

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Charters Towers Regional Council Union Collective Certified Agreement - 2023 [2024] QIRC 060*

PARTIES: **Charters Towers Regional Council**

AND

The Australian Workers' Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

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

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

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

CASE NO: CB/2024/14

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 7 March 2024

HEARING DATE: 7 March 2024

MEMBER: Pratt IC

HEARD AT: Brisbane

ORDER: **The Charters Towers Regional Council Union Collective Certified Agreement – 2023 is certified.**

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – COLLECTIVE BARGAINING AGREEMENTS – application for certification of an agreement – requirements for certification – agreement certified.

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

APPEARANCES: Mrs N. Hope, Local Government Association of Queensland, for Charters Towers Regional Council

Mr B. McCreadie and Mr T. Stephens for The Australian Workers’ Union of Employees, Queensland

Mr J. Donaghy and Mrs C. Sait for Queensland Services, Industrial Union of Employees

Mr P. Dunbar and Mr E. Dalglish for Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 22 February 2024, Charters Towers Regional Council (‘the Applicant’) made an application to certify the *Charters Towers Regional Council Union Collective Certified Agreement – 2023* (‘the Agreement’) pursuant to s 189 of the *Industrial Relations Act 2016 (Qld)* (‘the IR Act’).
- [2] The named parties to the agreement are the Applicant and the following employee organisations:
- (a) The Australian Workers’ Union of Employees, Queensland;
 - (b) Queensland Services, Industrial Union of Employees;
 - (c) Plumbers & Gasfitters Employees’ Union Queensland, Union of Employees;

- (d) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
- (e) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; and
- (f) Transport Workers' Union of Australia, Union of Employees (Queensland Branch)
- [3] The Agreement is signed by all the above-mentioned parties.
- [4] This Agreement shall apply to all of the Applicant's employees covered by the *Queensland Local Government Industry (Stream A) Award – State 2017*, the *Queensland Local Government Industry (Stream B) Award – State 2017*, the *Queensland Local Government Industry (Stream C) Award – State 2017* and the *Order - Apprentices' and Trainees' Wages and Conditions (excluding certain Queensland Government Entities) 2003* and the Unions mentioned above.
- [5] This Agreement shall not apply to Senior Officers as provided for in Division 2 – Section 1, clause 4.2 of the *Queensland Local Government Industry (Stream A) Award – State 2017*.
- [6] Having regard to the submissions made by the parties who appeared today, the correspondence received from the excused union parties in support of the application,¹ and to the affidavit of Mr Martin Drydale, Chief Executive Officer of the Applicant, filed on 22 February 2024:
- I am satisfied that each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the IR Act has been met; 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.
- [7] The application to certify the Agreement is granted.
- [8] The Agreement operates from the day is certified, namely, 7 March 2024.
- [9] Although the nominal expiry date of the Agreement is 30 June 2026, the Agreement continues to operate until it is terminated pursuant to s 227 or s 228 of the IR Act.

¹ The unions who were excused are the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees, the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland, and the Transport Workers' Union of Australia, Union of Employees (Queensland Branch).

[10] I make the following order:

The *Charters Towers Regional Council Union Collective Certified Agreement – 2023* is certified.