

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the Murweh Shire Council Operational Staff Certified Agreement 2018*  
[2019] QIRC 009

PARTIES: **Murweh Shire Council**

and

**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**

CASE NO: CB/2018/182

PROCEEDING: Certification of an agreement

DELIVERED ON: 17 January 2019

HEARING DATE: 17 January 2019

MEMBER: Thompson IC

HEARD AT: Brisbane

ORDER: **1. *The Murweh Shire Council 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 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: Ms N. Todd of Peak Services for the Murweh Shire Council

Ms S. Young of The Australian Workers' Union of Employees, Queensland

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

### Reasons for Decision

- [1] The Murweh Shire Council has made an application to certify an agreement (as amended) 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 Murweh Shire Council and the following employee organisations:
- The Australian Workers' Union of Employees, Queensland;
  - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; and
  - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland.
- [2] The agreement has been signed by all parties to the agreement.<sup>1</sup>
- [3] The agreement is to apply to the Murweh Shire Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 17 January 2019 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>

---

<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 17 January 2019.<sup>5</sup> Although the nominal expiry date of the agreement is on 17 January 2022 the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *Murweh Shire Council Operational Staff Certified Agreement 2018* is granted.

[8] I make the following order:

- 1. *Murweh Shire Council Operational Staff Certified Agreement 2018* is certified.**

---

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