

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Queensland Police Service Protective Services Officers Certified Agreement 2019* [2020] QIRC 130

PARTIES: **State of Queensland (Queensland Police Service)**
(Applicant)

v

Together Queensland, Industrial Union of Employees
(Respondent)

CASE NO: CB/2020/60

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 25 August 2020

MEMBER: Hartigan IC

HEARD AT: On the papers

ORDER: **1. The *Queensland Police Service Protective Services Officers Certified Agreement 2019* is certified.**

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for certification of an agreement – Requirements for certification – Agreement certified

LEGISLATION: *Industrial Relations Act 2016* (Qld), s 189, s 193, s 198, s 199, s 200, s 201, s 216, s 227, s 228, s 952R, s 952S, s 952T, s 952U, s 952V, s 952W, s 952X, s 952Y

Reasons for Decision

- [1] The State of Queensland (Queensland Police Service) ("the Service") has applied to certify the *Queensland Police Service Protective Services Officers Certified Agreement 2019* ("the agreement"), pursuant to s 189¹ of the *Industrial Relations Act 2016* (Qld) ("the Act").
- [2] Pursuant to s 952S(2) of the Act, the application must be decided without a hearing. I have had regard to the material filed in support of the application, including the affidavit of Douglas Smith, Deputy Commissioner (Strategy and Corporate Services) and the affidavit of Debbie Paterson, General Manager Human Resources, Public Safety Business Agency, each filed on 19 August 2020.
- [3] As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was signed.
- [4] The parties bound by this agreement² are:
- the Commissioner of the Queensland Police Service;
 - Together Queensland, Industrial Union of Employees; and
 - the employees contained in cl 1.3(1) of the agreement, being "persons employed at Protective Services a business unit of the Queensland Police Service for whom classifications and wage rates are prescribed herein."
- [5] Whilst s 952W of the Act excludes the application of s 196 of the Act, I note that the agreement has been signed for and by all parties to the agreement.
- [6] In certifying the agreement, I am satisfied that each relevant requirement pursuant to Chapter 4, part 5, division 2, subdivision 2, as modified by Chapter 15A, of the Act has been discharged. I further note that s 952Y of the Act operates so that the provisions of Chapter 4, part 5, division 2, subdivision 3 do not apply.³
- [7] The agreement operates from the day it was certified, namely 25 August 2020.⁴ Although the nominal expiry date of the agreement is 30 June 2022, the agreement continues to operate until it is terminated pursuant to ss 227 or 228 of the Act.

¹ As modified by s 952R of the Act.

² See cl 1.3(3) of the agreement.

³ Including ss 204-209 of the Act, "Refusal to grant applications".

⁴ See s 216(1) of the Act.

[8] The application to certify the *Queensland Police Service Protective Services Officers Certified Agreement 2019* is granted.

[9] I make the following order:

- 1. The *Queensland Police Service Protective Services Officers Certified Agreement 2019* is certified.**