

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: In the matter of an Application to vary the Queensland Police Service Employees Award - State 2016* [2016] QIRC 121

PARTIES: Queensland Police Service
The Queensland Police Union of Employees
The Queensland Police Commissioned Officers Union of Employees

CASE NOS: MA/2016/22

PROCEEDING: Variation of a modern award

DELIVERED ON: 11 November 2016

HEARING DATE: 11 November 2016

HEARD AT: Brisbane

MEMBERS: Deputy President Swan
Industrial Commissioner Fisher
Industrial Commissioner Black

ORDERS: **1. The Queensland Police Service Employees Award - State 2016 be varied in the terms set out in the attached Determination; and**
2. The Determination operate on and from 11 November 2016.

CATCHWORDS: INDUSTRIAL LAW - AWARD MODERNISATION - VARIATION OF A MODERN AWARD - Application for Determination varying a modern award - Section 140GA(2) and 140GC(2) of the *Industrial Relations Act 1999 - Queensland Police Service Employees Award - State 2016* varied.

CASES: *Industrial Relations Act 1999*, Chapter 5A, Part 3, Division 2, ss 140GA(2), 140GC(2)

APPEARANCES:

Mr R. Gillespie for Queensland Police Service.

Mr S. Mahoney and Mr L. Hodge for Queensland Police Union of Employees.

Ms D. Frieberg for The Queensland Police Commissioned Officers' Union of Employees.

Reasons for Decision

- [1] An Application to vary the *Queensland Police Service Employees Award - State 2016* (the Award) by the making of a Determination varying the Award in accordance with sections 140GA(2)(a) and 140GC(2)(b)(i) of the *Industrial Relations Act 1999* (the Act) has been initiated by Deputy President Bloomfield, as head of the Commission's Award Modernisation Project, for the following purposes:
- (i) to create a minimum safety net of employment conditions, in keeping with the modern award objectives at section 140D of the Act, that is fair and relevant in accordance with sections 140G(2)(a) and 140D of the Act; and
 - (ii) to remove ambiguity and uncertainty and/or correct an error, in accordance with section 140GC(1) of the Act.
- [2] The Application for the making of a Determination to vary the Modern Award is supported by the Queensland Police Service, the Queensland Police Union of Employees and The Queensland Police Commissioned Officers' Union of Employees.
- [3] The proposed Determination incorporates several minimum conditions of employment which were not finalised at the time of the making of the Modern Award on 26 February 2016 as well as a number of typographical and other changes designed to ensure that provisions in the Award reflect comparable provisions in other Modern Awards subsequently made by the Commission.
- [4] The making of the Determination to vary the Award is supported by all of the relevant parties.
- [5] In the circumstances, the Full Bench is satisfied that it is appropriate for the Application for the making of the Determination to be approved.
- [6] The Determination varying the Award will operate on and from 11 November 2016.
- [7] The Commission issues the following Orders:
- 1. the *Queensland Police Service Employees Award - State 2016* be varied in the terms set out in the attached Determination; and
 - 2. the Determination operate on and from 11 November 2016.