

## Employment Information Statement for employees in the Queensland industrial relations system

The Industrial Relations Act 2016 (QLD) provides that all new employees will receive this information sheet from their employer before, or as soon as practicable after, starting work. It provides important information about your employment entitlements and other matters within Queensland's industrial relations system.

### Queensland Employment Standards

Chapter 2 of the Industrial Relations Act 2016 provides a safety net of minimum terms and conditions of employment known as the Queensland Employment Standards. These Standards are:

- The Queensland minimum wage (Division 2).
- A maximum standard working week of 38 hours, plus 'reasonable' additional hours (Division 3).
- A right to request flexible working arrangements (Division 4).
- Four weeks annual leave (Division 5).
- Sick/carer's leave per year; compassionate or bereavement leave for each permissible occasion; and cultural leave per year (Division 6).
- Domestic and family violence leave per year (Division 7).
- Parental leave up to 52 weeks with a right to request a further 52 weeks (Division 8).
- Long service leave (Division 9).
- Public holiday employment provisions (Division 10).
- Emergency service leave (Division 11).
- Jury service leave (Division 12).
- Notice of termination and redundancy provisions (Division 13).
- A requirement to give new employees this information statement and a document specifying the name of their industrial instrument (Division 14).

Generally pro rata arrangements apply to paid leave entitlements under the Queensland Employment Standards for employees, other than casual employees, working less than full-time. The Industrial Relations Act 2016 also distinguishes between long term and other casual employees. Generally casual employees are not entitled to paid leave, however, a casual employee may have an entitlement to unpaid carer's leave, bereavement and compassionate leave, cultural leave and domestic and family violence leave. A long term casual employee also has an entitlement to long service leave. You should always check the Queensland Employment Standards and any applicable industrial instrument for the terms and conditions of your employment.

### Industrial Instruments

Industrial instruments, provided for under Chapters 3 and 4 of the Industrial Relations Act 2016, also contain terms and conditions for employment. Types of industrial instruments include a modern award, a bargaining award, a certified agreement and a determination.

- A **modern award** is made by the Queensland Industrial Relations Commission. Modern awards provide employment conditions that must be at least as favourable as the Queensland Employment Standards.
- A **certified agreement** is made between an employer and either the relevant union/s, or where there is no relevant union, the employees of the employer. The Queensland Industrial Relations Commission certifies the agreement. A modern award and a certified agreement may apply to an employee at the same time, however the provisions of the certified agreement prevail to the extent of any inconsistency.
- A **bargaining award** is an award made between an employer, a group of employees of the employer, and a relevant union. A bargaining award may only be made with the consent of all parties to be covered by it.
- A **determination** is made by the full bench of the Queensland Industrial Relations Commission when the parties cannot reach an agreement.

### **Freedom of association and workplace rights (general protections).**

Chapter 8 of the Industrial Relations Act 2016 provides protections against adverse action during employment or leading to dismissal from employment. These protections relate to workplace rights, freedom of association (including the right to become or not become a member of a union), and against unlawful workplace discrimination and coercion.

If you experience adverse action by your employer you can seek the assistance of your union, industrial advisor or the Queensland Industrial Relations Commission. Applications relating to general protections where you have been dismissed must be lodged within 21 days of dismissal.

**Termination and redundancy** — Termination of employment can occur for a number of reasons, including redundancy, resignation and dismissal. The Industrial Relations Act 2016 at Chapter 2, imposes requirements around the termination of employment including notice requirements. Termination of employment provisions are also usually found in the applicable industrial instrument.

**Right of Entry** - Authorised officers of industrial organisations may enter workplaces, under certain circumstances, to exercise powers under the Industrial Relations Act 2016 such as inspecting time and wages records and discussing industrial matters with members and eligible members of the industrial organisation. Authorised officers also have a right to enter a workplace under the Work Health and Safety Act 2011.

### **The Queensland Industrial Relations Commission.**

The Queensland Industrial Relations Commission is an independent tribunal that deals with industrial matters including award and enterprise bargaining, industrial disputes and other breaches of the Industrial Relations Act 2016, and the regulation of industrial organisations.

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