

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Paroo Shire Council – Non-Operational Staff Certified Agreement 2018*
[2018] QIRC 138

PARTIES: Paroo Shire Council
and
Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/163

PROCEEDING: Certification of an agreement

DELIVERED ON: 20 November 2018

HEARING DATE: 19 November 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. The *Paroo Shire Council – Non-Operational Staff 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 196, s 201, s216, s 227, s 228

APPEARANCES: Ms S Mitanis from the Local Government Association Queensland, for the Paroo Shire Council

Reasons for Decision

[1] The Paroo 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 Paroo Shire Council and the following employee organisations:

- Queensland Services, Industrial Union of Employees

[2] At the hearing of this application on 19 November 2018, Ms S Mantis advised the Commission that multiple attempts had been made (both in writing and via telephone) to contact The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees (APESMA) regarding their intention to be a party to the new certified agreement. No response was received from APESMA.

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

[4] I note that the agreement is signed by all of the listed parties.¹ Having regard to the material filed in support of the application including the affidavit of Oliver Simon sworn 5 October 2018 which outlines the steps taken to ensure compliance with sections 169 and 171 of the Act, I am satisfied that this application should be granted.

[5] The agreement operates from the day it was certified, namely 19 November 2018.² The nominal expiry date of the agreement is three (3) years from the date of certification, however, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[6] The application to certify the *Paroo Shire Council – Non-Operational Staff Certified Agreement 2018* is granted.

[7] I make the following order:

- 1. The *Paroo Shire Council – Non-Operational Staff Certified Agreement 2018* is certified.**

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

² *Ibid* s 216(a).