

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the South Burnett Regional Council Certified Agreement – Field Staff 2023*
[2023] QIRC 218

PARTIES: **South Burnett Regional Council**

AND

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

AND

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

AND

The Australian Workers' Union of Employees, Queensland

AND

Transport Workers' Union of Australia, Union of Employees (Queensland Branch)

CASE NO: CB/2023/69

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 – Field Staff 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.

Mr. B. McReadie, The Australian Workers' Union of Employees, Queensland.

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 – Field Staff 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, the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; the Construction, Forestry, Mining & Energy, Industrial Union of Employees; the Australian Workers' Union of Employees, Queensland; and the Transport Workers' Union of Australia, Union of Employees (Queensland Branch).
- [4] The agreement is signed by all the above-mentioned parties.
- [5] The agreement is to apply to the South Burnett Regional Council ('Council'), all Council employees covered by the *Queensland Local Government Industry (Stream B) Award – State 2017* and the *Queensland Local Government Industry (Stream C) Award – State 2017*, and the Unions named in clause 3 of the Agreement, set out above at [3].
- [6] Having regard to the submissions made by the parties who appeared today,¹ and to the affidavit of Mr Mark Pitt PSM, Chief Executive Officer, South Burnett Regional Council:

¹ I also note the correspondence from Mr Richard Olsen, Branch Secretary, Transport Workers' Union, Queensland Branch dated 26 July 2023 and Mr Paul Dunbar, Construction Forestry, Mining & Energy, Industrial Union of Employees dated 28 July 2023 expressing their agreement to the termination and certification.

- 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 – Field Staff 2023* is granted.

[8] The *South Burnett Regional Council Certified Agreement – Field Staff 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 – Field Staff 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 – Field Staff 2023* is certified.**