review decisions (s 243 of the <i>Coal Mining Safety and Health Act 1999</i> )	2	0
Appeal against a decision of the Industrial Registrar (s 560(1) of the <i>Industrial Relations Act 2016</i> )	0	0
Contempt of Court (s 428 of the <i>Industrial Relations Act 2016</i> )	0	1
Application for stay of decision (s 566 of the <i>Industrial Relations Act 2016</i> )	0	4
<b>Total</b>	<b>29</b>	<b>48</b>

## NUMBER OF MATTERS FILED IN THE INDUSTRIAL COURT



# SCHEDULE

## BREAKDOWN OF MATTERS FILED IN THE COMMISSION

Matter Type		Number filed 2021 - 2022	Number filed 2022 - 2023
<b><i>Industrial Relations Act 2016</i></b>			
s 110	Long Service Leave – payment in lieu of	720	882
s 147(1)(b)	Application to vary a modern award	6	23
s149(1)	Variation correction of minor errors	0	0
s 169(2)(b)	Notice of intention to bargain	0	0
s 170 (2)(b)	Notice of intention to be a party to bargaining	0	1
s 175(1b)	Request for help in negotiations for bargaining	2	19
s 178(1)	Consent application for arbitration	0	0
s 184(1)	Application for scope order	0	3
s 189(1)	Application for certification of agreement	40	33
s 213	Decision about designated award	0	0
s 225(1)	Application to amend a bargaining instrument	0	3
s 227(1)	Application for termination on/before expiry date	4	3
s 228(1)	Application for termination after expiry date	38	34
s 235(1)	Application for approval to engage in industrial action	20	45
s 240(1)	Suspension of industrial action (economic harm)	0	1
s 241(1)	Suspension of industrial action (life, property, health or welfare)	0	2
s 242	Certificate as to requested representation	1	0
s 253	Application for equal remuneration	0	2
s 261	Notice of industrial dispute	154	124
s 263	Mediation by commission	1	0
s 273	Application for a commission order to stop bullying	15	10
s 309(2)	Application to deal with a dispute	29	28
s 317(1)	Application for reinstatement (unfair dismissal)	228	167
s 326(1)	Application for severance allowance	1	2
s 337	Authorisation of industrial officers	159	179
s 379	Recovery of unpaid wages (UAC)	5	10
s 386	Unpaid superannuation contribution	0	1
s 389	Outworker unpaid wages (UAC)	0	0
s 402	Repayment of fee payable to private employment agent (UAC)	0	0
s 451	General powers of the commission	0	2
s 458/462	General ruling and statement of policy	2	6
s 463(1)	Application for declaration	7	6
s 467(1)	Application for interpretation	1	2
s 469	Facilitation request	0	0
s 470(2)	Dispute resolution functions under referral agreement	0	0

