

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Burdekin Shire Council Certified Agreement 2024 [2025] QIRC 013*

PARTIES: **Burdekin Shire Council**

AND

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 of Queensland, Union of Employees

Queensland Services, Industrial Union of Employees

The Australian Workers' Union of Employees, Queensland

CASE NO: CB/2024/102

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 20 January 2025

HEARING DATE: 20 January 2025

HEARD AT: Brisbane

MEMBER: Hartigan DP

ORDER: ***The Burdekin Shire Council Certified Agreement 2024 is certified.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – application to amend certified agreement – requirements for amendment – agreement amended.

LEGISLATION: *Industrial Relations Act 2016 (Qld) ss 189, 227 and 228*

APPEARANCES: Mr C. Lowe from the Local Government Association of Queensland for Burdekin Shire Council

Ms C. Sait for Queensland Services, Industrial Union of Employees

Mr G. Taylor for the Australian Workers' Union of Employees, Queensland

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

Reasons for Decision

- [1] On 20 December 2024, Burdekin Shire Council ('the Council') filed an application pursuant to s 189 of the *Industrial Relations Act 2016 (Qld)* ('the IR Act') to certify the *Burdekin Shire Council Certified Agreement 2024* ('the Agreement').
- [2] The named parties to the Agreement are the Council and the following employee organisations:
 - 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 of Queensland, Union of Employees;
 - Queensland Services, Industrial Union of Employees; and
 - The Australian Workers' Union of Employees, Queensland.
- [3] The agreement is signed by all the above-mentioned parties.
- [4] The agreement applies to all employees of Council except the Chief Executive Officer and any other Senior Officers or existing contracted positions, where the parties have entered into a contract of employment which provides that this this agreement, (or any predecessor), does not apply.

[5] Having regard to the submissions made by the parties who appeared today and to the affidavit of Mr Matthew Magin, Chief Executive Officer of the Council filed on 20 December 2024:

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

[6] The application to certify the *Burdekin Shire Council Certified Agreement 2024* is granted.

[7] The *Burdekin Shire Council Certified Agreement 2024* operates from the day it is certified, namely 20 January 2025.

[8] Although the nominal expiry date of the *Burdekin Shire Council Certified Agreement 2021* is 30 June 2024, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[9] I make the following order:

The *Burdekin Shire Council Certified Agreement 2024* is certified.