

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 6) 2016 [2017] QIRC 044*

PARTIES: Director-General, Queensland Health

and

Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

and

Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

and

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

and

The Electrical Trades Union of Employees Queensland

CASE NO: CB/2017/8

PROCEEDING: Certification of an Agreement

DELIVERED ON: 25 May 2017

HEARING DATE: 19 May 2017

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **The Application to certify the *Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 6) 2016* is granted.**

CATCHWORDS: Industrial Law – Application for Certification of an Agreement – Requirements for Certification.

CASES: *Industrial Relations Act 2016*, s 189, s 193, s 195, s 196, s 197, s 198, s 199, s 200, s 201, s 204, s 205, s 206, s 207, s 208, s 209, s 216, s 227, s 228.

APPEARANCES: Mr E. Lynch for the State of Queensland (Queensland Health).

Ms S. Fogarty for the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees.

Decision

- [1] An Application to the Commission to certify an Agreement, pursuant to s 189 of the *Industrial Relations Act 2016* (the Act), has been made by the Director-General, Queensland Health. The Agreement is to apply to Building, Engineering and Maintenance employees employed by Queensland Health, Hospital and Health Services and the Queensland Ambulance Service. The Application has been made within 21 days of the date on which the Agreement was made (see s 189(3) of the Act).
- [2] The Agreement is between the Director-General and the undermentioned employee organisations:
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; and
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; and
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
 - The Electrical Trades Union of Employees Queensland,
- and has been signed by, or for all of, the parties.
- [3] In proceedings on Friday 19 May 2017 the Commission as presently constituted certified the Agreement subject to the parties addressing a number of typographical and other wordsmithing changes – none of which affected the meaning and/or content of the Agreement. These matters have now been settled.
- [4] In certifying the Agreement, the Commission recorded (see s 193(1)(a) and (b) of the Act):
- each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act is satisfied for the Application (see ss 195, 196, 197, 198, 199, 200(1)(b) and 201(b)); and
 - there is nothing in the Agreement which would require the Commission to refuse to grant the Application under subdivision 3 of Division 2 of Part 5 of the Act (see

ss 204, 205, 206, 207, 208 and 209).

- [5] The Commission also noted that the wage increases recorded at clause 2.4.1 of the Agreement will be applied administratively by Queensland Health, Hospital and Health Services and the Queensland Ambulance Service from 1 September 2016.
- [6] In accordance with s 216(a) of the Act the Agreement starts operating on the day it is certified, *viz* 19 May 2017. Although the nominal expiry date of the Agreement is 31 August 2019, the Agreement will continue to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The Application to certify the *Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 6) 2016* is granted.