

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 2016 – s. 147 Commission's power to make or vary modern awards

NURSES AND MIDWIVES (QUEENSLAND HEALTH) AWARD – STATE 2015

Matter No: MA/2017/59

DEPUTY PRESIDENT KAUFMAN

13 April 2017

CONSENT ORDER

Pursuant to s. 147 of the *Industrial Relations Act 2016* this Award is varied, by consent, in the following terms:

1. In clause 23 by inserting the following:

Public holidays are provided for in Division 10 of the QES. Clauses 23(a) to 23(d) supplement the QES provisions.

2. By deleting clause 23(a) and inserting the following in lieu thereof:

- (a) Subject to clause 23(d), an employee who performs work on a public holiday as part of ordinary rostered hours shall be paid as prescribed in the table below, for all hours worked, with a minimum payment as for 4 hours' work:

Relevant employees	Labour Day	Show Day Easter Saturday Easter Sunday	All other public holidays
(i) Public Hospital (excluding dental hospital and dental clinic) (ii) Biala employees ordinarily required to work on public holidays (iii) employees ordinarily required to work on public holidays under extended hours service arrangements, restricted to: <ul style="list-style-type: none"> Public Service Eventide Homes (Nurse Grade 5 and above) Correctional Health Services 	Full day's wage at 100% and one and one-half times (150%) the ordinary rate of pay	Double and one-half times (250%) the ordinary rate of pay	One and one-half times (150%) the ordinary rate of pay
(iv) Dental hospital and dental clinic (v) employees not ordinarily required to work on a public holiday, restricted to: <ul style="list-style-type: none"> Biala Public Service Eventide Homes (Nurse Grade 5 and above) Correctional Health Services 	Full day's wage at 100% and one and one-half times (150%) the ordinary rate of pay	Double and one-half times (250%) the ordinary rate of pay	Double and one-half times (250%) the ordinary rate of pay
(vi) Eventide Homes (Nursing Grade 1 to Nurse Grade 4) (vii) all Psychiatric Hospitals	Full day's wage at 100% (up to a maximum of 7.6 hours) and one and one-half times (150%) the ordinary rate of pay	Full day's wage at 100% (up to a maximum of 7.6 hours) and one and one-half times (150%) the ordinary rate of pay	Full day's wage at 100% (up to a maximum of 7.6 hours) and one and one-half times (150%) the ordinary rate of pay
(viii) Casual employees	Clause 8.3(f)	Clause 8.3(f)	Clause 8.3(f)

3. By deleting clause 23(b) and inserting the following in lieu thereof:

- (b) Subject to clause 23(d), an employee who does not work on a public holiday shall be paid as prescribed in the table below:

Relevant employees	Labour Day	Show Day Easter Saturday Easter Sunday	All other public holidays
(i) Public Hospital (excluding dental hospital and dental clinic) (ii) Biala	A full day's wage at the ordinary rate (100%) ^{1,2}	A full day's wage at the ordinary rate (100%) where the employee would ordinarily be required to work on that day or where the employee is on a rostered day off ^{1, 2}	A full day's wage at the ordinary rate (100%) where the employee would ordinarily be required to work on that day
(iii) Dental hospital and dental clinic (iv) Employees not ordinarily required to work on a public holiday restricted to: <ul style="list-style-type: none"> Public Service Eventide Homes (Nurse Grade 5 and above) Correctional Health Services 	A full day's wage at the ordinary rate (100%)	A full day's wage at the ordinary rate (100%) where the employee would ordinarily be required to work on that day	A full day's wage at the ordinary rate (100%) where the employee would ordinarily be required to work on that day
(v) Eventide Homes (Nursing Grade 1 to Nurse Grade 4) (vi) all Psychiatric Hospitals	A full day's wage at the ordinary rate (100%) ³	A full day's wage at the ordinary rate (100%) ³	A full day's wage at the ordinary rate (100%) ³
(vii) Correctional Health Services employee engaged in continuous shift work or work on two shifts per day over seven days	A full day's wage at the ordinary rate (100%) ²	A full day's wage at the ordinary rate (100%) ²	A full day's wage at the ordinary rate (100%) ²

Notes:

- Where the public holiday occurs during a period of annual leave an extra day must be added to the employee's annual leave except where the public holiday falls on Saturday or Sunday with respect to a Monday to Friday employee.
- Where the public holiday falls on an employee's rostered day off the employee must be paid:
 - a full day's wage at the ordinary rate; or
 - a day's holiday in lieu; or
 - granted an additional day of annual leave except where the public holiday falls on Saturday or Sunday with respect to a Monday to Friday employee.
- Any period of annual leave is exclusive of public holidays.

This order will take effect as and from 13 April 2017

Deputy President

13 April 2017