

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Somerset Regional Council - Field Staff Certified Agreement 2017* [2017] QIRC 100

PARTIES: Somerset Regional Council ABN No. 50138958249

and

The Australian Workers' Union of Employees, Queensland

and

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

and

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

and

Transport Workers' Union of Australia, Union of Employees (Queensland Branch)

CASE NO: CB/2017/72

PROCEEDING: Certification of an Agreement

DELIVERED ON: 3 November 2017

HEARING DATE: 3 November 2017

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: ***The Application to certify the Somerset Regional Council - Field Staff Certified Agreement 2017 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: Mr R. Beer for Somerset Regional Council.

Mr J. Blundell-Thornton for Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland.

Ms N. Sivakumar for The Australian Workers' Union of Employees, Queensland.

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 Somerset Regional Council ABN No. 50138958249. The Agreement is to apply to Somerset Regional Council Field Staff, and 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 Somerset Regional Council and the undermentioned employee organisations:
- The Australian Workers' Union of Employees, Queensland;
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; and
 - Transport Workers' Union of Australia, Union of Employees (Queensland Branch);

and has been signed by, or for all of, the parties.

- [3] In proceedings on 3 November 2017 the Commission as presently constituted certified the Agreement.
- [4] 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).

- [5] In accordance with s 216(a) of the Act the Agreement starts operating on the day it is certified, viz 3 November 2017. Although the nominal expiry date of the Agreement is the last day of the last full pay period which is inclusive of 30 June 2020, 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 *Somerset Regional Council - Field Staff Certified Agreement 2017* is granted.