

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Mackay Regional Council
Certified Agreement 2024 [2025] QIRC 092*

PARTIES: **Mackay Regional Council**

AND

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

AND

**Queensland Services, Industrial Union of
Employees**

AND

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

AND

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

AND

**The Electrical Trades Union of Employees
Queensland**

AND

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

AND

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

CASE NO: CB/2025/8

PROCEEDING: Certification of an agreement

DELIVERED ON: 26 March 2025

HEARING DATE: 26 March 2025

MEMBER: McLennan IC

HEARD AT: Brisbane

ORDER: ***The Mackay Regional Council Certified Agreement 2024 is certified.***

CATCHWORDS: INDUSTRIAL LAW – application for certification of an agreement – requirements for certification – agreement certified

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

APPEARANCES: Mr C. Lowe of Local Government Association of Queensland for the Mackay Regional Council

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

Mr J. Hall for Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] On 4 March 2025, the Mackay Regional Council ('the Council') made an application pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the IR Act') to certify the *Mackay Regional Council Certified Agreement 2024* ('the agreement').
- [2] The named parties to the agreement are the Council and the following employee organisations:

- The Australian Workers' Union of Employees, Queensland;
 - Queensland Services, Industrial Union of Employees;
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees;
 - The Electrical Trades Union of Employees Queensland;
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; and
 - The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees.
- [3] The Commission is satisfied that all parties have agreed on the terms of the agreement, which were approved by a valid majority of relevant employees in a properly conducted ballot.
- [4] Along with the Council, The Australian Workers' Union of Employees, Queensland and the Queensland Services, Industrial Union of Employees also appeared today and consented to the present application. No other person appeared or sought to make submissions.
- [5] The agreement covers the Council, its employees (except where specifically excluded within the agreement) and the unions named in paragraph [2].
- [6] The agreement does not apply to the Chief Executive Officer or to any senior officers (as defined by the Stream A Award) in instances where the Council and the senior officer concerned enter into a written contract of employment which states that the Award is not to apply to the terms and conditions of employment of the senior officer.
- [7] Having regard to the submissions made by the parties who appeared at the hearing today, as well as the Affidavit of Mr David John McKendry, Acting Chief Executive Officer of the Council affirmed on 19 February 2025:
- 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.
- [8] The application to certify the agreement is granted. The agreement operates from the day it is certified, which is 26 March 2025.

[9] Although the nominal expiry date of the agreement is 30 June 2027, it continues to operate until it is terminated under the IR Act.

[10] I make the following order:

The Mackay Regional Council Certified Agreement 2024 is certified.