

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *Re: In the matter of an Application to vary the WorkCover Queensland Employees Award - State 2015 QIRC 137*

PARTIES: WorkCover Employing Office  
Together Queensland, Industrial Union of Employees

CASE NO: MA/2016/17

PROCEEDING: Variation of a modern award

DELIVERED ON: 5 December 2016

HEARING DATE: 5 December 2016

HEARD AT: Brisbane

MEMBERS: Deputy President O'Connor  
Deputy President Swan  
Industrial Commissioner Thompson

ORDERS: **1. The WorkCover Queensland Employees Award - State 2015 be varied in the terms set out in the attached Determination; and**  
**2. The Determination operate on and from 5 December 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 - WorkCover Queensland Employees Award - State 2015* varied.

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

APPEARANCES: Ms C. Bushell for WorkCover Employing Office.

## Reasons for Decision

- [1] An Application to vary the *WorkCover Queensland Employees Award - State 2015* (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 WorkCover Employing Office and Together Queensland, Industrial Union of Employees.
- [3] The making of the Determination to vary the Award is supported by all of the relevant parties.
- [4] In the circumstances, the Full Bench is satisfied that it is appropriate for the Application for the making of the Determination to be approved.
- [5] The Determination varying the Award will operate on and from 5 December 2016.
- [6] The Commission issues the following Orders:
- 1. the *WorkCover Queensland Employees Award - State 2015* be varied in the terms set out in the attached Determination; and
  - 2. the Determination operate on and from 5 December 2016.