

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: variation of the Stadiums Queensland Employees Award – State 2016*
[2020] QIRC 147

PARTIES: **State of Queensland (Office of Industrial Relations)**
(Applicant)

v

Together Queensland, Industrial Union of Employees
(First Respondent)

&

The Australian Workers' Union of Employees, Queensland
(Second Respondent)

&

United Voice, Industrial Union of Employees, Queensland
(Third Respondent)

&

The Electrical Trades Union of Employees Queensland
(Fourth Respondent)

CASE NO: MA/2020/12

PROCEEDING: Application

DELIVERED ON: 2 September 2020

HEARING DATE: On the Papers

MEMBER: Knight IC
HEARD AT: Brisbane

ORDER: **1. Application granted. Full Orders at end of decision.**

CATCHWORDS: INDUSTRIAL LAW – VARIATION OF A MODERN AWARD – application to vary a modern award.

LEGISLATION: *Industrial Relations Act 2016 (Qld) s 147*

Reasons for Decision

- [1] The State of Queensland (Office of Industrial Relations) has filed an application pursuant to s 147 of the *Industrial Relations Act 2016* ("the Act") to vary the *Stadiums Queensland Employees Award – State 2016* ("the Award"). The Australian Workers' Union of Employees, Queensland, has raised no objections to the proposed variation, whereas the remaining union parties have consented.
- [2] The proposed variation is purposed to remove hours-based barriers to increment progression in relation to part-time employees to whom the Award applies.
- [3] Clauses 12.3.2 of the Award applies a requirement for a part-time employee in the childcare stream to work 1000 hours prior to moving to the next increment within a classification level.
- [4] The Award covers no part-time employees (as at August 2020) who are subject to the provision applying an hours-based barrier to increment progression.
- [5] In her affidavit of 12 August 2020, Ms Tara Armstrong, Director of Industrial Relations (Public Sector), deposes that female employees are disproportionately engaged on a part-time basis across the public service generally. This, she says, is a factor contributing to the gender pay gap – something the proposed variation is intended and projected to ameliorate.
- [6] I grant the application and make the necessary orders to vary the Award.

Orders

Pursuant to s 147 of the Act, the *Stadiums Queensland Employees Award – State 2016* is varied as follows:

1. **By deleting clause 12.3.2(b)(iii).**
2. **The variation of the Award will operate on and from 2 September 2020.**