# SCHEDULE

## BREAKDOWN OF MATTERS FILED IN THE COMMISSION – continued

Matter Type		Number filed 2021 - 2022	Number filed 2022 - 2023
s 471(1)	Application to amend or void a contract	0	0
s 473(1)	Application for injunction	7	5
s 475(1)	Recovery of pro rata long service leave	45	34
s 475(1)(a)	Recovery of unpaid wages	20	21
s 475(1)(d)	Recovery of superannuation contributions	1	0
s 479	Application for rights to represent	0	0
s 484(1)	Application to re-open proceedings	2	5
s 506(1)(b)(ii)	Damages claim (UAC)	0	1
s 572	Order – contravention of civil penalty provisions	1	1
s 578E(1)	Relevant incorporation act application	0	1
s 655-879	Industrial Organisation matters (see Table 4)	221	236
s 952	Variation of agreement under Chapter 15A	0	0
s 981	Obsolete industrial instrument	0	0
	Request for recovery conference	7	8
<b><i>Further Education and Training Act 2014</i></b>			
s 168(1)(a)	Appeal to Industrial Relations Commission	0	0
<b><i>Magistrates Court Act 1921</i></b>			
s 42B	Employment claim	14	12
<b><i>Public Interest Disclosure Act 2010</i></b>			
s 48	Application for an injunction about a reprisal	1	0
<b><i>Public Service Act 2008</i></b>			
s 194(1)(a)	Appeal against a decision under a directive	46	9
s 194(1)(b)	Appeal against a disciplinary decision	135	243
s 194(1)(ba)	Appeal against a decision under s 88IA	0	0
s 194(1)(bb)	Appeal against a suspension without pay decision	65	27
s 194(1)(c)	Appeal against a promotion decision	20	4
s 194(1)(d)	Appeal against a transfer decision	3	9
s 194(1)(e)	Appeal against a conversion decision	189	74
s 194(1)(eb)	Appeal against a fair treatment decision	385	51
s 194(1)(f)	Appeal against a decision under another Act	3	1
<b><i>Public Sector Act 2022</i></b>			
s 131(1)(a)	Appeal against a conversion decision	0	40
s 131(1)(b)	Appeal against a directive decision	0	5
s 131(1)(c)	Appeal against a disciplinary decision	0	18
s 131(1)(d)	Appeal against a fair treatment decision	0	26
s 131(1)(e)	Appeal against a promotion decision	0	2
s 131(1)(f)	Appeal against a suspension without pay decision	0	3

# SCHEDULE

## BREAKDOWN OF MATTERS FILED IN THE COMMISSION – continued

Matter Type		Number filed 2021 - 2022	Number filed 2022 - 2023
<b><i>Trading (Allowable Hours) Act 1990</i></b>			
s 5(2)	Application for declaration about trading hours	9	0
s 31A	Special event declaration	0	2
<b><i>Workers' Compensation and Rehabilitation Act 2003 and Workers' Compensation and Rehabilitation Regulation 2014</i></b>			
s 232E	Reinstatement of injured worker	1	1
s 549	Application to be a party to appeal	0	0
s 550(4)	Appeal against decision of Workers' Compensation Regulator	232	186
reg 113	Costs	0	0
<b><i>Work Health and Safety Act 2011</i></b>			
s 102B	Notice of WHS dispute	8	6
s 131	WHS entry permit	188	185
s 142	Dispute about right of entry	1	0
s 229B	Application for review	36	12
<b><i>Anti-Discrimination Act 1991</i></b>			
s 113	Application for exemption from certain provisions	5	3
s 155(4)	Referral of matter for offences against the Act	0	0
s 144(1)	Application for orders protecting complainant's interests	3	5
s 164	Anti-Discrimination conciliation agreement	79	91
s 164A(2)	Referral of complaint not resolved	6	15
s 166(1)	Referral of complaint unconciliated	69	86
s 167(1)(a)	Referral of complaint after six months	1	0
s 169(3)	Referral of complaint lapsed	0	1
<b><i>Queensland Civil and Administrative Tribunal Act 2009</i></b>			
s 52	Transfer of QCAT file	1	0
<b><i>Fair Work Act 2009 (Cwlth)</i></b>			
s 539	Fair Work Claim	67	123
<b><i>Industrial Relations Act 1999</i></b>			
s 117	Civil remedies – prohibited conduct	1	0
<b><i>Industrial Relations (Tribunals) Rules 2011</i></b>			
r 230	Lapse of application after at least 1 year's delay	0	2
<b>Total</b>		<b>3,302</b>	<b>3,143</b>

# SCHEDULE

## REGISTERED INDUSTRIAL ORGANISATIONS MATTERS FILED

Matter Type		Number filed 2021 - 2022	Number filed 2022 - 2023
<i>Industrial Relations Act 2016 , Industrial Relations (Tribunals) Rules 2011 and Industrial Relations Regulation 2018</i>			
s 600(1)	Exemption from stated obligation	0	0
s 655	Registrar amendment of rules	1	1
s 661	Application for name amendment	1	0
s 662	Rule amendment – eligibility	1	1
s 666	Amendment to rules – other than eligibility	8	10
s 669	Prescribed election information	40	63
s 669(3)	Applicant to file prescribed information before a later date	1	0
s 735	Annual obligation to file officers register	37	34
s 736	Obligation to file officers register on change of office	70	63
s 741(4)	Exemption financial management training	6	4
s 784	General purpose financial reporting	32	36
s 786	Exemption from Chapter 12, Part 11 of particular reporting units	10	9
s 802	Election exemption – counterpart federal body	14	11
s 804	Exemption – member or officers register	0	3
s 808	Exemption accounting or audit obligations	0	0
s 835	Orders about effects of invalidity	1	0
s 879	Application for deregistration	0	1
r 88	Registrar's powers	0	0
<b>Total</b>		<b>221</b>	<b>236</b>

