

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Quilpie Shire Council Certified Agreement 2018* [2018] QIRC 058

PARTIES: Quilpie Shire Council  
,  
and  
The Australian Workers' Union of Employees,  
Queensland  
Construction, Forestry, Mining & Energy,  
Industrial Union of Employees, Queensland  
  
Queensland Services, Industrial Union of  
Employees

CASE NO: CB/2018/49

PROCEEDING: Certification of an agreement

DELIVERED ON: 11 May 2018

HEARING DATE: 11 May 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. The *Quilpie Shire Council Certified Agreement 2018* 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, s 228

APPEARANCES:

Ms N Sivakumar for The Australian Workers' Union of Employees, Queensland

Mr G Newman of the Local Government Association of Queensland Ltd, for the Quilpie Shire Council

Ms M Robertson for the Queensland Services, Industrial Union of Employees

**Reasons for Decision**

[1] The Quilpie Shire 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 Quilpie Shire Council and the following employee organisations:

- The Australian Workers' Union of Employees, Queensland
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- Queensland Services, Industrial Union of Employees

[2] The agreement is to apply to Quilpie Shire Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.

[3] In proceedings on 11 May 2018 the Commission as presently constituted certified the agreement.

[4] I note that the agreement is signed by all of the listed parties.<sup>1</sup>

[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 11 May 2018.<sup>5</sup> The

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

<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).

nominal expiry date of the agreement is 30 June 2021, however, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *Quilpie Shire Council Certified Agreement 2018* is granted.

[8] I make the following order:

**1. The *Quilpie Shire Council Certified Agreement 2018* is certified.**