

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: Variation of the Parents and Citizens Associations Award – State 2016* [2025] QIRC 287

PARTIES: **United Workers' Union, Industrial Union of Employees, Queensland**
(Applicant)

v

Queensland Council of Parents and Citizens' Associations trading as Parents' and Citizens Associations Queensland
(Respondent)

CASE NO: MA/2025/3

PROCEEDING: Application to vary a modern award by consent

DELIVERED ON: 27 October 2025

MEMBER: Caddie IC

HEARD AT: On the papers

ORDERS:

- 1. The Application is granted.**
- 2. That the *Parents and Citizens Associations Award – State 2016* be varied in the terms set out in the Orders as outlined in Schedule 1 of this decision.**
- 3. The variations to the Award operate from 1 September 2025.**

CATCHWORDS: INDUSTRIAL LAW – VARIATION OF A MODERN AWARD – application to vary a modern award – application to insert a mechanism into a State Award to access federal funding scheme – where Award was amended in accordance with the State Wage Case – where, subsequent to

amendments being made, errors were identified in the pay rates of the Award – Award amended to correct errors.

LEGISLATION AND
INSTRUMENTS:

Industrial Relations Act 2016 (Qld) ss 141, 147

Children's Services Award 2020 (FWC)

Parents and Citizens Award – State 2016

CASES:

Declaration of General Ruling (State Wage Case 2025) (No 2) [2025] QIRC 230

Re: Variation of the Parents and Citizens Associations Award – State 2016 [2025] QIRC 077

Reasons for Decision

- [1] United Workers Union, Industrial Union of Employees, Queensland ('UWU') applied to the Queensland Industrial Relations Commission ('the Commission') on 20 October 2025 to vary the *Parents' and Citizens' Associations Award – State 2016* ('the Award') to rectify errors contained within Tables 1 and 2 of Schedule 9.
- [2] The Queensland Council of Parents and Citizens Associations ('P&C') is the Respondent, and the application is made by consent. Neither party sought to make further submissions in relation to this application.
- [3] Section 147 of the *Industrial Relations Act 2016* (Qld) ('the Act') sets out the power of the Commission to make or vary modern awards, providing that:
 - (1) The commission may do either of the following to provide for fair and just employment conditions –
 - (a) make a modern award;
 - (b) make an order varying a modern award.
 - (2) The commission may exercise a power under this section –
 - (a) on its own initiative; or
 - (b) on the application of any of the following persons –
 - (i) the Minister;
 - (ii) an organisation;
 - (iii) an Employer;
 - (iv) an employee; or

(c) on a review of a modern award under part 5.¹

- [4] The Award applies to all employees who are employed in an activity conducted by a Parents and Citizens Association within Queensland; and whose rates of pay are fixed by the Award. This application only impacts those employees engaged under the Outside School Hours Care ('OSHC') and Vacation Care Stream of the Award.
- [5] On 20 March 2025 the Commission ordered a variation of the Award to enable Queensland Parents and Citizens Associations to be eligible to apply for funding under the Commonwealth Government ECEC Worker Retention Payment Scheme to lift wages of OSHC employees.² To be eligible, an employer must engage its workforce under a legally enforceable workplace instrument (such as a state based modern award) which includes an obligation to pay their eligible workers rates under the grant scheme terms if they receive that funding. The required provisions were inserted into the Award as Schedule 9.
- [6] On 24 September 2025, following the Queensland State Wage decision of the Full Bench,³ which ordered all state awards be varied by a wage increase of 3.5% for full-time adult employees from 1 September 2025, the wage rates in clause 12 of the Award and contained within Schedule 9 were updated in accordance with the Order. The varied Award was published on 24 September 2025.
- [7] Since publication, a small number of errors in the payrates contained in Tables 1 and 2 of Schedule 9 have been identified. The consent application contended the amendments are required to ensure that P&C's who are in receipt of the Worker Retention Payment Grant are paying employees in accordance with the terms of the Grant. If not rectified, the errors will also lead to overpayments.

Substantive variations sought

- [8] The specific amendments sought were detailed by the Applicant in a proposed consent order. The variation is proposed to apply from 1 September 2025, when the new award rates applied.
- [9] The specific classifications within Tables 1 and 2 of Schedule 9 are proposed to be amended as follows:

Table 1 – Permanent Employees:

¹ *Industrial Relations Act 2016* (Qld) s 147.

² *Re: Variation of the Parents and Citizens Associations Award – State 2016* [2025] QIRC 077.

³ *Declaration of General Ruling (State Wage Case 2025) (No 2)* [2025] QIRC 230.

