

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 2016 - s. 149 - Variation of modern awards to correct minor errors etc.
s. 149(1) - Registrar acting on own initiative

TOURISM AND EVENTS QUEENSLAND EMPLOYEES AWARD – STATE 2015

Matter No. MA/2017/21

INDUSTRIAL REGISTRAR

1 March 2017

VARIATION

Pursuant to s 149 of the *Industrial Relations Act 2016* this Award is varied as follows as from 1 March 2017:

1. By deleting clause 2 and inserting the following in lieu thereof:

2. Operation

This Award operates from 11 December 2015.

2. In clause 3:

(a) By deleting the definition of "Act" and inserting the following in lieu thereof:

Act means the *Industrial Relations Act 2016*

(b) By deleting the definition of "QES" and inserting the following in lieu thereof:

QES means the Queensland Employment Standards contained in Part 3 of Chapter 2 of the Act

3. By deleting clause 6.1(c) and inserting the following in lieu thereof:

(c) Any proposed genuine agreement reached between the employer and employees in an enterprise is contingent upon the agreement being submitted to the Commission in accordance with Chapter 4 of the Act and is to have no force or effect until approval is given.

4. By deleting clause 9.1 and inserting the following in lieu thereof:

9.1 Notice of termination by the employer

Notice of termination by the employer is provided for in Division 13 of the QES. Clauses 9.2 to 9.5 supplement the QES provisions.

5. By deleting clause 10.1 and inserting the following in lieu thereof:

10.1 Redundancy pay

Redundancy pay is provided for in Division 13 of the QES. Clauses 10.2 to 10.9 supplement the QES provisions.

6. By deleting the heading and first paragraph of clause 19 and inserting the following in lieu thereof:

19. Annual leave

Annual leave is provided for in Division 5 of the QES. Clauses 19.1 to 19.3 supplement the QES.

7. By deleting clauses 20(a) and (b) and inserting the following in lieu thereof:

- (a) Personal leave is provided for in Division 6 of the QES and covers:

- (i) sick leave;
- (ii) carer's leave;
- (iii) bereavement leave; and
- (iv) cultural leave.

- (b) In addition to the provisions of Subdivision 2 of Division 6 of the QES an employee is entitled to use any sick leave to which they have an entitlement for carer's leave purposes.

8. By deleting clause 21 and inserting the following in lieu thereof:

21. Parental leave

Parental leave is provided for in Division 8 of the QES and covers:

- (a) birth - related leave for an employee who is pregnant or whose spouse gives birth;
- (b) adoption leave; and
- (c) surrogacy leave.

9. By deleting clauses 22(a) and (b) and inserting the following in lieu thereof:

- (a) Long service leave, including for casual employees, is provided for in Division 9 of the QES. Clauses 22(b) to (d) supplement the QES.

- (b) In lieu of the provisions of sections 95(2)(a) and (b) of the Act, all employees who complete 10 years' continuous service are entitled to long service leave at the rate of 1.3 weeks on full pay for each year of continuous service and a proportionate amount for an incomplete year of service.

10. By deleting the heading and first paragraph of clause 23 and inserting the following in lieu thereof:

23. Public holidays

Public holidays are provided for in Division 10 of the QES. Clause 23.1 supplements the QES provisions.

11. By deleting clause 24 and inserting the following in lieu thereof:

24. Jury service

Jury service is provided for in Division 12 of the QES.

12. By deleting clause 34(b)(i) and inserting the following in lieu thereof:

- (i) An authorised industrial officer may enter a workplace at which the employer carries on a calling of the officer's organisation, during the employer's business hours, to exercise a power under Chapter 9, Part 1, Division 5, Subdivision 2 of the Act as long as the authorised industrial officer:
 - (A) has notified the employer or the employer's representative of the officer's presence; and
 - (B) produces their authorisation, if required by the employer or the employer's representative.

13. By deleting clause 34(c)(i) and inserting the following in lieu thereof:

- (i) An authorised industrial officer is entitled to inspect the time and wages record required to be kept under section 339 of the Act.

14. By deleting the Note which appears at the foot of clause 34 and inserting the following in lieu thereof:

Note: Clause 34 - Right of entry, deals with comparable provisions contained within the Act. In order to ensure the currency of existing legal requirements parties are advised to refer to Chapter 9, Part 1, Division 5 of the Act as amended from time to time.

Dated: 1 March 2017

M. Shelley,
Deputy Industrial Registrar.

Variation approved, pursuant to s 149(2) of the Act:

D.L. O'Connor,
Deputy President.

Released: 1 March 2017

Operative Date: 1 March 2017
Variation