

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Rockhampton Regional Council Child Care Employees Certified Agreement 2022 [2023] QIRC 110*

PARTIES: **Rockhampton Regional Council**

AND

The Australian Workers' Union of Employees, Queensland

CASE NO: CB/2023/23

PROCEEDING: Application for certification of an Agreement

DELIVERED ON: 14 April 2023

HEARING DATE: 14 April 2023

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: **1. *The Rockhampton Regional Council Child Care Employees Certified Agreement 2022 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: P. Spoto, Local Government Association of Queensland for the Rockhampton Regional Council

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

Reasons for Decision

- [1] On 22 March 2023, the Rockhampton Regional Council ('Applicant') made an application to certify the *Rockhampton Regional Council Child Care Employees Certified Agreement 2022* ('Agreement') pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('Act'),
- [2] The parties bound to the Agreement are set out at clause 1.2. They are the Applicant, and the Australian Workers' Union of Employees, Queensland ('AWUQ').
- [3] The terms of the Agreement have been consented to by all the above-mentioned parties.
- [4] The Agreement applies to the Applicant, the AWUQ and all employees of the Applicant in accordance with clause 1.2.1.1 of the proposed Agreement.
- [5] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 14 April 2023 as well as the affidavit of Mr Evan Pardon, Chief Executive Officer of the Rockhampton Regional Council, filed on 22 March 2023, 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 Agreement is granted.
- [7] The Agreement operates from the date it was certified, namely 14 April 2023.
- [8] Despite the fact that the nominal expiry date of the Agreement is 1 July 2025, 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 Rockhampton Regional Council Child Care Employees Certified Agreement 2022 is certified.***