Child Care Educator (Qualified)					
Level 4.1	Level 4.1	35.76	33.12	3.31	39.07
Level 4.2	Level 4.2	36.2 26	33.63	3.36	39.65
Level 4.3	Level 4.3	36.83	34.13	3.41	40.24
Level 4.4	Level 4.3	36.83	34.13	3.41	40.24
Assistant Coordinator (Unqualified)					
Level 4A.1	Level 5A.1	3 5.76 7.25	34.63	3.46	39.22 40.71
Level 4A.2	Level 5A.2 Level 5A.3	37.66 36.29	35.6 43	3.56	39.85 41.22
Coordinator/Director (Qualified) – Level 2					
Level 6.4	Level 6.4**	41.16	42.46	4.25	46.71

Level 6.5	Level 6.5**	41.88	42.85	4. 29 34	47.14 70
Level 6.6	Level 6.6**	42.54	43.36	4.34	47.70

Table 2 – Casual Employees:

Level 3.2	Level 3.2	38.59	36.36	3.64	42.23
Level 3.3	Level 3.3	39.39	37.5 10	3.75	43.14
Level 3.4	Level 3.4	42.04	39.58	3.96	46.00
Level 4.1	Level 4.1	44.70	41.40	4.14	48.84
Level 4.2	Level 4.2	45.36	42.0 34	4.20	49.56
Level 4.3	Level 4.3	46.04	42.66	4.27	50.31
Level 4.4	Level 4.3	46.04	42.66	4.27	50.31

Requirements to vary an Award

[10] Section 141 of the Act provides:

141 General Requirements for commission exercising powers

- (1) In exercising its powers under this chapter, the commission must ensure a modern award –
 - (a) provides for fair and just wages and employment conditions that are at least as favourable as the Queensland Employment Standards; and
 - (b) generally reflects the prevailing employment conditions of employees covered, or to be covered, by the award.
- (2) For subsection (1), the commission must have regard to the following –
 - (a) relative living standards and the needs of low-paid employees;
 - (b) the need to promote social inclusion through increased workforce participation;
 - (c) the need to promote flexible modern work practices and the efficient and productive performance of work;
 - (d) the need to ensure equal remuneration for work of equal or comparable value;
 - (e) the need to provide penalty rates for employees who –
 - (i) work overtime; or
 - (ii) work unsocial, irregular or unpredictable hours; or
 - (iii) work on weekends or public holidays; or
 - (iv) perform shift work;
 - (f) the efficiency and effectiveness of the economy, including productivity, inflation and the desirability of achieving a high level of employment.

Reasons to grant the application

[11] Pursuant to s 141(1)(a) and (b), varying the Award to rectify errors contained within the wages tables in Schedule 9 ensures ongoing consistency with the requirements of the federal grant scheme to ensure those in receipt of grant funding remain compliant and those seeking grant funding meet the eligibility requirements. Backdating the variation to 1 September 2025 ensures the correct wage rates are operative from the date the new wage rates were effective.

[12] The application is granted in terms of the order by consent in Schedule 1. The variation is effective from 1 September 2025.

[13] I order accordingly.

Orders

1. The Application is granted.

2. That the *Parents and Citizens Associations Award – State 2016* be varied in the terms set out in the Orders as outlined in Schedule 1 of this decision.
3. The variations to the Award operate from 1 September 2025.

SCHEDULE 1

Schedule 9 – Worker Retention Payment

Purpose and Scope

- (a) The Commonwealth Government has introduced the Worker Retention Payment grant scheme to support a 15% wage increase for eligible ECEC workers over a two-year period (2 December 2024 to 30 November 2026), by reference to the minimum rates of pay provided for in the federal *Children's Services Award 2010*.
- (b) To be eligible to participate in the Worker Retention Payment grant scheme, eligible ECEC workers must be engaged under a legally enforceable workplace instrument that includes an obligation on the Employer to pay the eligible ECEC workers at the minimum rates prescribed by the Worker Retention Payment grant scheme's terms.
- (c) The purpose of this Schedule 9 is to place an obligation on Employers of eligible ECEC workers, to pay their ECEC workers the minimum rates of pay prescribed by the Worker Retention Payment grant scheme's terms, during the period the Employer is in receipt of Worker Retention Payments.
- (d) No obligation arises to pay eligible ECEC workers the minimum rates of pay prescribed in this schedule during any period the Employer is not in receipt of Worker Retention Payments for that eligible ECEC worker. In these circumstances the eligible ECEC worker will be paid solely in accordance with clause 12.4(d) of the Award.

This Schedule 9, and the obligations provided under it, are to take effect from 2 December 2024 and conclude on 30 November 2026.

