

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the Rockhampton Regional Council Waste and Recycling Certified Agreement 2022 [2023] QIRC 097*

PARTIES: **Rockhampton Regional Council**

AND

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

AND

**Transport Workers' Union of Employees, Queensland Branch**

CASE NO: CB/2023/17

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 3 April 2023

HEARING DATE: 3 April 2023

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Rockhampton Regional Council Waste and Recycling Certified Agreement 2022 is certified.***

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

LEGISLATION: *Industrial Relations Act 2016, s 189, s 227, s 228*

APPEARANCES: N. Hope, Local Government Association of Queensland for the Rockhampton Regional Council

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

### Reasons for Decision

- [1] On 15 March 2023, the Rockhampton Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Rockhampton Regional Council Waste and Recycling Certified Agreement 2022* ('the agreement').
- [2] 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.
- [3] The named parties to the agreement are the Applicant, the Australian Workers' Union of Employees, Queensland and the Transport Workers' Union of Employees, Queensland Branch.
- [4] The agreement is signed by all the above-mentioned parties.
- [5] The agreement is to apply to the Rockhampton Regional Council and persons employed by Rockhampton Regional Council as Waste Collections Operators and Waste Facilities Employees who carry out duties at the Rockhampton Landfill who are members of the following unions or are eligible to become so and for whom a classification contained in this Agreement applies:
- The Australian Workers' Union of Employees, Queensland; and/or
  - Transport Workers' Union of Employees, Queensland Branch.
- [6] Having regard to the submissions made by the parties who appeared today,<sup>1</sup> and to the affidavit of Mr Evan Pardon, Chief Executive Officer, Rockhampton Regional Council, filed on 15 March 2023:
- 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.
- [7] The application to certify the *Rockhampton Regional Council Waste and Recycling Certified Agreement 2022* is granted.

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<sup>1</sup> Noting also the correspondence from Mr Richard Olsen, Branch Secretary of the Transport Workers' Union of Employees, Queensland Branch to the Industrial Registry dated 31 March 2023.

[8] The *Rockhampton Regional Council Waste and Recycling Certified Agreement 2022* operates from the day it is certified, namely 3 April 2023.

[9] Although the nominal expiry date of the *Rockhampton Regional Council Waste and Recycling Certified Agreement 2022* is 1 July 2026, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[10] I make the following order:

- 1. The *Rockhampton Regional Council Waste and Recycling Certified Agreement 2022* is certified.**