

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Tablelands Regional Council Certified Agreement 2018 [2019] QIRC 001*

PARTIES: Tablelands Regional Council  
and  
Construction, Forestry, Mining & Energy,  
Industrial Union of Employees, Queensland  
and  
Australian Workers' Union of Employees,  
Queensland  
and  
Plumbers & Gasfitters Employees' Union  
Queensland, Union of Employees  
and  
Queensland Services, Industrial Union of  
Employees

CASE NO: CB/2018/194

PROCEEDING: Certification of an Agreement

DELIVERED ON: 2 January 2019

HEARING DATE: 2 January 2019

HEARD AT: Brisbane

MEMBER: Black IC

ORDER: **1. *The Tablelands Regional Council Certified Agreement 2018 is certified.***

CATCHWORDS: INDUSTRIAL LAW – Application for  
Certification of an Agreement – Requirements  
for Certification – Agreement certified

LEGISLATION: *Industrial Relations Act 2016, Subdivisions 2  
and 3 of Division 2 of Part 5*

APPEARANCES: Ms S Wishart for the Tablelands Regional Council  
 Mr N Henderson for the Queensland Services, Industrial Union of Employees  
 Ms S Fogarty for the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees  
 Ms S Young for the Australian Workers' Union of Employees, Queensland

### Reasons for Decision

- [1] The Tablelands Regional Council has made an application to certify an agreement pursuant to section 189 of the *Industrial Relations Act 2016* (the Act). 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 made between the Tablelands Regional Council and the following employee organisations:
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
  - The Australian Workers' Union of Employees, Queensland;
  - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
  - Queensland Services, Industrial Union of Employees.
- [2] The Commission is satisfied that all parties have agreed on the terms of the agreement. The agreement was approved by a valid majority of relevant employees in a properly conducted ballot. The application for certification was made within a reasonable time after the proposed agreement was approved.
- [3] The agreement is to apply to the Tablelands Regional Council and its employees other than the Chief Executive Officer and Senior Officers as prescribed by clause 2 of the Agreement.
- [4] The proposed agreement replaces the pre-existing agreement which is either referred to as the *Tablelands Regional Council 2011-2014 Certified Agreement (CA/2011/310)* or the *Tablelands Regional Council Enterprise Bargaining Agreement 2011 – 2014*.
- [5] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Kelly Edwards dated 18 December 2018. The Commission determines that each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied; and that 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.
- [6] The agreement operates from the day that it is certified, namely 2 January 2019. Although the nominal expiry date of the agreement is 1 January 2023, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Tablelands Regional Council Certified Agreement 2018* is granted.

[8] I make the following order:

1. ***The Tablelands Regional Council Certified Agreement 2018 is certified.***