

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Maritime Safety Queensland Maritime Operations Certified Agreement 2022 [2023] QIRC 240*

PARTIES: **State of Queensland (Department of Transport and Main Roads)**

AND

Australian Maritime Officers Union Queensland Union of Employees

The Electrical Trades Union of Employees Queensland

The Australian Workers' Union of Employees, Queensland

Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District

Together Queensland, Industrial Union of Employees

CASE NO: CB/2023/80

PROCEEDING: Application for certification of an Agreement

DELIVERED ON: 23 August 2023

HEARING DATE: 18 August 2023

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDERS: ***The Maritime Safety Queensland Maritime Operations Certified Agreement 2022 is certified.***

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – application for certification of a certified agreement – requirements for certification – agreement certified

LEGISLATION:	<i>Industrial Relations Act 2016</i> (Qld) ch 4
APPEARANCES:	Ms T Buhner, Mr G Wallace and Ms M Leutton for the State of Queensland (Department of Transport and Main Roads)
	Mr C Claydon for Australian Maritime Officers Union Queensland Union of Employees
	Mr B McCreadie for The Australian Workers' Union of Employees, Queensland
	Ms J Butchers for Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District
	Mr K McKay for Together Queensland, Industrial Union of Employees

Reasons for Decision

- [1] On 28 July 2023, the State of Queensland (Department of Transport and Main Roads) ('the Department') made an application pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the IR Act') to certify the *Maritime Safety Queensland Maritime Operations Certified Agreement 2022* ('the agreement').
- [2] The named parties to the agreement are the Department and the following employee organisations:
- Australian Maritime Officers Union Queensland Union of Employees;
 - The Electrical Trades Union of Employees Queensland;
 - The Australian Workers' Union of Employees, Queensland;
 - Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District; and
 - Together Queensland, Industrial Union of Employees.
- [3] The agreement is signed by all the above-mentioned parties.
- [4] Along with the Department, the Australian Maritime Officers Union Queensland Union of Employees, The Australian Workers' Union of Employees, Queensland, the Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District, and Together Queensland, Industrial Union of Employees, also appeared today and consented to the present application. No other person appeared or sought to make submissions.

- [5] The Electrical Trades Union of Employees, Queensland, wrote to the Commission and advised that they agree to the terms of the agreement and wish to be a party to and covered by the agreement, despite being unable to appear.¹
- [6] The agreement covers:
- The State of Queensland (Department of Transport and Main Roads);
 - employees of the State of Queensland, who are employed in Maritime Safety Queensland (MSQ), a business unit of Transport and Main Roads, and who are engaged in the following classifications, covered by the awards listed in clause 1.3 of the agreement - *Relationship with Parent Awards* - and for whom rates of pay, conditions of employment and entitlements are provided for in the agreement:
 - (i) Marine Officers;
 - (ii) Area Managers;
 - (iii) Vessel Traffic Service Operators;
 - (iv) Managers Vessel Traffic Services;
 - (v) Hydrographic Services (Maritime Operations Officers);
 - (vi) Maritime Enforcement Team; and
 - the Unions referred to in paragraph [2].
- [7] Having regard to the submissions made by the parties who appeared at the hearing today, the undertaking provided with respect to the two administrative amendments made (and accepted under s 194 of the IR Act), as well as the affidavit of Ms Sally Stannard, A/Director-General of the Department filed 28 July 2023:
- I am satisfied of each relevant requirement in ch 4 pt 5 div 2 sub-div 2 of the IR 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 IR Act.
- [8] The application to certify the agreement is granted. The agreement operates from the day it is certified, 18 August 2023.
- [9] Although the nominal expiry date of the agreement is 30 September 2025, it continues to operate until it is terminated under either s 227 or s 228 of the IR Act.
- [10] I make the following order:

¹ Correspondence received on 14 August 2023.

The *Maritime Safety Queensland Maritime Operations Certified Agreement 2022* is certified.