

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the North Burnett Regional Council Certified Agreement 2018* [2018] QIRC 112

PARTIES: **North Burnett Regional Council**

and

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

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

**Queensland Services, Industrial Union of Employees**

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

CASE NO: CB/2018/104

PROCEEDING: Certification of an agreement

DELIVERED ON: 29 August 2018

HEARING DATE: 29 August 2018

MEMBER: Swan DP

HEARD AT: Brisbane

ORDER: **1. The North Burnett Regional Council Certified Agreement 2018 is certified.**

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

LEGISLATION: *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

## APPEARANCES:

Mr J. Sharpe of Sharpe Workplace Solutions for the North Burnett Regional Council

Mr B. Watson for The Australian Workers' Union of Employees, Queensland.

Ms M. Robertson for Queensland Services, Industrial Union of Employees.

### Reasons for Decision

[1] The North Burnett Regional Council has made an application to certify an agreement pursuant to s 189 of the *Industrial Relations Act 2016*. As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was made. The agreement is between the North Burnett Regional Council and the following employee organisations:

- The Australian Workers' Union of Employees, Queensland;
- Queensland Services, Industrial Union of Employees; and
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland.

[2] The agreement has been signed by the parties to the agreement.<sup>1</sup>

[3] The agreement is to apply to North Burnett Regional Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.

[4] In proceedings on 29 August 2018, the Commission as presently constituted certified the agreement.

[5] In certifying the agreement, the Commission recognises that:<sup>2</sup> each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;<sup>3</sup> and, that there was 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.<sup>4</sup>

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<sup>1</sup> *Industrial Relations Act 2016*, s 196(1).

<sup>2</sup> *Ibid* s 193(1)(a)-(b).

<sup>3</sup> *Ibid* ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

<sup>4</sup> *Ibid* ss 204, 205, 206, 207, 208, 209.

[6] The agreement operates from the day it was certified, namely 29 August 2018.<sup>5</sup> Although the nominal expiry date of the agreement is 29 August 2021, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *North Burnett Regional Council Certified Agreement 2018* is granted.

[8] I make the following order:

- 1. The *North Burnett Regional Council Certified Agreement 2018* is certified.**

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<sup>5</sup> Ibid s 216(a).