Definitions

In this Schedule:

- **Award** means the Parents and Citizens Associations Award - State 2016.
- **eligible ECEC workers** means employees whose positions are covered by the classifications defined in Schedule 4 (Position Descriptors – Outside School Hours Care (OSHC) and Vacation Care Stream), but whose duties are otherwise also consistent with the classifications covered by *Children's Services Award 2010*.
- **Employer** means a P&C Association which employs eligible ECEC workers and which has been approved by the Commonwealth Government to receive grant funding for a Worker Retention Payment.
- **Worker Retention Payment** means the Commonwealth Government's Early Childhood Education and Care (ECEC) worker retention payment to support a wage increase for all eligible ECEC workers, or any successor to that scheme.

Minimum Rates of Pay

- (a) In addition to their entitlement to payment of the minimum wages prescribed in clause 12.4(d) of this Award, eligible ECEC Workers will also be entitled to receive the additional minimum hourly rate prescribed in Column 5 of the below table, during the period their Employer is in receipt of grant funding for a Worker Retention Payment with respect to that worker, including any backdating period.
- (b) The tables operate as follows:
 - i. Column 3 in the below table is the minimum hourly rate payable to eligible ECEC workers under clause 12.4(d) of the Award.
 - ii. Column 4 in the below table sets out the minimum rates of pay that must be paid to all eligible ECEC workers, who are employed by National System Employers, under the *Children's Services Award 2010*, mapped against their corresponding classifications under the Award.
 - iii. Column 5 is the difference between the current minimum hourly rate under the *Children's Services Award 2010* and the new hourly rate required to be specified in the workplace instrument to become eligible for funding. This is the minimum additional hourly amount that all eligible ECEC workers who are covered by this Award are entitled to receive during the period their Employer is receiving grant funding for a Worker Retention Payment with respect to the worker.
 - iv. Column 6 is the new minimum hourly rate for eligible ECEC workers who are covered by this Award during the period their Employer is receiving grant funding for a Worker Retention Payment with respect to the worker.
- (c) The rates as set out in the tables will be increased:
 - i. In regard to Column 4, by any increase in the award rates for each classification under the *Children's Services Award 2010*; and
 - ii. In regard to Column 5, by an additional 5% from 1 December 2025 above the relevant minimum hourly rates set out in Column 4, which will be in addition to any increase in the *Children's Services Award 2010* rates as a result of the Annual Wage Review of the Fair Work Commission.

Table 1 – Permanent employees

Classification	Column 2 Children's Services Award classification	Column 3 Current P&C Award minimum hourly rate*	Column 4 CS Award minimum hourly rate 1 July 2025	Column 5 Additional CS Award minimum hourly amount payable to staff 1 July 2025 – 30 Nov 2025**	Column 6 New P&C Award Rate 1 September 2025– 30 November 2025 (Column 3 + Column 5)
		\$	\$	\$	\$
Child Care Worker					
Level 1.1	Level 1.1	26.80	24.95	2.50	29.30
Level 2.1	Level 2.1	27.61	25.71	2.57	30.18
Level 2.2	Level 2.2	28.47	26.56	2.66	31.13
Level 3.1	Level 3.1	30.22	28.12	2.81	33.03
Level 3.2	Level 3.2	30.87	29.09	2.91	33.78
Level 3.3	Level 3.3	31.51	30.00	3.00	34.51
Level 3.4	Level 3.4	33.63	31.66	3.17	36.80
Child Care Educator (Qualified)					
Level 4.1	Level 4.1	35.76	33.12	3.31	39.07
Level 4.2	Level 4.2	36.29	33.63	3.36	39.65
Level 4.3	Level 4.3	36.83	34.13	3.41	40.24
Level 4.4	Level 4.3	36.83	34.13	3.41	40.24
Assistant Coordinator (Unqualified)					
Level 4A.1	Level 5A.1	35.76	34.63	3.46	39.22
Level 4A.2	Level 5A.2 Level 5A.3	36.29	35.64	3.56	39.85
Assistant Coordinator (Qualified)					
Level 5.1	Level 5.1	37.25	34.63	3.46	40.71

