

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Cassowary Coast Regional Council Certified Agreement 2023 [2023] QIRC 314*

PARTIES: **Cassowary Coast Regional Council**

AND

The Australian Workers' Union of Employees, Queensland

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

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

Queensland Services, Industrial Union of Employees

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

CASE NO: CB/2023/114

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 3 November 2023

HEARING DATE: 3 November 2023

HEARD AT: Brisbane

MEMBER: Merrell DP

ORDER: **1. *The Cassowary Coast Regional Council Certified Agreement 2023 is certified.***

CATCHWORDS:	INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – Application for certification of an agreement – requirements for certification – Agreement certified
LEGISLATION:	<i>Industrial Relations Act 2016</i> , s 189, s 227 and s 228
APPEARANCES:	Mr A. Graffen of Local Government Association Queensland for Cassowary Coast Regional Council Ms N. Frisken for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland Mr D. Marr for The Australian Workers' Union of Employees, Queensland Mr J. Hall for Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] On 11 October 2023, Cassowary Coast Regional Council ('the Applicant') pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made application to certify the *Cassowary Coast Regional Council Certified Agreement 2023* ('the agreement').
- [2] By cl 6.1 of the agreement, the named parties are the Applicant and the following employee organisations:
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees;
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - The Australian Workers' Union of Employees, Queensland;
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
 - Queensland Services, Industrial Union of Employees.
- [3] The agreement is signed by all the above-mentioned parties.
- [4] The agreement covers:

- the Applicant; and
- the Applicant's employees other than those referred to in cl 4.2 of the Agreement; and
- the employee organisations referred to in paragraphs [2] of these reasons.

[5] Having regard to the submissions made by the parties who appeared today and to the affidavit of Mr Andrew Graffen, Chief Executive Officer of the Applicant, filed on 16 October 2023:

- I am satisfied of each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the 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 Act.

[6] The application to certify the *Cassowary Coast Regional Council Certified Agreement 2023* is granted.

[7] The *Cassowary Coast Regional Council Certified Agreement 2023* operates from the day it is certified, namely 3 November 2023.

[8] Although the nominal expiry date of the *Cassowary Coast Regional Council Certified Agreement 2023* is 30 June 2026, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[9] I make the following order:

- 1. The *Cassowary Coast Regional Council Certified Agreement 2023* is certified.**