

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Hinchinbrook Shire Council Local Government Officers (Stream A) Certified Agreement 2023 [2024] QIRC 099*

PARTIES: **Hinchinbrook Shire Council**

AND

The Australian Workers' Union of Employees, Queensland

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

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

Queensland Services, Industrial Union of Employees

CASE NO.: CB/2024/28

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 1 May 2024

HEARING DATE: 30 April 2024

HEARD AT: Brisbane

MEMBER: Power IC

ORDER: ***The Hinchinbrook Shire Council Local Government Officers (Stream A) Certified Agreement 2023 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: Ms J. Jenings for the Hinchinbrook Shire Council

Mr T. Stephens for the The Australian Workers' Union of Employees, Queensland.

Mr D. Knight for the Queensland Services, Industrial Union of Employees.

Reasons for Decision

- [1] On 9 April 2024, the Hinchinbrook Shire Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Hinchinbrook Shire Council Local Government Officers (Stream A) Certified Agreement 2023* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisation:
- (a) The Australian Workers' Union of Employees, Queensland;
 - (b) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (c) The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees;
 - (d) Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
 - (e) Queensland Services, Industrial Union of Employees.
- [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 Mrs Mary-Anne Uren, Chief Executive Officer of the Applicant filed on 9 April 2024:
- (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 *Hinchinbrook Shire Council Local Government Officers (Stream A) Certified Agreement 2023* is granted.
- [6] The *Hinchinbrook Shire Council Local Government Officers (Stream A) Certified Agreement 2023* operates from the day it is certified, namely, 30 April 2024.
- [7] Although the nominal expiry date of the *Hinchinbrook Shire Council Local Government Officers (Stream A) Certified Agreement 2023* is 1 October 2026, it continues to operate until it is terminated under ss 227 or 228 of the Act.
- [8] I make the following order:

The Hinchinbrook Shire Council Local Government Officers (Stream A) Certified Agreement 2023 is certified.