

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Fraser Coast Regional Council Certified Agreement 2024 [2025] QIRC 43*

PARTIES: **Fraser Coast Regional Council**

AND

Queensland Services, Industrial Union of Employees

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

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

The Electrical Trades Union of Employees Queensland

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

CASE NO: CB/2024/95

PROCEEDING: Application for certification of an Agreement

DELIVERED ON: 12 February 2025

HEARING DATE: 11 February 2025

MEMBER: Knight IC

HEARD AT: Brisbane

ORDERS: ***The Fraser Coast Regional Council Certified Agreement 2024 is certified.***

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – application for certification of a certified agreement – requirements for certification – agreement certified

LEGISLATION: *Industrial Relations Act 2016* (Qld) ch 4

APPEARANCES: Ms A. Farmer from Peak Services, instructed by Ms C. Noble for Fraser Coast Regional Council

Mr D. Knight for Queensland Services, Industrial Union of Employees and for The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees

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

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

Reasons for Decision

- [1] On 17 December 2024 the Fraser Coast Regional Council ('the Council') made an application pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the IR Act') to certify the ('the agreement').
- [2] The named parties to the agreement are the Council and the following employee organisations:
- Queensland Services, Industrial Union of Employees ('QSU')
 - The Australian Workers' Union of Employees, Queensland ('AWU')
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees Queensland ('AMEPKU')
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees Queensland ('CFMEU')
 - The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees ('APESMA')
 - The Electrical Trades Union of Employees Queensland ('ETU')
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees ('PGEU')

- [3] The agreement is signed by all the above-mentioned parties.
- [4] The Council, QSU, AWU,¹ and the CFMEU appeared at the hearing and consented to the present application.
- [5] The AMWU,² PGEU,³ and the ETU,⁴ wrote to the Commission and sought leave to be excused from appearing which was granted on the basis the AMEPKU, PGEU, and the ETU consented to the present application and would submit to any order or certification made in its absence.
- [6] APESMA wrote to the Commission and sought leave to be excused which was granted on the basis QSU would represent APESMA at the hearing.⁵
- [7] The agreement applies to all employees of the Council who are covered by the following awards:
- (a) *Queensland Local Government Industry (Stream A) Award – State 2017;*
 - (b) *Queensland Local Government Industry (Stream B) Award – State 2017;*
 - (c) *Queensland Local Government Industry (Stream C) Award – State 2017;* and
 - (d) *Training Wage Award – State 2012.*
- [8] Having regard to the submissions made by the parties who appeared at the hearing, as well as the affidavit of Mr Ken Diehm, Chief Executive Officer of Fraser Coast Regional Council, filed on 17 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.
- [9] The application to certify the agreement is granted. The agreement operates from the day it is certified, being today's date, 12 February 2025.

¹ The Australian Workers' Union of Employees, Queensland also appeared on behalf of the Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees.

² Correspondence from the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees Queensland to the Industrial Registry dated 9 January 2025.

³ Correspondence from the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees to the Industrial Registry dated 14 January 2025.

⁴ Correspondence from The Electrical Trades Union of Employees Queensland dated 28 January 2025.

⁵ Correspondence from The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees dated 6 February 2025.

[10] Although the nominal expiry date of the agreement is 15 March 2027 it continues to operate until it is terminated under either s 227 or s 228 of the IR Act.

[11] I make the following order:

The Fraser Coast Regional Council Certified Agreement 2024 is certified