

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2018-2021* [2018] QIRC 088

PARTIES: **Barcoo Shire Council**
,
and
The Australian Workers' Union of Employees, Queensland
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

CASE NO: CB/2018/87

PROCEEDING: Certification of an agreement

DELIVERED ON: 5 July 2018

HEARING DATE: 4 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. *The Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2018-2021* is certified.**

CATCHWORDS: INDUSTRIAL LAW - APPLICATION FOR CERTIFICATION OF AGREEMENT - where application made within 21 days of the date on which the agreement was made - where requirements for certification

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, s 228

APPEARANCES: Ms S. Mitanis for the Barcoo Shire Council.

Reasons for Decision

- [1] The Barcoo Shire Council has made an application to certify an agreement pursuant to section 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 Barcoo Shire Council and the following employee organisations:
- The Australian Workers' Union of Employees, Queensland; and
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland.
- [2] The agreement is to apply to Barcoo Shire Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [3] In proceedings on 4 July 2018 the Commission as presently constituted certified the agreement.
- [4] I note that the agreement is signed by all of the listed parties.¹
- [5] In certifying the agreement, the Commission recognises that² each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;³ 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.⁴
- [6] The agreement operates from the day it was certified, namely 4 July 2018.⁵ The nominal expiry date of the agreement is 30 June 2021, however, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2018-2021* is granted.
- [8] I make the following order:
1. **The *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2018-2021* is certified.**

¹ *Industrial Relations Act 2016*, s 196(1)(b).

² *Ibid* s 193(1)(a)-(b).

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

⁴ *Ibid* ss 204, 205, 206, 207, 208, 209.

⁵ *Ibid* s 216(a).