

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *Declaration of General Ruling (State Wage Case 2019)* [2019] QIRC 170

PARTIES: **Queensland Council of Unions**

and

**Together Queensland, Industrial Union of Employees**

and

**The Australian Workers' Union of Employees, Queensland**  
(Applicants)

v

**State of Queensland (Office of Industrial Relations)**  
(First Respondent)

and

**Local Government Association of Queensland**  
(Second Respondent)

CASE NO: B/2019/32; B/2019/33; B/2019/34

PROCEEDING: Application for Declaration of General Ruling

DELIVERED ON: 7 November 2019

HEARING DATE: 9 October 2019

HEARD AT: Brisbane

MEMBERS: O'Connor VP  
Thompson IC

Hartigan IC

## STATE WAGE CASE 2019

### DECLARATION OF GENERAL RULING

This Commission declares by way of General Ruling that all modern awards of the Commission be amended to include the following provisions:

[1] **Arbitrated Wage Adjustment**

- (a) The wage or salaries for full-time adult employees in all modern awards shall be increased by 3.0 per cent from 1 September 2019.
- (b) The wage rates of full-time junior employees shall be increased by applying the percentage in the wage rates clause applicable to the junior employee concerned to the wage rate payable to an equivalent full-time adult employee under the applicable award.
- (c) The wage rates of part-time and casual employees shall be increased in the manner prescribed in each award or, if no manner is prescribed, on a *pro rata* basis appropriate to the increase in the wage rate payable to an equivalent full-time adult employee under the applicable award.
- (d) The wage rates in the *Training Wage Award – State 2012* and Schedule 8 of the *Parents and Citizens Associations Award – State 2016* shall be increased by the Registrar in accordance with past practice based on a 3.0 per cent increase at the C10 level in the *Building, Engineering and Maintenance Services Employees (Queensland Government) Award – State 2016*.
- (e) The unit or per piece rate for a pieceworker shall be increased by 3.0 per cent.
- (f) Monetary allowances (other than expense related allowances) in all modern awards that relate to work or to conditions, which have not changed, are to be increased by 3.0 per cent.
- (g) Expense related allowances in all modern awards are to be adjusted in the manner prescribed in applicable awards, with rounding to be in accordance with subparagraph (i).
- (h) The new wages or salaries in modern awards consequent upon this General Ruling shall be expressed as follows:

- annual wage/salary – to the nearest \$1.00 (with \$0.50 and above being taken upwards);
  - fortnightly wage/salary – to the nearest \$1.00 (with \$0.50 and above being taken upwards);
  - weekly wage/salary – to the nearest \$0.50 (with \$0.25 and above being taken upwards);
  - hourly wage/ salary (including for casuals) – to the nearest \$0.01 (with \$0.005 and above being taken upwards); and
  - daily, weekly or fortnightly additional payments included in a wages or salaries clause (e.g. extra payment per tonne for operating a mobile crane; Aboriginal and Islander community schools allowance) – to the nearest \$0.05 (with \$0.025 and above being taken upwards).
- (i) The new piece work rates and monetary allowances consequent upon this General Ruling, as well as expense related allowances, shall be expressed as follows:
- annual amount – to the nearest \$1.00 (with \$0.50 and above being taken upwards);
  - fortnightly amount – to the nearest \$0.10 (with \$0.05 and above being taken upwards);
  - weekly amount – to the nearest \$0.05 (with \$0.025 and above being taken upwards);
  - daily amount – to the nearest \$0.01 (with \$0.005 and above being taken upwards);
  - hourly amount – to the nearest \$0.01 (with \$0.005 and above being taken upwards);
  - per unit/piece, occurrence or event (e.g. per kilometre travelled; launder an item; mark an exam paper; undertake an Air Ambulance flight; deliver a lecture) – to the nearest \$0.01 (with \$0.005 and above being taken upwards) unless otherwise specified in an award;
  - meal allowance – to the nearest \$0.05 (with \$0.025 and above being taken upwards); and
  - a specified amount which is not a per day/ hour/ weekly/ fortnightly or annual amount (e.g. maximum reimbursable amount for loss of tools; maximum deposit on uniforms) – to the nearest \$1.00 (with \$0.50 and above being taken upwards).

- (j) An award which prescribes or requires an alternative method of adjustment to wages, salaries or allowances than that recorded above shall be adjusted as follows:
- in the manner prescribed in the award concerned; or
  - where a Member of the Commission has approved a method of calculation of wage rates as agreed to by the parties to an award - the Registrar may amend the award concerned in the agreed manner, which will be regarded as satisfying the requirements of this General Ruling.
- (k) In giving effect to this General Ruling, the Registrar shall have recourse to a Member of this Full Bench, as may be necessary, on the Registrar's own initiative or an application by a party to an award.

[2] **Queensland Minimum Wage**

- (a) The minimum wage rate per week for all full-time employees in Queensland, the Queensland Minimum Wage, is \$775.50 per week. (Note: The term "employee" is defined in section 8 of the *Industrial Relations Act 2016*).
- (b) An award free employee who is engaged on a part-time or casual basis shall be entitled to a minimum rate for each hour or part thereof worked (including hours worked in excess of 38 per week) calculated by dividing the Queensland Minimum Wage by 38.
- (c) An award free pieceworker who is entitled to a rate derived from the weekly award rate for a full-time employee shall be entitled to derive that rate from the minimum rate per week for a full-time employee as stated in paragraph [2](a), above, if that minimum rate exceeds the otherwise nominated full-time weekly award rate.
- (d) An award free employee under the age of 21 shall be entitled to a minimum rate of pay calculated as a percentage of the Queensland Minimum Wage, as follows:

| <b>Age</b>   | <b>Percentage</b> | <b>Minimum Rate Per Week<sup>1</sup></b> |
|--|-------------------|--|
| 17 Years and under or 1 <sup>st</sup> year of experience | 55%               | \$426.50                                 |
| 18 years or 2 <sup>nd</sup> year of experience           | 65%               | \$504.00                                 |
| 19 years but less than 3 years of experience             | 75%               | \$581.50                                 |
| 3 <sup>rd</sup> year of experience                       | 85%               | \$659.00                                 |
| 20 years and over  | 100%              | \$775.50                                 |

*Notes:*

<sup>1</sup> Rounded to the nearest \$0.50.

[3] **Supported Wage**

- (a) The minimum amount payable to an employee in receipt of a supported wage under the supported wage system shall be \$87.00 per week.

[4] **Exceptions and Exclusions**

- (a) This General Ruling shall have no application to employees whose engagement is governed by an industrial instrument, other than a modern award, unless the terms of the industrial instrument provide otherwise.
- (b) Divisional and District parties and locality allowances prescribed in modern awards shall not be increased by this General Ruling.

[5] **Date of Operation**

- (a) This General Ruling shall apply on and from 1 September 2019.