

Review of the *Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015* (the Bill).

### **Recommendation 1**

The Committee recommends that, should the Bill reach the second reading stage in the Parliament, the Minister provide clarification on the issue of redundancy pay entitlements in his Second Reading Speech.

### **Government Response**

#### **Accepted.**

Amendments will be made to clarify that redundancy payment entitlements can be included in a modern industrial instrument provided these provisions are no less favourable than the Queensland Employment Standard (QES).

Specifically, the *Industrial Relations Act 1999* and the Bill be amended as follows:

- s71KE(5), which currently prevents a modern Industrial Instrument from displacing the redundancy pay provisions, be omitted;
- s71NA be amended to provide that a modern Industrial Instrument may include a provision about a QES matter provided it is no less favourable than the QES. In particular, the current limitation at 71NA (2)(b) preventing this applying to redundancy pay, be omitted; and
- s71NCA to provide that a modern industrial instrument must not include a provision that displaces or is inconsistent with the QES, other than a provision that may be included under s 71NA.

### **Recommendation 2**

The Committee recommends that, should the Bill reach the second reading stage in the Parliament, the Minister consider amending the Bill to enable QIRC to develop a standard dispute resolution clause that could be available to parties and able to be amended by mutual agreement.

### **Government Response**

#### **Not accepted**

The Bill removes the previously mandated prescription for the dispute resolution clause and in its place provides the Queensland Industrial Relations Commission (QIRC) with a broad ambit of what is to be included in a dispute resolution clause. The Bill, as presented, supports the creation of a model dispute resolution clause by the QIRC, as the independent tribunal and the appropriate body to prepare such a model clause, should it prefer to do so. The Minister shall bring the Committee's sound recommendation to the attention of the QIRC to consider the development of a default or model clause.