

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the Fraser Coast Regional Council Certified Agreement 2021 [2022]*  
QIRC 095

PARTIES: **Fraser Coast Regional Council**

AND

**Queensland Services, Industrial Union of Employees**

**The Australian Workers' Union of Employees, Queensland**

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

**Automotive Metals, Engineering, printing & Kindred Industries Industrial Union of Employees Queensland**

**The Association of Professional Engineers, Scientists and Managers Australia**

**The Electrical Trade Union of Employees, Queensland**

**Plumbers and Gasfitters Employees Union of Queensland, Union of Employees**

CASE NO: CB/2022/13

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 16 March 2022

HEARING DATE: 16 March 2022

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: **1. The *Fraser Coast Regional Council Certified Agreement 2021* is certified**

CATCHWORDS: INDUSTRIAL LAW - COLLECTIVE BARGAINING - application for certification of agreement - requirements for certification - agreement certified

LEGISLATION: *Industrial Relations Act 2016* (Qld) s 189, ch 4, pt 5, div 2, sub-divs 2 and 3, s 227 and s 228

APPEARANCES: Mr D. Chen of NB Lawyers for the Fraser Coast Regional Council

Ms C. Noble of Fraser Coast Regional Council

Mr P. Dunbar of Construction, Forestry, Mining and Energy, Industrial Union of Employees

Mr K. Scherf of Automotive, Metals, Engineering, Printing & Kindred Industries Industrial Union of Employees Queensland

Ms J. Wiggan of Queensland Services, Industrial Union of Employees

Mr D. Marr of Australian Workers' Union of Employees Queensland

### **Reasons for Decision**

- [1] On 11 February 2022, the Fraser Coast Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Fraser Coast Regional Council Certified Agreement 2021* ('the agreement').
- [2] The named parties to the agreement are set out at Clause 1.3.2. In addition to the Applicant, the following employee organisations are listed as parties to the agreement:

- Queensland Services, Industrial Union of Employees;
  - The Australian Workers' Union of Employees, Queensland;
  - Construction, Forestry, Maritime, Mining & Energy, Industrial Union of Employees, Queensland;
  - Automotive Metals, Engineering, printing & Kindred Industries Industrial Union of Employees Queensland;
  - The Association of Professional Engineers, Scientists and Managers Australia;
  - The Electrical Trade Union of Employees, Queensland; and
  - Plumbers and Gasfitters Employees Union of Queensland, Union of Employees.
- [3] The terms of the agreement have been consented to by all the above-mentioned parties. Consequently, I am satisfied that upon certification, pursuant to s 189(2) of the Act, the agreement will cover all parties.
- [4] The agreement applies to Fraser Coast Regional Council and all its employees employed under:
- *Queensland Local Government Industry (Stream A) Award – State 2017;*
  - *Queensland Local Government Industry (Stream B) Award – State 2017;*
  - *Queensland Local Government Industry (Stream C) Award – State 2017;* and
  - *Training Wage Award – State 2012.*
- [5] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 16 March 2022, and the affidavit of Mr Kenneth Diehm, Chief Executive Officer of Fraser Coast Regional Council filed on 11 February 2022, I am satisfied that:
- each relevant requirement in Ch 4, Pt 5, Sub-Div.2 of the Act has been satisfied; and
  - there is nothing in the agreement which would require the Commission to refuse to grant the application pursuant to Ch 4, Pt 5, Sub-Div.3 of the Act.
- [6] Accordingly, the application to certify the *Fraser Coast Regional Council Certified Agreement 2021* is granted.
- [7] The *Fraser Coast Regional Council Certified Agreement 2021* operates from the date it was certified, namely 16 March 2022.
- [8] Although the nominal expiry date of the *Fraser Coast Regional Council Certified Agreement 2021* is 15 March 2024, the agreement will continue to operate until it is terminated under s 227 or 228 of the Act.
- [9] I make the following order:

1. **The *Fraser Coast Regional Council Certified Agreement 2021* is certified.**