

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the South Burnett Regional Council Certified Agreement – Officers 2023*
[2023] QIRC 216

PARTIES: **South Burnett Regional Council**

AND

Queensland Services, Industrial Union of Employees

AND

The Australian Workers’ Union of Employees, Queensland

AND

The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees

CASE NO: CB/2023/67

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 28 July 2023

HEARING DATE: 28 July 2023

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The South Burnett Regional Council Certified Agreement – Officers 2023 is certified.***

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

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

APPEARANCES:

Mr C. Lowe, Local Government Association of Queensland.

Ms R Humphrey, South Burnett Regional Council.

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

Ms J. Hensman, The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees.

Reasons for Decision

- [1] On 13 July 2023, the South Burnett Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *South Burnett Regional Council Certified Agreement – Officers 2023* ('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; Queensland Services, Industrial Union of Employees; the Australian Workers' Union of Employees, Queensland; and the Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees.
- [4] The agreement is signed by all the above-mentioned parties.
- [5] The agreement is to apply to:
- South Burnett Regional Council ('Council'), all Council employees covered by the *Queensland Local Government Industry (Stream A) Award – State 2017* ('the Award'), and the Unions named in clause 3 of the Agreement, set out above at [3].
 - Council employees in professional, technical, operational or administrative roles, where relevant. However, this Agreement shall not apply to any employee appointed to the position of a Senior Officer pursuant to a written contract of employment as per clause 4.2 of the Award.
- [6] Having regard to the submissions made by the parties who appeared today, and to the affidavit of Mr Mark Pitt PSM, Chief Executive Officer, South Burnett Regional Council:
- I am satisfied of each relevant requirements in ch 4, pt 5, div 2, sub-div 2 of the Act and ch 5, pt 2, div 2; 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 *South Burnett Regional Council Certified Agreement – Officers 2023* is granted.

[8] The *South Burnett Regional Council Certified Agreement – Officers 2023* operates from the day it is certified, namely 28 July 2023.

[9] Although the nominal expiry date of the *South Burnett Regional Council Certified Agreement – Officers 2023* is 1 January 2025, 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 *South Burnett Regional Council Certified Agreement – Officers 2023* is certified.**