

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Sunshine Coast Council Field-Based Employees Certified Agreement 2023 (No.5) [2023] QIRC 257*

PARTIES: **Sunshine Coast Council**

AND

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

The Australian Workers' Union of Employees, Queensland

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

CASE NO.: CB/2023/90

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 5 September 2023

HEARING DATE: 1 September 2023

HEARD AT: Brisbane

MEMBER: Power IC

ORDER: ***The Sunshine Coast Council Field-Based Employees Certified Agreement 2023 (No.5) is certified.***

CATCHWORDS: INDUSTRIAL LAW - QUEENSLAND - AGREEMENTS - Application for certification of an agreement - requirements for certification - Agreement certified

LEGISLATION: *Industrial Relations Act 2016 (Qld), s 189, ch 4, pt 5, div 2, sub-divs 2 and 3, s 227 and s 228*

APPEARANCES: Mr P. Spoto of the Local Government Association of Queensland and Mr. T. Cunningham for the Sunshine Coast Council.

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

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

Reasons for Decision

- [1] On 21 August 2023, the Sunshine Coast Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Sunshine Coast Council Field-Based Employees Certified Agreement 2023 (No.5)* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisation:
- (a) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (b) The Australian Workers' Union of Employees, Queensland; and
 - (c) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland.
- [3] The agreement applies to:
- (a) the Applicant;
 - (b) the Applicant's employees covered by the classifications contained in the agreement; and
 - (c) the employee organisations named in paragraph [2] above.
- [4] Having regard to the submissions made by the parties who appeared today and to the affidavit of Ms Nicole Bunning, Head of People and Culture of the Applicant filed 21 August 2023:
- (a) I am satisfied of each relevant requirement in ch 4 pt 5 div 2 sub-div 2 of the Act; and
 - (b) 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.
- [5] The application to certify the *Sunshine Coast Council Field-Based Employees Certified Agreement 2023 (No.5)* is granted.

- [6] The *Sunshine Coast Council Field-Based Employees Certified Agreement 2023 (No.5)* operates from the day it is certified, namely, 1 September 2023.
- [7] Although the nominal expiry date of the *Sunshine Coast Council Field-Based Employees Certified Agreement 2023 (No.5)* is 30 June 2026, it continues to operate until it is terminated under ss 227 or 228 of the Act.
- [8] I make the following order:

The *Sunshine Coast Council Field-Based Employees Certified Agreement 2023 (No.5)* is certified.