

QHA

QUEENSLAND HOTELS ASSOCIATION
UPDATE
NEWSLETTER

24 JAN 2020 - VOLUME 26 NUMBER 1 // QHA 2020 HOTEL SYMPOSIUM // ELECTRONIC SECURITY REGISTER GUIDELINE // POSITIVE NEWS ON ANNUALISED SALARIES // BUSH FIRE UPDATE // EMPLOYEE MANAGEMENT DURING NATURAL DISASTERS // IMPORTANT CHANGES // 2020 QHA MEMBERSHIP RENEWALS // QHA & IGT GOLF DAY // AUSTRALIA DAY 2020 PUBLIC HOLIDAY



ELECTRONIC SECURITY REGISTER GUIDELINES

The Commissioner for Liquor and Gaming has released a guideline for the use of an electronic security register (ESR). In Queensland, it is common practice for licensees to combine a security register and incident register and maintain a single register that contains all the required information. These requirements may now be sufficiently met through the use of an ESR.

An ESR is where required information is recorded electronically. It is required to be:

- Legible and sequentially numbered
- Bound upon printing when provided for inspection.

A compliant register (including an ESR) will be secure in its design and functionality so that information and records cannot be altered or deleted.

Access to a register will be only by authorised officers.

A compliant register must be accessible at all times and available for inspection while OFT, OLGR or QPS officers are at the licensed premises that a recorded incident relates to.

An authorised officer may ask a liquor licensee, the liquor licensee's approved manager, a crowd controller or a member of the liquor licensee's staff involved in an incident recorded in the register, to immediately provide copies or extracts of entries in the register about an incident to which the entries relate.

POSITIVE NEWS ON ANNUALISED SALARIES

The Fair Work Commission ('FWC') released a decision on 24 December, 2019 that is relevant to members who pay staff an annualised salary in accordance with clause 27.1 or 27.2 of the *Hospitality Industry (General) Award 2010* ('the HIGA').

Clause 27.2

We are pleased to advise that the FWC has accepted the Australian Hotels Association's ('AHA') argument that there should be no major change to the existing salaries absorption provision that applies to hotel managers under the HIGA. This is great news and the QHA congratulates and thanks Phil Ryan, AHA Director – Legal and Industrial Affairs, for his hard work and persistence on the annualised salaries matter.

Clause 27.1

Clause 27.1 (which applies to staff other than hotel managers) will be replaced by a model term developed by the FWC sometime in 2020. The new clause will not, however, take effect from 1 March, 2020 as initially anticipated. The FWC will consider further submissions from interested parties in relation to the 'outer limits' proposed for overtime and penalty rates, as contained in the most recent draft of the model clause. The FWC has indicated a new date for the changes to clause 27.1 of the HIGA will be determined in due course.

Further information will be communicated to members as it emerges.

BUSH FIRE UPDATE

Many members have approached the QHA regarding fundraising efforts for those communities effected by bushfires.

Nationally, the AHA have supported the Vinnies Campaign particularly for the communities in NSW and Victoria.

QHA are happy to assist members with their plans to fundraise, and as suggested late last year, we encourage members to seek out local options that have real impacts like supporting their Rural Fire Service. Alternatively, we would encourage members to support the long term resilience and mental health programs through Lifeline Darling Downs to support the communities around Stant-horpe and Warwick. Finally, our thoughts go out to QHA Member Binna Burra Lodge that was destroyed by fire and encourage all of our members to join the tourism industry in encouraging visits to the bushfire effected communities. These are the actions that will have the most impact long term as we get our fellow Queenslanders back on their feet.

EMPLOYEE MANAGEMENT DURING NATURAL DISASTERS

The bushfire emergency unfolding across Australia offers a timely opportunity to remind members of the provisions of the Fair Work legislation that may be relevant in a natural disaster.

One common question during times like this relates to when your workplace needs to shut due to circumstances outside of your control as an employer. It is important to note that during these periods of shut down, the employer's obligations to the employment relationship continue.

However, an employer can 'stand down' their employees for the period of the shut down in accordance with section 524 of the *Fair Work Act 2009* ("the Act"):

1. *An employer may, under this subsection, stand down an employee during a period in which the employee cannot usefully be employed because of one of the following circumstances:*
 - a. *industrial action (other than industrial action organised or engaged in by the employer)*
 - b. *a breakdown of machinery or equipment, if the employer cannot reasonably be held responsible for the breakdown;*
 - c. *a stoppage of work for any cause for which the employer cannot reasonably be held responsible.*

Closing your business due to a natural disaster will be viewed as a stoppage due to circumstances outside of your control as an employer (section 524(1)(c)). The above stand down provisions apply to full-time, part-time and casual employees, and the period of the stand down is UNPAID.

Please note: if a registered Workplace Agreement (such as a Collective Agreement or Enterprise Agreement) contains a stand down provision, you should refer to this in lieu of section 524 of the Act.

Alternatives to unpaid stand down include:

- Agreeing that an employee will take annual leave, or;
- The employer discretianarily deciding to pay, ensuring employees understand that no obligation exists to do so.

Further Information

Financial QHA members can seek assistance with reference to employment matters by phoning the ER Team on 07 3221 6999 or emailing er@qha.org.au.

2020 QHA MEMBERSHIP RENEWALS

A friendly reminder to all QHA members that 2020 membership is now overdue. If you are yet to renew for the new calendar year please do so at your earliest convenience to ensure you still receive and have access to all of the services offered to you by the QHA and AHA.



AUSTRALIA DAY 2020 PUBLIC HOLIDAY

Members are reminded that in 2020, the designated public holiday for Australia Day is Monday 27 January. This is because where Australia Day falls on a Saturday or Sunday, the Monday after that is recognised as the public holiday.

The QHA's list of public holidays in 2020 and guide summarising employee entitlements on public holidays under the *Hospitality Industry (General) Award 2010* ('the HIGA') are available for download on the QHA website or can be provided on request by contacting the ER team.

TRAINING JAN 2020 – MAR 2020

RESPONSIBLE MANAGEMENT OF LICENSED VENUES

Price: Member \$395.00 Non-members \$495.00

Time: 8:00am — 6:30pm

RMLV VIDEO CONNECT (ONLINE)

Date: 29 January

RMLV BRISBANE

Date: 4 February

RMLV GOLD COAST

Date: 17 February

RMLV TOOWOOMBA

Date: 17 February

RMLV BRISBANE

Date: 20 February

RMLV SUNSHINE COAST

Date: 24 February

RMLV VIDEO CONNECT (ONLINE)

Date: 25 February

RMLV TOWNSVILLE

Date: 3 March

RMLV BRISBANE

Date: 4 March

RMLV CAIRNS

Date: 5 March

GAMING NOMINEE TRAINING (GNT)

Price: Member / Non-members \$495.00

Time: 9:00am — 5:00pm

GNT VIDEO CONNECT (ONLINE)

Date: 6 February

GNT BRISBANE

Dates: 21 February

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Visit www.qha.org.au for any training courses mentioned here or contact the QHA

Training Dept. on (07) 3221 6999 or

Email: Training@qha.org.au

RTO: 30826