

Queensland Police Union of Employees

217 North Quay, Brisbane, Qld 4000. Telephone (07) 3259 1900

ABN 75 781 631 327

Industrial Relations (Fair Work Act
Harmonisation No.2)
Submission 024



Fax: (07) 3259 1994
Email: ileavers@qpu.asn.au

Ian Berry MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

25 October 2013

Dear Ian,

**RE: *Industrial Relations (Fair Work Act Harmonisation No. 2)
and Other Legislation Amendment Bill 2013***

I write in relation to concerns members of the Queensland Police Union ("QPU") have raised with me concerning the above Bill and the proposed changes to Industrial Relations legislation in Queensland.

Attached is a submission the QPU have prepared for the Committee to consider.

I am also available to attend the public inquiry element of consideration of this bill by your committee.

I am available on 3259 1900 should you wish to discuss any of the matters I have raised.

Yours Faithfully

A handwritten signature in dark ink, appearing to read 'Ian Leavers', is written over a light blue circular stamp.

IAN LEAVERS
GENERAL PRESIDENT & CEO

Queensland Police Union of Employees Submission

Legal Affairs and Community Safety Committee

Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill 2013

The QPUE has numerous concerns in relation to the proposed changes contained in the *Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill 2013* and concurs with the submission from the QCU as it relates to the Award Modernisation process, the removal of Collective Bargaining rights for QPUE members, the rigid imposition of allowable and non-allowable matters and the negative impact on current flexible industrial arrangements. In addition to these concerns the QPUE has specific concerns in relation to the following:

Section 71 EG

Provides for the cashing out of annual leave. This is of particular concern to the QPUE because when the provision to allow the cashing out of long service leave was introduced a disproportionately large number of Police Officers made application to the QIRC to cash out their long service leave. Therefore if employees are able to cash out annual leave, there is a high likelihood that a large number of Police Officers will seek to do so. The concern is that these Officers who work in highly stressful positions will not receive sufficient quality time off, which will lead to negative health outcomes.

71IB (4) (b)

The penalty for employees not covered by a modern industrial instrument for working a public holiday is ordinary time. By their very nature Public Holidays can be some of the busiest shifts for Police Officers. To reduce Public Holiday rates to ordinary time is intrinsically unfair and will cause considerable angst amongst QPUE members.

Sections 191 and 192

The concept of High-Income Senior Positions being created for employees earning over \$129,300.00 will have a negative impact on attracting Police Officers to remote rural communities and "hard-to-fill" locations. By way of background it is relevant to note that during the recent EB negotiations the QPS claim to remove two weeks annual leave from "non shift workers" would have meant that Police Officers at all one and two officer stations, small rural stations and most aboriginal communities would have lost two weeks annual leave. Whilst this claim was ultimately dropped by the QPS, there is a view that this claim will be tabled again during future EB negotiations and there is anecdotal evidence that this belief is continuing to have a negative impact on attraction and retention of officers to/in these localities.

This concept of High-Income Senior Position will further impact on Police Officers based in the above mentioned one and two officer stations and aboriginal communities as they receive a 35% all-up allowance (shifts, weekend penalties, overtime and leave loading) which may push

them into the High-Income Senior Position category. Therefore the possibility of these officers being compelled onto an individual contract will only exacerbate the problem of attracting officer to rural communities. This provision will also lead to more officers currently stationed in rural localities seeking to transfer back to more "secure" positions in Brisbane or large metropolitan cities.

Section 391A

Makes it an offence for an employer to provide payroll deductions to employees. The Queensland Police Service currently allows sworn officers to pay their Union dues via payroll deductions. When this clause comes into effect on 1 July, 2014 the potential consequence will be that many Police Officers become unfinancial. Given that this is immediately prior to G20 it is our view that this will have a negative impact on the operational capacity of the Queensland Police Service. Firstly, it will be extremely unhelpful to have the QPUE and members distracted by Union dues payment arrangements when there is more important issues to be concentrating on. Secondly there is a long established custom and practice prior to major events (CHOGM, Schoolies, Indy etc.) whereby the QPS and QPUE negotiate a range of operational arrangements (hours of work, shifts, travel arrangements, travel allowances, meals and accommodation) that maximise the efficient policing of the event. The QPS are able to agree on these arrangements with the QPUE, confident in the knowledge that the QPUE represents nearly 100% of all sworn officers. To disturb this efficient relationship immediately prior to G20 is in our view operationally unsound.

Section 71OK and Section 710L(1)

Disallows the Award and Certified Agreement from containing provisions about training which will directly interfere with the current arrangement whereby Senior Officers from Ethical Standards Command are given direct access to QPUE Representatives to provide advice on disciplinary matters.