



MINISTER ASSISTING THE PREMIER

For the purposes of section 52(3) of the *Public Service Act 2008*, this directive prevails over an industrial instrument. Section 687(2) of the *Industrial Relations Act 1999* does not apply to this directive.

DIRECTIVE No. 12/12
NOVEMBER 2012

1. **TITLE:** **State Wage Case and Certified Agreements**
2. **PURPOSE:** This ruling provides that State Wage Cases do not increase the wages paid under certified agreements.
3. **LEGISLATIVE PROVISIONS:** Sections 52 and 54 of the *Public Service Act 2008*. Section 687 of the *Industrial Relations Act 1999*.
4. **APPLICATION:** This directive applies to all public service employees who are covered by a certified agreement.
5. **DEFINITIONS:** **award** is as defined in the *Industrial Relations Act 1999* (Qld)

certified agreement is as defined in the *Industrial Relations Act 1999* (Qld)

State Wage Case means a General Ruling or a Statement of Policy of the Queensland Industrial Relations Commission made under section 287 or 288 of the *Industrial Relations Act 1999* (Qld) about the Queensland minimum wage
6. **RULING:** A State Wage Case does not increase the wages paid under a certified agreement.

However, where a State Wage Case has the effect that an award provides for wages which are greater than a certified agreement that applies to the employees covered by the award, the award wages prevail.
7. **EFFECTIVE DATE:** This directive is to operate from **30 November 2012**.
8. **VARIATION:** This directive can be varied by –
 - the Minister responsible for industrial relations; or
 - legislation.
9. **INCONSISTENCY:** Sections 52 and 54 of the *Public Service Act 2008* and sections 686 and 687 of the *Industrial Relations Act 1999* apply when there is an inconsistency between an act, regulation or industrial instrument.
10. **SUPERCEDES:** None.
11. **PREVIOUS REFERENCES:** None.