

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Hinchinbrook Shire Council Operational Employees (Stream B and C) Certified Agreement 2023 [2024] QIRC 101*

PARTIES: **Hinchinbrook Shire Council**

AND

**The Australian Workers' Union of Employees, Queensland**

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

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

**Plumbers & Gasfitters Employees' Union Queensland, Union of Employees**

**Queensland Services, Industrial Union of Employees**

CASE NO.: CB/2024/30

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 Operational Employees (Stream B and C) 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 E. Dalglish for the Construction, Forestry, Mining & Energy, Industrial 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 Operational Employees (Stream B and C) 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) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
  - (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 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 Operational Employees (Stream B and C) Certified Agreement 2023* is granted.

[6] The *Hinchinbrook Shire Council Operational Employees (Stream B and C) 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 Operational Employees (Stream B and C) 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 Operational Employees (Stream B and C) Certified Agreement 2023 is certified.***