Level 5.2	Level 5.2 Level 5.3	37.66	35.63	3.56	41.22
Coordinator (Unqualified)					
Level 5A.1	Level 6A.1**	37.25	39.94	3.99	43.93
Level 5A.2	Level 6A.2**	37.66	40.44	4.04	44.48
Level 5A.3	Level 6A.3**	38.28	40.93	4.09	45.02
Coordinator/Director (Qualified) – Level 1					
Level 6.1	Level 6.1**	38.95	39.94	3.99	43.93
Level 6.2	Level 6.2**	39.78	40.44	4.04	44.48
Level 6.3	Level 6.3**	40.63	40.93	4.09	45.02
Coordinator/Director (Qualified) – Level 2					
Level 6.4	Level 6.4**	41.16	42.46	4.25	46.71
Level 6.5	Level 6.5**	41.88	42.85	4.29	47.14
Level 6.6	Level 6.6**	42.54	43.36	4.34	47.70
Coordinator/Director/Assistant Manager – Level 3					
Level 6.7	Level 6.7**	43.25	43.88	4.39	48.27
Level 6.8	Level 6.8**	43.99	44.38	4.44	48.82
Level 6.9	Level 6.9**	44.75	44.88	4.49	49.37
Manager					
Level 7.1	Level 6.7	52.82	43.88	4.39	57.21
Level 7.2	Level 6.8	54.33	44.38	4.44	58.77
Level 7.3	Level 6.9	55.82	44.88	4.49	60.31
Level 7.4	Level 6.9	57.30	44.88	4.49	61.79

* Junior employees employed as or undertaking duties equivalent to Children's Services Employees Level 3, 4 and 5 must be paid at or above the applicable adult rate stipulated above. Junior employees employed as or undertaking duties equivalent to Children's Services Employee Level 1 or Employee Level 2 must be paid at or above the applicable junior rate in accordance with the Award (the higher of the P&C Award or Children's Services Award) plus the amount specified in Column 5 which is 10% of the adult rate.

**Where the current P&C Association Award Rate (Column 3) is below the equivalent Children's Services Award Rate (column 4) the Employer must pay the higher of those two rates. The Employer is responsible for the gap between the current P&C Award rate and the CS Award rate where the CS Award rate is higher.

Table 2 Casual Employees

Classification	Column 2 Children's Services Award classification	Column 3 Current P&C hourly rate	Column 4 CS Award minimum hourly rate 1 Dec 2024	Column 5 Additional CS Award minimum hourly amount payable to staff 2 Dec 2024 – 30 Nov 2025	Column 6 New P&C minimum hourly rate 2 Dec 2024 – 30 Nov 2025 (Column 3 + Column 5)
		\$	\$	\$	\$
Level 1.1	Level 1.1	33.50	31.19	3.12	36.62
Level 2.1	Level 2.1	34.51	32.14	3.21	37.72
Level 2.2	Level 2.2	35.59	33.20	3.32	38.91
Level 3.1	Level 3.1	37.78	35.15	3.52	41.30
Level 3.2	Level 3.2	38.59	36.36	3.64	42.23
Level 3.3	Level 3.3	39.39	37.51	3.75	43.14
Level 3.4	Level 3.4	42.04	39.58	3.96	46.00
Level 4.1	Level 4.1	44.70	41.40	4.14	48.84
Level 4.2	Level 4.2	45.36	42.03	4.20	49.56
Level 4.3	Level 4.3	46.04	42.66	4.27	50.31
Level 4.4	Level 4.3	46.04	42.66	4.27	50.31
Assistant Coordinator (Unqualified)					
Level 4A.1	Level 5A.1	44.70	43.29	4.33	49.03
Level 4A.2	Level 5A.2 Level 5A.3	45.36	44.54	4.45	49.81
Assistant Coordinator (Qualified)					
Level 5.1	Level 5.1	46.56	43.29	4.33	50.89
Level 5.2	Level 5.2 Level 5.3	47.08	44.54	4.45	51.53
Coordinator (Unqualified)					

Level 5A.1	Level 6A.1**	46.56	49.93	4.99	54.92
Level 5A.2	Level 6A.2**	47.08	50.55	5.06	55.61
Level 5A.3	Level 6A.3**	47.85	51.17	5.12	56.29
Coordinator/Director (Qualified) – Level 1					
Level 6.1	Level 6.1**	48.69	49.93	4.99	54.92
Level 6.2	Level 6.2**	49.73	50.55	5.06	55.61
Level 6.3	Level 6.3**	50.79	51.17	5.12	56.29
Coordinator/Director (Qualified) – Level 2					
Level 6.4	Level 6.4**	51.45	53.07	5.31	58.38
Level 6.5	Level 6.5**	52.35	53.56	5.36	58.92
Level 6.6	Level 6.6**	53.18	54.20	5.42	59.62
Coordinator/Director (Qualified) – Level 3					
Level 6.7	Level 6.7**	54.06	54.85	5.49	60.34
Level 6.8	Level 6.8**	54.99	55.48	5.55	61.03
Level 6.9	Level 6.9**	55.94	56.10	5.61	61.71
Manager					
Level 7.1	Level 6.7	66.03	54.85	5.49	71.52
Level 7.2	Level 6.8	67.91	55.48	5.55	73.46
Level 7.3	Level 6.9	69.78	56.10	5.61	75.39
Level 7.4	Level 6.9	71.63	56.10	5.61	77.24