

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Longreach Regional Council
Certified Agreement 2018-2022 [2018] QIRC
140*

PARTIES: Longreach Regional Council

and

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

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

The Australian Workers' Union of Employees,
Queensland

The Association of Professional Engineers,
Scientists and Managers, Australia, Queensland
Branch, Union of Employees

The Electrical Trades Union of Employees,
Queensland

The Plumbers and Gasfitters Employees' Union of
Queensland, Union of Employees

United Voice, Industrial Union of Employees,
Queensland

Queensland Services, Industrial Union of
Employees

CASE NO: CB/2018/165

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 Longreach Regional Council Certified Agreement 2018-2022 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 197, s 204,s 216,s 227, s 228

APPEARANCES: Mr K J M Hunt of Hunt HR Australia, for the Longreach Regional Council

Ms S Young and Mr A Santelises of The Australian Workers' Union of Employees, Queensland

Reasons for Decision

[1] The Longreach Regional 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 Longreach Regional Council and the following employee organisations:

- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- The Australian Workers' Union of Employees, Queensland
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
- The Electrical Trades Union of Employees, Queensland
- The Plumbers and Gasfitters Employees' Union of Queensland, Union of Employees
- United Voice, Industrial Union of Employees, Queensland

- Queensland Services, Industrial Union of Employees

- [2] The agreement is to apply to the Longreach Regional Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [3] In proceedings on 19 November 2018 the Commission as presently constituted certified the agreement.
- [4] I note that the agreement is not signed by all of the listed parties.¹ However, given the material filed in support of the application, in particular the affidavit of Ian Bodill sworn 25 September 2018; that all parties were notified of the application of hearing for certification; no objections were raised by any party to the agreement, and that the responses from the representative of Council and the employee organisation who attended the hearing, I am satisfied that the Commission is able to exercise its discretion to waive the requirement that the agreement is signed by or for all the parties.
- [5] The agreement operates from the day it was certified, namely 19 November 2018.² The nominal expiry date of the agreement is four (4) 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 *Longreach Regional Council Certified Agreement 2018-2022* is granted.
- [7] I make the following order:

1. The *Longreach Regional Council Certified Agreement 2018-2022* is certified.

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

² *Ibid* s 216(a).