

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Scenic Rim Regional Council Certified Agreement 2022 [2022] QIRC 274*

PARTIES: **Scenic Rim Regional Council**

AND

The Australian Workers' Union of Employees, Queensland

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

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

The Association of Professional Engineers, Scientists and Managers Australia, Queensland Branch, Union of Employees

Queensland Services, Industrial Union of Employees

Transport Workers Union of Australia, Union of Employees (Queensland Branch)

CASE NO: CB/2022/57

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 21 July 2022

HEARING DATE 21 July 2022

MEMBER: Hartigan IC

HEARD AT: Brisbane

ORDER: ***The Scenic Rim Regional Council Certified Agreement 2022 is certified.***

CATCHWORDS:	INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for certification of an agreement – requirements for certification – agreement certified
LEGISLATION:	<i>Industrial Relations Act 2016</i> (Qld) ss 189, 227 and 228
APPEARANCES:	Ms N. Hope and Ms C. McMahon of the Local Government Association Queensland for the Scenic Rim Regional Council Mr D. Marr of The Australian Workers' Union of Employees, Queensland Mr P. Dunbar of the Construction, Forestry, Mining & Energy, Industrial Union of the Employees, Queensland Mr D. Murphy and Ms M. Robertson of the Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] On 21 June 2022, the Scenic Rim Regional Council ('the Council') filed an application pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the IR Act') to certify the *Scenic Rim Regional Council Certified Agreement 2022* ('the agreement').
- [2] The named parties to the agreement are the Council and the following unions:
- (a) The Australian Workers' Union of Employees, Queensland;
 - (b) The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - (c) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (d) The Association of Professional Engineers, Scientists and Managers Australia, Queensland Branch, Union of Employees;
 - (e) Queensland Services, Industrial Union of Employees; and

(f) Transport Workers Union of Australia, Union of Employees (Queensland Branch)

[3] As required by s 189(3) of the IR Act, the application was made within 21 days of the date on which the agreement was signed by the parties.

[4] The agreement applies to the Council and employees employed in relevant professional, technical, operational, and administrative roles. However, the agreement does not apply to employees in which their employment contract states that pursuant to Div. 2 s 1, cl 4.2 of the *Queensland Local Government Industry (Stream A) Award – State 2017*.

[5] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 21 July 2022, and the material filed,¹ I am satisfied that:

(a) each relevant requirement under Ch 4, Pt 5, Sub-Div.2 of the IR Act has been satisfied; and

(b) there is nothing in the agreement which would require the Commission to refuse to grant the application under Ch 4, Pt 5, Sub-Div.3 of the IR Act.

[6] Accordingly, the application to certify the *Scenic Rim Regional Council Certified Agreement 2022* is granted.

[7] The *Scenic Rim Regional Council Certified Agreement 2022* operates from the date it was certified, namely 21 July 2022.

[8] Although the nominal expiry date of the *Scenic Rim Regional Council Certified Agreement 2022* is 30 June 2025, the agreement will continue to operate until it is terminated under ss 227 or 228 of the IR Act.

[9] I make the following order:

The *Scenic Rim Regional Council Certified Agreement 2022* is certified.

¹ Application for certification and affidavit of Mr Jon Gibbons, each filed on 21 June 2022.