



The Hon Jarrod Bleijie MP
Attorney-General and Minister for Justice

In reply please quote: 519306/16, 2510490

02 MAY 2014

Ms Dianne Linnane
Vice-President
Queensland Industrial Relations Commission
GPO Box 373
BRISBANE QLD 4001

Level 18 State Law Building
50 Ann Street Brisbane 4000
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone +61 7 3247 9068
Facsimile +61 7 3221 4352
Email attorney@ministerial.qld.gov.au

Dear Vice-President Linnane

Thank you for your correspondence dated 1 May 2014 in which you raise concerns about the timetable for the completion of award modernisation. I acknowledge your concerns and would like to thank you and the Queensland Industrial Relations Commission (the Commission) for the work to date in expediting the award modernisation process.

The award modernisation process was initiated to streamline Queensland awards by removing non-allowable content, reducing duplication and anomalies, while retaining a safety net of conditions that will promote job creation and balance the interests of Queensland employers and employees. The original deadline for the completion of the modern award process was selected to expedite the process and minimise workplace disruption. In response to your concerns, I have recourse to section 140CA of the *Industrial Relations Act 1999* (IR Act), which allows the Minister to vary the award modernisation request by written notice (a variation notice) given to the Commission.

Accordingly, I issue to you as Vice-President of the Commission, the enclosed variation notice to the award modernisation request.

The variation extends the deadline for the completion of the award modernisation process until 31 December 2015. It also provides a framework for the sequencing of the award modernisation process that I would request the Commission have regard to when establishing its modernisation timetable. If necessary I invite the Commission to contact me should further consideration be required, in relation to the framework for award modernisation identified in the variation notice.

Could you please arrange for the variation notice to be published on the Commission website in accordance with section 140CB(2) of the IR Act.

Should you have any queries, please contact Mr Tony James, Executive Director, Private Sector Industrial Relations, Department of Justice and Attorney-General, on (07) 3225 2353, who will be pleased to assist.

I trust this information is of assistance.

Yours sincerely

JARROD BLEIJIE MP
Attorney-General and Minister for Justice

Enc.

**VARIATION OF AWARD MODERNISATION REQUEST UNDER
SECTION 140CA**

VARIATION NOTICE

I, JARROD BLEIJIE, ATTORNEY-GENERAL AND MINISTER FOR JUSTICE, pursuant to Section 140CA(1) of the *Industrial Relations Act 1999* ("the Act"), vary my award modernisation request as follows.

1. Omit clauses 17, 18(b) and substitute:

Timing

17. The Commission is to complete the award modernisation process by 31 December 2015.

18. To that end, the Commission shall:

- b) by:
 - i. 30 May 2014, revise the timetable for completing the modernisation process in consideration of this variation notice;
 - ii. 31 August 2014, have created a modern award or awards for each of the industries or occupations identified at paragraph 19(a) to (d);
 - iii. 30 April 2015, have created a modern award or awards for the industries or occupations identified at paragraph 19(e) to (m); and
 - iv. 31 December 2015, have created a modern award or awards for all remaining industries and occupations.

2. Insert new subclauses 18(d) and (e):

- d) where an agreement has become a 'continuing agreement', ensure that the relevant award or awards are modernised no later than the nominal expiry date of the 'continuing agreement'; and
- e) endeavour to complete the modernisation of all awards timetabled after 30 April 2015 no later than the nominal expiry date of relevant certified agreement.

3. Omit clauses 19, 22, 26 and 27 and substitute:

List of priority industries/occupations

19. In developing a timetable for completing the award modernisation process, the Commission is required to prioritise the creation of modern awards covering the following industries or occupations:

- (a) Health (as defined in Schedule 1);
- (b) Local government (excluding Brisbane City Council);
- (c) Public service (see paragraph 22 below);

- (d) Rail;
- (e) Building, Engineering and Maintenance;
- (f) City Parklands Transitions Services;
- (g) Cultural Centres (to cover Gallery of Modern Art, Queensland Art Gallery, Queensland Museum and State Library of Queensland);
- (h) Health (as defined in Schedule 2);
- (i) Local Government (Brisbane City Council);
- (j) Stadiums Queensland;
- (k) Parents and Citizens;
- (l) TAFE; and
- (m) Water distributions entities.

Public Service

22. With reference to paragraph 19(c) above, the QIRC should give consideration to:

- (a) making a single consolidated award for employees engaged in the Queensland public service in administrative, professional, technical and related 'white collar' occupations under the follow awards:

Queensland Public Service Award – State 2012
 Crime and Misconduct Commission Employees Award – State 2012
 Queensland Building Services Authority Award – State 2012
 QRAA Award – State 2012
 Residential Tenancies Authority Employees' Award – State 2012
 Safe Food Production Queensland - Employees' Award 2012

- (b) making a modern "stand alone" award for each of the following awards:

Legal Aid Queensland Employees Award – State 2012
 Parliamentary Service Award – State 2012
 Tourism Queensland Employees' Award – State 2012
 Workers' Compensation Queensland Award – State 2012

- (c) making a single consolidated award for employees engaged in the Queensland public service in operational and related 'blue-collar' occupations under the following awards under the Employees of Queensland Government Departments (Other than Public Servants) Award – State 2012 and other relevant awards as identified by the QIRC.

26. Following this initial report, the Vice-President is to provide the Attorney-General with regular reports outlining:

- (a) those industries and/or occupations undergoing or about to commence award modernisation;
- (b) the progress of award modernisation, including any significant developments during the previous period and key issues or developments scheduled for the next period;
- (c) any other matters which the Vice-President considers appropriate; and
- (d) a response to any matters raised by the Attorney-General.

27. The reports are due by:

- (a) 31 March 2014;
- (b) 31 August 2014;
- (c) 31 December 2015;
- (d) 31 May 2015;
- (e) 31 December 2015.

4. Omit Schedule 1 and substitute:

Schedule 1 – Clause 19(a) List of priority industries /occupations – Health

For the purposes of prioritisation, Health includes:

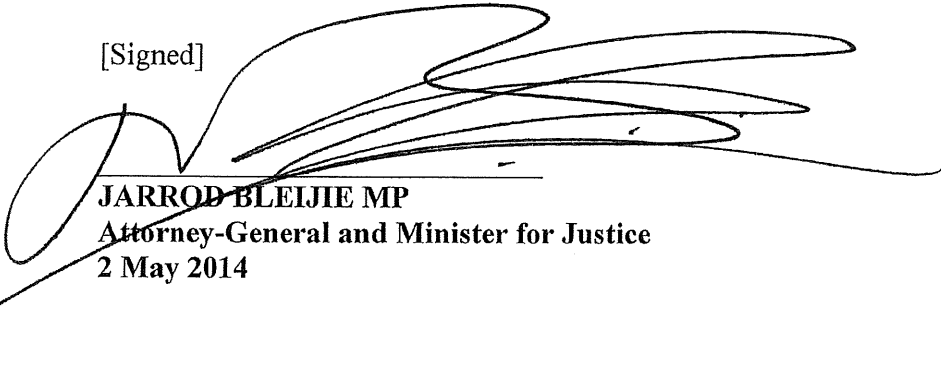
- a) Health Professionals (including dentists and health practitioners)
- b) Nurses and Midwives
- c) Medical Officers

5. Insert Schedule 2:

Schedule 2 – Clause 19(h) List of priority industries /occupations – Health

- a) Hospital and Health Services (including health support services, professionals, technical, operational and administrative officers)

[Signed]



JARROD BLEIJIE MP
Attorney-General and Minister for Justice
2 May 2014