

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Queensland Police Service Certified Agreement 2019* [2019] QIRC 174

PARTIES: **State of Queensland (Queensland Police Service)**  
and  
**Queensland Police Union of Employees**  
and  
**The Queensland Police Commissioned Officers' Union of Employees**

CASE NO: CB/2019/108

PROCEEDING: Certification of an agreement

DELIVERED ON: 15 November 2019

HEARING DATE: 15 November 2019

HEARD AT: Brisbane

MEMBER: O'Connor VP

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

CATCHWORDS: INDUSTRIAL LAW – application for certification of an agreement – requirements for certification – agreement certified

LEGISLATION: *Industrial Relations Act* 2016, s 189, s 191, s 216, s 227, s 228  
*Industrial Relations (Tribunals) Rules* 2011 r 93.

APPEARANCES: Mr R Gillespie of the Public Safety Business Agency for the Queensland Police Service  
Mr N Cooke of Counsel instructed by Hall Payne Lawyers for the Queensland Police Union of Employees  
Superintendent D Frieberg for The Queensland Police Commissioned Officers' Union of Employees

### Reasons for Decision

[1] The State of Queensland (Queensland Police Service) has made an application to certify the *Queensland Police Service Certified Agreement 2019* pursuant to section 189 of the *Industrial Relations Act 2016*. This Agreement replaces the *Queensland Police Service Certified Agreement 2016*.

[2] As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was made.

[3] An application was made by the Queensland Police Union of Employees (with the consent of the other parties) pursuant to rule 93 of the *Industrial Relations (Tribunals) Rules 2011* to shorten the prescribed time limits for certifying agreements under s 191 of the IR Act. The reason for the application is a concern for several employees who are approaching the mandatory retirement age under the *Police Service Administration Act 1990*. The Commission was provided with documentation which demonstrated that those retiring employees will be significantly worse off under the current 2016 agreement than the new agreement. There was an eagerness from all the parties to bring the hearing date of certification forward so that those retiring employees may retire under the new agreement. Having regard to the materials filed in support of the application and the unanimous support from all parties I am of the view that appropriate circumstances exist to exercise my discretion under rule 93 to shorten the prescribed time limits for certifying agreements.

[4] This Agreement will apply to:

- the Commissioner of the Queensland Police Service as the employer;
- The following persons:
  - i. Police Officers of the Service;
  - ii. Police Liaison Officers;
  - iii. Torres Strait Island Police Support Officers;
  - iv. Employees of the Police Pipes and Drums Band; and
  - v. Assistant Watchhouse Officers;
- The Queensland Police Union of Employees (QPUE); and
- The Queensland Police Commissioned Officers Union of Employees (QPCOUE).

[5] All executive officers appointed under the *Police Service Administration Act 1990* are not covered by this Agreement.

[6] The agreement operates from the day it was certified, namely 15 November 2019.<sup>1</sup> The nominal expiry date of the agreement is 30 June 2022 however, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

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<sup>1</sup> Ibid s 216(1).

[7] The application to certify the *Queensland Police Service Certified Agreement 2019* is granted.

[8] I make the following order:

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