

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Transport and Main Roads Certified Agreement 2022 [2023] QIRC 268*

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

AND

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

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

Together Queensland, Industrial Union of Employees

United Workers' Union, Industrial Union of Employees, Queensland

CASE NO: CB/2023/100

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 18 September 2023

HEARING DATE: 18 September 2023

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: ***The Transport and Main Roads Certified Agreement 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) s 189, s 227, s 228

APPEARANCES:

Ms T. Cowburn and Ms A. Winter for the State of Queensland (Department of Transport and Main Roads)

No appearances for the Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District

Ms A. Jack for The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees

Mr K. McKay for Together Queensland, Industrial Union of Employees

Ms L. Dooley for the United Workers' Union, Industrial Union of Employees, Queensland

Reasons for Decision

[1] On 7 September 2023, the State of Queensland (Department of Transport and Main Roads) ('the Applicant') filed an application to certify the *Transport and Main Roads Certified Agreement 2022* ('the agreement') pursuant to s 189 of the *Industrial Relations Act 2016 (Qld)* ('the Act').

[2] The named parties to the agreement are:

- the Applicant;
- the Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District ('AIMPE');
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees ('APESMA');
- Together Queensland, Industrial Union of Employees ('TQ'); and
- the United Workers' Union, Industrial Union of Employees, Queensland ('UWUQ').

- [3] The terms of the agreement have been consented to by the above-mentioned parties.
- [4] The agreement applies to the Applicant, an employee of the Applicant who is covered by the awards listed in cl 1.5 of the agreement, and for whom rates of pay, conditions of employment and entitlements are provided for in the agreement and the union parties (i.e. AIMPE, APESMA, TQ, and UWUQ).
- [5] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 18 September 2023 as well as the affidavits of Ms Sally Stannard, Acting Director-General of the Applicant, filed on 7 September 2023, I am satisfied that:
- (a) each relevant requirement in Ch 4, Pt 5, Sub-Div. 2 of the Act has been satisfied; and
 - (b) 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, being 18 September 2023.
- [8] Although the nominal expiry date of the agreement is 30 June 2025, it will continue to operate until it is terminated under ss 227 or 228 of the Act.

Order

- [9] Accordingly, I make the following order:

The Transport and Main Roads Certified Agreement 2022 is certified.