

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the Townsville City Council (Field and Other Employees) Certified Agreement 2017 [2018] QIRC 033*

PARTIES: Townsville City Council  
and  
The Australian Workers' Union of Employees, Queensland  
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland  
The Electrical Trades Union of Employees Queensland  
Transport Workers' Union of Australia, Union of Employees (Queensland Branch)  
Plumbers & Gasfitters Employees Union Queensland, Union of Employees

CASE NO: CB/2018/4

PROCEEDING: Certification of an agreement

DELIVERED ON: 15 March 2018

HEARING DATE: 15 March 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. *The Townsville City Council (Field and Other Employee) Certified Agreement 2017 is certified.***

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

LEGISLATION: *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

APPEARANCES: Ms S. Coburn, for the Townsville City Council  
Ms N. Sivakumar, for the Australian Workers' Union

### Reasons for Decision

[1] The Townsville City 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 Townsville City Council and the following employee organisations:

- The Australian Workers' Union of Employees, Queensland
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- The Electrical Trades Union of Employees Queensland
- Transport Workers' Union of Australia, Union of Employees Queensland Branch)
- Plumbers & Gasfitters Employees Union Queensland, Union of Employees

[2] The agreement has been signed by all parties to the agreement.<sup>1</sup>

[3] The agreement is to apply to Townsville City Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.

[4] In proceedings on 15 March 2018 the Commission as presently constituted certified the agreement.

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<sup>1</sup> *Industrial Relations Act 2016*, s 196(1).

[5] In certifying the agreement, the Commission recognises that:<sup>2</sup> each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;<sup>3</sup> 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.<sup>4</sup>

[6] The agreement operates from the day it was certified, namely 15 March 2018.<sup>5</sup> Although the nominal expiry date of the agreement is 31 December 2018, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *Townsville City Council (Field and Other Employee) Certified Agreement 2017* is granted.

[8] I make the following order:

- 1. The *Townsville City Council (Field and Other Employee) Certified Agreement 2017* is certified.**

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<sup>2</sup> Ibid s 193(1)(a)-(b).

<sup>3</sup> Ibid ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

<sup>4</sup> Ibid ss 204, 205, 206, 207, 208, 209.

<sup>5</sup> Ibid s 216(a).