

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Cloncurry Shire Council Certified Agreement 2022 [2023] QIRC 107*

PARTIES: **Cloncurry Shire Council**

AND

The Australian Workers' Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

CASE NO.: CB/2023/19

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 11 April 2023

HEARING DATE: 11 April 2023

HEARD AT: Brisbane

MEMBER: O'Connor VP

ORDER: ***The Cloncurry Shire 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 T Jacklin for the Cloncurry Shire Council.

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

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

Reasons for Decision

- [1] On 15 March 2023, the Cloncurry Shire Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Cloncurry Shire Council Certified Agreement 2022* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisations:
- The Australian Workers' Union of Employees, Queensland; 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*, excluding the Applicant's employees as referred to in cl 1.2.3 of the *Cloncurry Shire Council Certified Agreement 2022*; 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 Philip Andrew Keirle, Chief Executive Officer of the Applicant, 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.
- [6] The application to certify the *Cloncurry Shire Council Certified Agreement 2022* is granted.
- [7] The *Cloncurry Shire Council Certified Agreement 2022* operates from 11 April 2023.
- [8] Although the nominal expiry date of the *Cloncurry Shire Council Certified Agreement 2022* is 30 June 2024, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [9] I make the following order:

The *Cloncurry Shire Council Certified Agreement 2022* is certified.