



# DECISION

*Fair Work Act 2009*

s.185 - Application for approval of a single-enterprise agreement

**Ramsay Health Care Australia Pty. Ltd.**  
(AG2019/4138)

**RAMSAY HEALTH CARE AUSTRALIA PTY. LTD. (RAMSAY HEALTH CARE), CLERICAL EMPLOYEES AND THE AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION - QUEENSLAND TOGETHER BRANCH, ENTERPRISE AGREEMENT, QUEENSLAND 2019-2022**

Health and welfare services

COMMISSIONER BOOTH

BRISBANE, 24 DECEMBER 2019

*Application for approval of the Ramsay Health Care Australia Pty. Ltd. (Ramsay Health Care), Clerical Employees and the Australian Municipal, Administrative, Clerical and Services Union - Queensland Together Branch, Enterprise Agreement, Queensland 2019-2022.*

[1] An application has been made under s.185 of the *Fair Work Act 2009* (the Act) by Ramsay Health Care Australia Pty. Ltd. (the Applicant) for approval of the *Ramsay Health Care Australia Pty. Ltd. (Ramsay Health Care), Clerical Employees and the Australian Municipal, Administrative, Clerical and Services Union - Queensland Together Branch, Enterprise Agreement, Queensland 2019- 2022* (the Agreement). The Agreement is a single enterprise agreement.

[2] Correspondence was sent to the Applicant and bargaining representatives on 22 November 2019, raising concerns in relation to the Agreement.

[3] The Applicant provided responses to the concerns raised on 26 November 2019. Further to these responses, a formal undertaking was requested in relation to the time off in lieu matter. The Applicant provided a signed undertaking, which was agreed to by the Australian Municipal, Administrative, Clerical and Services Union-Queensland Together Branch (the ASU), on 20 December 2019.

[4] The undertakings meets the requirements of s.190(3) of the Act and I have accepted them. As a result, the undertakings are then to be a term of the Agreement and are attached to this Decision as Attachment A.

[5] Subject to the undertaking provided, I am satisfied that each of the requirements of ss.186, 187, 188, and 190 of the Act as are relevant to this application for approval have been met.

[6] The ASU filed a Form F18 in this matter, advising that it supports approval of the Agreement by the Commission, and providing notice under s.183 of the Act that it wants the Agreement to cover it. In accordance with s.201(2), I note that the Agreement covers the ASU.

[7] The Agreement is approved and, in accordance with s.54 of the Act and clause 1.2 of the Agreement, will operate from 7 days from the date of approval of the Agreement. The nominal expiry date is 31 October 2022.



COMMISSIONER

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<AE506633 PR715615>

## Attachment A



20<sup>th</sup> December, 2019

IN THE FAIR WORK COMMISSION

FWC Matter No : AG2019/4138  
Applicant : Ramsay Health Care Australia Pty. Ltd.

Section 185 - Application for approval of a single enterprise agreement

### Undertaking - Section 190

I, Lynda Kae Hepworth, Queensland Human Resources Manager for Ramsay Health Care Australia Pty. Limited give the following undertakings with respect to the Ramsay Health Care Australia Pty. Ltd., Clerical Employees and The Australian Municipal, Administrative, Clerical and Services Union - Queensland Together Branch Enterprise Agreement Queensland 2019 - 2022 (the Agreement):

- 1 I have the authority given to me by Ramsay Health Care Australia Pty. Limited to provide undertakings in relation to this application before the Fair Work Commission.
- 2 **Undertaking regarding Clause 5.14 - Overtime taken as TOIL**  
The following paragraph will be added to Clause 5.14 as 5.14.4  
*Any outstanding accruals of TOIL an employee may have on termination, will be paid to the employee at the appropriate overtime rate.*
- 3 These undertakings are provided on the basis of issues raised by the Fair Work Commission in the Application before the Fair Work Commission.

A handwritten signature in black ink, appearing to read "L. Hepworth".

Lynda Hepworth  
Queensland Human Resources Manager

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