

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of Boulia Shire Council Certified Agreement 2024-2027 [2024] QIRC 181*

PARTIES: **Boulia Shire Council**

AND

Queensland Services, Industrial Union of Employees

The Australian Workers' Union of Employees, Queensland

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

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

CASE NO: CB/2024/44

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 26 July 2024

HEARING DATE: 26 July 2024

MEMBER: Pratt IC

HEARD AT: Brisbane

ORDER: ***The Boulia Shire Council Certified Agreement 2024-2027 is certified***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – AGREEMENTS – application for certification of an agreement –

requirements for certification – agreement certified

LEGISLATION:

Industrial Relations Act 2016 (Qld) s 189, s 227, s228, ch 4, pt 5, div 2, subs-divs 2 and 3.

APPEARANCES:

Ms S Mitanis of HR Law for Boulia Shire Council

Mr J Hall for Queensland Services, Industrial Union of Employees

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

Mr E Dalgleish for Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 4 July 2024, Boulia Shire Council ('the Applicant') made an application to certify the *Boulia Shire Council Certified Agreement 2024-2027* ('the Agreement') pursuant to section 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. Queensland Services, Industrial Union of Employees;
 - b. The Australian Workers' Union of Employees, Queensland;
 - c. Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; and
 - d. Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- [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, the Order - Apprentices' and Trainees' Wages and Conditions (excluding certain Queensland Government Entities) 2003, the Order – Supply of Tools to Apprentices 1998, and the employee organisations mentioned above.

- [5] This Agreement shall not apply to the chief executive officer or senior officers as defined in 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, and the affidavit of Ms Lynn Moore, Chief Executive Officer of the Applicant filed 4 July 2024, I am satisfied that:
- a. each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the IR Act has been met; 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 IR Act.
- [7] The application to certify the Agreement is granted.
- [8] The Agreement operates from the day it is certified. The Agreement is therefore operates from 26 July 2024.
- [9] Although the nominal expiry date of the Agreement is 1 July 2027, the Agreement continues to operate until it is terminated pursuant to section 227 or section 228 of the IR Act.
- [10] I make the following order:

Order

The Boulia Shire Council Certified Agreement 2024-2027 is certified.