

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: Making of a modern award - Resident Medical Officers (Queensland Health) Award - State 2014* [2014] QIRC 133

PARTIES: **State of Queensland (Queensland Health)**
The Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees
Together Queensland, Industrial Union of Employees.

CASE NO: MA/2014/126

PROCEEDING: Making of a modern award

DELIVERED ON: 29 August 2014

HEARING DATE: 29 August 2014

MEMBER: Vice President Linnane
Deputy President O'Connor
Industrial Commissioner Neate

ORDERS :

1. **That the *Resident Medical Officers (Queensland Health) Award - State 2014* be made.**
2. **That the *Resident Medical Officers (Queensland Health) Award - State 2014* be operative on and from 31 August 2014.**
3. **That the *District Health Services - Senior Medical Officers' and Resident Medical Officers' Award - State 2012* is repealed on and from 31 August 2014 subject to the provisions of s 824 of the *Industrial Relations Act 1999*.**
4. **That the *Medical Superintendents with Right of Private Practice and Medical Officers with Right of Private Practice - Queensland Public Hospitals Award - State 2012* is repealed on and from 31 August 2014 subject to the provisions of s 824 of the *Industrial Relations Act 1999*.**

CATCHWORDS: MAKING OF A MODERN AWARD - Section 140C(1) of the *Industrial Relations Act 1999* - request from the Attorney-General and Minister for Justice -

Resident Medical Officers (Queensland Health) Award - State 2014 - Modern Award made.

CASES: *Industrial Relations Act 1999* Chapter 5 Division 2, ss 140C(1), 140CE, 824.

APPEARANCES: Mr A. Herbert, Counsel directly instructed by the State of Queensland (Queensland Health).
Mr A. Turner of The Australian Salaried Medical Officers' Federation Queensland, Industrial Organisation of Employees.
Mr R. Rule of Together Queensland, Industrial Union of Employees.

Decision

- [1] In accordance with Chapter 5 Division 2 of the *Industrial Relations Act 1999* (Act) (i.e. the Modern Award provisions of the Act) and the Request under Section 140C(1) - Award Modernisation by the Attorney-General and Minister for Justice, the Award Modernisation Team (AMOD Team) of the Queensland Industrial Relations Commission has prepared an Exposure Draft of a proposed Resident Medical Officers (Queensland Health) Award - State 2014 ("Proposed Award").
- [2] The Proposed Award was prepared by the AMOD Team in consultation with the State of Queensland (Queensland Health), the Australian Salaried Medical Officers' Federation Queensland Industrial Organisation of Employees (ASMOFQ) and Together Queensland, Industrial Union of Employees (Together) (i.e. the Employer and Unions referred to in Clause 4 of the Proposed Award).
- [3] On 28 August 2014 Deputy President Bloomfield referred a finalised version of the Proposed Award to the Vice President for referral to a Full Bench of the Commission indicating that the abovementioned organisations had reached agreement on the terms of the Proposed Award. The Vice President, on 28 August 2014, referred the Proposed Award to this Full Bench for hearing and the matter was listed today.
- [4] We have been advised that the Proposed Award complies with the Act.
- [5] We are advised that the *District Health Services - Senior Medical Officers' and Resident Medical Officers' Award - State 2012* and the *Medical Superintendents with Right of Private Practice and medical Officers with Right of Private Practice - Queensland Public Hospitals Award - State 2012* are awards of the Commission which currently apply to resident medical officers and will thus be repealed upon the making of any modern award subject to the provisions of s 824 of the *Industrial Relations Act 1999*.
- [6] Having heard from the representatives of the parties referred to in Clause 4 of the Proposed Award, and by consent of those parties, we make the following orders:
 - (i) That the *Resident Medical Officers (Queensland Health) Award - State 2014* be made;

- (ii) That the *Resident Medical Officers (Queensland Health) Award - State 2014* operate on and from 31 August 2014;

- (iii) That given the making of the *Resident Medical Officers (Queensland Health) Award - State 2014*, the *District Health Services - Senior Medical Officers' and Resident Medical Officers' Award - State 2012* and the *Medical Superintendents with Right of Private Practice and Medical Officers' with Right of Private Practice - Queensland Public Hospitals Award - State 2012* are repealed on and from 31 August 2014 subject to the provisions of s 824 of the *Industrial Relations Act 1999*.