# SCHEDULE

## REGISTERED INDUSTRIAL ORGANISATIONS – MEMBERSHIP – EMPLOYEE ORGANISATIONS

Registered Industrial Organisation (Employees)	2021 - 2022	2022 - 2023
Australasian Meat Industry Union of Employees (Queensland Branch)	5,399	6,068
Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District	405	411
Australian Maritime Officers Union Queensland Union of Employees	689	682
Together Queensland, Industrial Union of Employees	28,761	30,537
Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch	6,611	6,811
Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees	2,588	2,678
Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland	10,909	10,997
Finance Sector Union of Australia, Queensland Branch, Industrial Union of Employees	3,172	3,022
Queensland Fire and Rescue – Senior Officers Union of Employees	119	116
Queensland Independent Education Union of Employees	16,708	17,391
Queensland Nurses and Midwives' Union of Employees	67,352	69,711
Queensland Police Union of Employees	12,204	12,190
Queensland Services, Industrial Union of Employees	13,501	14,730
Queensland Teachers Union of Employees	47,194	48,258
Shop, Distributive and Allied Employees Association (Queensland Branch) Union of Employees	33,479	30,471
The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees	2,740	3,302
The Australian Workers' Union of Employees, Queensland	21,959	22,203
The Bacon Factories' Union of Employees, Queensland	294	[deregistering]
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland	20,876	23,657
The Electrical Trades Union of Employees Queensland	15,078	16,549
Plumbers & Gasfitters Employees' Union Queensland, Union of Employees	3,098	3,808
The Queensland Police Commissioned Officers' Union of Employees	306	309
The Seamen's Union of Australasia, Queensland Branch, Union of Employees	717	801
Transport Workers' Union of Australia, Union of Employees (Queensland Branch)	6,872	7,385
United Firefighters' Union of Australia, Union of Employees, Queensland	2,692	2,761
United Workers' Union, Industrial Union of Employees, Queensland	36,181	36,967
<b>Total Membership</b>	<b>359,904</b>	<b>371,815</b>
<b>Total Number of Registered Industrial Organisations of Employees</b>	<b>26</b>	<b>25</b>

# SCHEDULE

## REGISTERED INDUSTRIAL ORGANISATIONS – MEMBERSHIP – EMPLOYER ORGANISATIONS

Registered Industrial Organisation (Employers)	2021 - 2022	2022 - 2023
Australian Dental Association (Queensland Branch) Union of Employers	867	747
Master Electricians Association, Queensland Industrial Organisation of Employers	2,298	2,363
Local Government Association of Queensland Ltd	77	77
Master Painters, Decorators and Signwriters' Association of Queensland, Union of Employers	174	182
Master Plumbers' Association of Queensland (Union of Employers)	1,228	1,274
National Retail Association Limited, Union of Employers	6,686	6,593
Queensland Chamber of Commerce and Industry Limited ACN 009 662 060	2,111	1,927
Queensland Hotels Association, Union of Employers	953	984
Queensland Master Builders Association, Industrial Organisation of Employers	9,770	9,830
The Baking Industry Association of Queensland - Union of Employers	59	129
The Registered and Licensed Clubs Association of Queensland, Union of Employers	435	444
UNiTAB Agents Association, Union of Employers Queensland	22	[deregistered]
<b>Total Membership</b>	<b>24,680</b>	<b>24,550</b>
<b>Total Number of Registered Industrial Organisations of Employees</b>	<b>12</b>	<b>11</b>



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