

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Gladstone Regional Council Certified Agreement 2021 [2022]*
QIRC 129

PARTIES: **Gladstone Regional Council**

AND

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 Electrical Trade Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

Plumbers and Gasfitters Employees Union of Queensland, Union of Employees

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

CASE NO: CB/2022/32

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 5 April 2022

HEARING DATE: 5 April 2022

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: **1. The Gladstone 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: Ms N Hope of LGAQ for Gladstone Regional Council

Ms A Jack, the Association of Professional Engineers, Scientists and Managers Australia Union of Employees

Ms J Wiggan, Queensland Services, Industrial Union of Employees

Mr D Marr, the Australian Workers' Union of Employees, Queensland

Reasons for Decision

- [1] On 14 March 2022, the Gladstone Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016 (Qld)* ('the Act'), made an application to certify the *Gladstone Regional Council Certified Agreement 2021* ('the agreement').
- [2] The named parties to the agreement are set out at Clause 1.2. In addition to the Applicant, the following employee organisations are listed as parties to the agreement:
- 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 Electrical Trade Union of Employees, Queensland;
 - Queensland Services, Industrial Union of Employees;
 - Plumbers and Gasfitters Employees Union of Queensland, Union of Employees; and
 - The Association of Professional Engineers, Scientists and Managers Australia 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 Gladstone 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 5 April 2022, and the affidavit of Ms Leisa Dowling, Chief Executive Officer of Gladstone Regional Council filed on 14 March 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 *Gladstone Regional Council Certified Agreement 2021* is granted.
- [7] The *Gladstone Regional Council Certified Agreement 2021* operates from the date it was certified, namely 5 April 2022.
- [8] Although the nominal expiry date of the *Gladstone Regional Council Certified Agreement 2021* is 8 November 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 *Gladstone Regional Council Certified Agreement 2021* is certified.**