

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022 [2023] QIRC 179*

PARTIES: **State of Queensland (Queensland Health)**

AND

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

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

The Electrical Trades Union of Employees Queensland

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

CASE NO: CB/2023/54

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 15 June 2023

HEARING DATE: 15 June 2023

MEMBER: Hartigan DP

HEARD AT: Brisbane

ORDER: ***The Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022 is certified.***

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

LEGISLATION: *Industrial Relations Act 2016 (Qld) ss 189, 227 and 228*

APPEARANCES: Ms A. North of the State of Queensland (Queensland Health)

Mr P. McGrath of the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 26 May 2023, the State of Queensland (Queensland Health) ('the Department') filed an application pursuant to s 189 of the *Industrial Relations Act 2016 (Qld)* ('the IR Act') to certify the *Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022* ('the agreement').
- [2] The named parties to the agreement are the Department and the following unions:
- (a) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - (b) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (c) The Electrical Trades Union of Employees Queensland; and
 - (d) Plumbers & Gasfitters Employees' Union of Queensland, Union of Employees.
- [3] As required by s 189(3) of the IR Act, the application was made within 21 days of the date on which the agreement was signed by the parties.
- [4] The parties bound by the agreement are the Department, and Employees who are members, or are eligible to become members, of the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland ('AMEPKU'), the Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland ('CFMEU'), The Electrical Trades Union of Employees Queensland ('ETU') and the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees ('PGEU').

- [5] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 15 June 2023, and the material filed,¹ I am satisfied that:
- (a) each relevant requirement under Ch 4, Pt 5, Sub-Div.2 of the IR Act has been satisfied; and
 - (b) there is nothing in the agreement which would require the Commission to refuse to grant the application under Ch 4, Pt 5, Sub-Div.3 of the IR Act.
- [6] Accordingly, the application to certify the *Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022* is granted.
- [7] The *Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022* operates from the date it was certified, namely 15 June 2023.
- [8] Although the nominal expiry date of the *Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022* is 31 August 2025, the agreement will continue to operate until it is terminated under ss 227 or 228 of the IR Act.
- [9] I make the following order:

The Queensland Health Building, Engineering & Maintenance Services Certified Agreement (No. 8) 2022 is certified.

¹ Application for certification and affidavit of Ms Theresa Hodges, each filed on 26 May 2023.