

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999 - s. 130 - review of awards

**Together Queensland, Industrial Union of Employees v Chief Executive of the Public Service Commission
(AR/2013/4)**

STATEMENT OF FULL BENCH OF THE COMMISSION

- [1] One of the outstanding matters arising from the 2010 Award Review Full Bench was the application by Together Queensland, Industrial Union of Employee (Together Queensland) for the inclusion of Directives issued by the Chief Executive of the Public Service Commission and/or Directives issued by the Minister for Industrial Relations (Directives) to be referred to in Awards and/or be inserted into various awards of the Commission dealing with public sector employment.
- [2] The issue before this Full Bench at a hearing on 19 July 2013 was whether the Full Bench had the capacity in Award Review to deal with the question of such Directives being referred to in Awards and/or being inserted into Awards.
- [3] Written submissions on the matter had been filed by Together Queensland on 13 December 2012 and its submission was supported by the following industrial organisations of employees who also filed submissions on 13 November 2012:
- the Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees;
 - the Queensland Services, Industrial Union of Employees;
 - United Voice, Industrial Union of Employees, Queensland;
 - The Australian Workers' Union of Employees, Queensland;
 - the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - the Queensland Teachers Union of Employees; and
 - The Electrical Trades Union of Employees.
- [4] The Public Service Commission filed its written submission on 30 January 2013 with the appendices to the submission being filed on 7 February 2013.
- [5] At the hearing on 19 July 2013 the submission of the Public Service Commission went beyond the issues canvassed in its written submission filed on 30 January 2013. The position of the Public Service Commission is now that no reference whatsoever should be made to Directives in any industrial instrument of the Queensland Industrial Relations Commission (Commission).
- [6] In circumstances where the position of the Public Service Commission went beyond that outlined in its written submission filed on 30 January 2013 it was the view of the Full Bench that Together Queensland and those organisations not present at the hearing on 19 July 2013 ought to be given an opportunity to put further submissions before the Commission. The Full Bench has thus decided to issue the following directions in relation to this matter:
- that the Public Service Commission file and serve on all organisations who provided written submissions in the matter, a further written submission in respect of the new issues that the Public Service Commission raised at the hearing on 19 July 2013, by close of business on 31 August 2013;
 - that any industrial organisation of employees who wish to be heard in the matter provide a written submission by 18 October, 2013;
 - that the matter be again heard by the Full Bench on 4 November 2013 at 11.30 a.m.

- [7] The transcript of the proceedings before the Full Bench on 19 July 2013 is now available to all those industrial organisations of employees who provided written submission in the matter. Formal directions will be issued by the Full Bench in due course.

D.M. Linnane, Vice President

D.L. O'Connor, Deputy President

G.K. Fisher, Commissioner

5 August 2013