

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Barcaldine Regional Council Certified Agreement 2022 [2023] QIRC 008*

PARTIES: **Barcaldine Regional Council**

AND

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

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

The Australian Workers' Union of Employees, Queensland

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

Queensland Services, Industrial Union of Employees

CASE NO.: CB/2022/140

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 13 January 2023

HEARING DATE: 13 January 2023

HEARD AT: Brisbane

MEMBER: Merrell DP

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

CATCHWORDS: INDUSTRIAL LAW - QUEENSLAND - AGREEMENTS - application for certification of an agreement - requirements for certification - agreement certified

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

APPEARANCES:

Ms S. Mitanis and Ms C. Chacko of MBA Lawyers for the Barcaldine Regional Council.

Mr D. Marr for The Australian Workers' Union of Employees, Queensland.

Mr J. Maguire for the Queensland Services, Industrial Union of Employees.

Reasons for Decision

- [1] On 19 December 2022, the Barcaldine Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Barcaldine Regional Council Certified Agreement 2022* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisations:
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - The Australian Workers' Union of Employees, Queensland;
 - Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and
 - Queensland Services, Industrial Union of Employees.
- [3] The agreement is signed by all the above-mentioned parties.
- [4] The agreement applies to:
- the Applicant;
 - all the Applicant's employees covered by the *Queensland Local Government Industry (Stream A) Award - State 2017*, the *Queensland Local Government Industry (Stream B) Award - State 2017* and the *Queensland Local Government Industry (Stream C) Award - State 2017*; and
 - the employee organisations named in paragraph [2] above.

[5] Having regard to the submissions made by the parties who appeared today and to the affidavit of Mr Shane Gray, Chief Executive Officer of the Applicant, filed on 19 December 2022:

- I am satisfied of each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the Act; and
- there is nothing in the agreement which would require me to refuse to grant the application pursuant to ch 4, pt 5, div 2, sub-div 3 of the Act.

[6] The application to certify the *Barcaldine Regional Council Certified Agreement 2022* is granted.

[7] The *Barcaldine Regional Council Certified Agreement 2022* operates from 13 January 2023.

[8] Although the nominal expiry date of the *Barcaldine Regional Council Certified Agreement 2022* is 31 August 2025, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[9] I make the following order:

The *Barcaldine Regional Council Certified Agreement 2022* is certified.