

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Sunshine Coast Council Field-Based Employees Certified Agreement 2017 (No.3) [2018] QIRC 026*

PARTIES: Sunshine Coast Council
and
The Australian Workers' Union of Employees, Queensland
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

CASE NO: CB/2018/10

PROCEEDING: Certification of an agreement

DELIVERED ON: 07 March 2018

HEARING DATE: 06 March 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: ***1. The Sunshine Coast Council Field-Based Employees Certified Agreement 2017 (No.3) is certified***

CATCHWORDS: INDUSTRIAL LAW – application for certification of an agreement – requirements for certification – agreement certified

LEGISLATION: *Industrial Relations Act 2016, s 228*

APPEARANCES: Mr P. Mulready for the Sunshine Coast Council

Ms K. J. Johnston for the Construction, Forestry,
Mining & Energy, Industrial Union of
Employees, Queensland

Mr B. Fullarton for The Australian Workers'
Union of Employees, Queensland

Ms J. Fiedler for the Automotive, Metals,
Engineering, Printing and Kindred Industries
Industrial Union of Employees, Queensland

Reasons for Decision

- [1] The Sunshine Coast Council has made an application to certify an agreement pursuant to section 189 of the *Industrial Relations Act 2016*. As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was made. The agreement is between the Sunshine Coast Council and the following employee organisations:
- The Australian Workers' Union of Employees, Queensland
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- [2] The agreement has been signed by all parties to the agreement.¹
- [3] The agreement is to apply to Sunshine Coast Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 6 March 2018 the Commission as presently constituted certified the agreement.
- [5] In certifying the agreement, the Commission recognises that:² each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;³ and, that there was 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.⁴

¹ *Industrial Relations Act 2016*, s 196(1).

² *Ibid* s 193(1)(a)-(b).

³ *Ibid* ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

⁴ *Ibid* ss 204, 205, 206, 207, 208, 209.

[6] The agreement operates from the day it was certified, namely 6 March 2018.⁵ Although the nominal expiry date of the agreement is 30 June 2020, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *Sunshine Coast Council Field-Based Employees Certified Agreement 2017 (No.3)* is granted.

[8] I make the following order:

1. **The *Sunshine Coast Council Field-Based Employees Certified Agreement 2017 (No.3)* is certified.**

⁵ Ibid s 216(a).