

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Queensland Fire and Emergency Service Certified Agreement 2016* [2017] QIRC 050

PARTIES: Queensland Fire and Emergency Services
and
United Firefighters' Union of Australia, Union of Employees, Queensland
and
Queensland Fire and Rescue – Senior Officers Union of Employees
and
Together Queensland, Industrial Union of Employees

CASE NO: CB/2017/14

PROCEEDING: Certification of an Agreement

DELIVERED ON: 1 June 2017

HEARING DATE: 31 May 2017

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **The Application to certify the *Queensland Fire and Emergency Service Certified Agreement 2016* is granted.**

CATCHWORDS: Industrial Law – Application for Certification of an Agreement – Requirements for Certification.

CASES: *Industrial Relations Act 2016*, s 189, s 193, s 195, s 196, s 197, s 198, s 199, s 200, s 201, s 204, s 205, s 206, s 207, s 208, s 209, s 216, s 227, s 228.

APPEARANCES:

Ms M. Swindells and Mr A. Short for Queensland Fire and Emergency Services.

Mr A. Cooke and Ms C. Trevascus for the United Firefighters' Union of Australia, Union of Employees, Queensland.

Mr R. Boniwell of the Queensland Fire and Rescue – Senior Officers Union of Employees.

Decision

- [1] An Application to the Commission to certify an Agreement, pursuant to s 189 of the *Industrial Relations Act 2016* (the Act), has been made by the Commissioner of Queensland Fire and Emergency Services (QFES). The Agreement is to apply to employees of QFES and Public Safety Business Agency (PSBA) whose rates of pay, conditions of employment and entitlements are fixed by the Agreement. The Application has been made within 21 days of the date on which the Agreement was made (see s 189(3) of the Act).
- [2] The Agreement is between QFES and the undermentioned employee organisations:
- United Firefighters' Union of Australia, Union of Employees, Queensland;
 - Queensland Fire and Rescue – Senior Officers Union of Employees; and
 - Together Queensland, Industrial Union of Employees,
- and has been signed by, or for all of, the parties.
- [3] In certifying the Agreement, the Commission recorded (see s 193(1)(a) and (b) of the Act):
- each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act is satisfied for the Application (see ss 195, 196, 197, 198, 199, 200(1)(b) and 201(b)); and
 - there is nothing in the Agreement which would require the Commission to refuse to grant the Application under subdivision 3 of Division 2 of Part 5 of the Act (see ss 204, 205, 206, 207, 208 and 209).
- [4] The Commission also noted that the wage increases recorded at clause 17 of the Agreement will be applied administratively by QFES from 1 October 2016.
- [5] In accordance with s 216(a) of the Act the Agreement starts operating on the day it is certified, *viz* 31 May 2017. Although the nominal expiry date of the Agreement is 30 June 2019, the Agreement will continue to operate until it is terminated under s 227 or s 228 of the Act.
- [6] The Application to certify the *Queensland Fire and Emergency Service Certified Agreement 2016* is granted.