

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Ipswich City Council Local Government Employees Certified Agreement 2018 [2019] QIRC 017*

PARTIES: **Ipswich City Council**

and

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

The Australian Workers' Union of Employees, Queensland

The Electrical Trades Union of Employees Queensland

United Voice, Industrial 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/2018/202

PROCEEDING: Certification of an agreement

DELIVERED ON: 18 January 2019

HEARING DATE: 18 January 2019

MEMBER: Thompson IC

HEARD AT:	Brisbane
ORDER:	1. The <i>Ipswich City Council Local Government Employees Certified Agreement 2018</i> is certified.
CATCHWORDS:	INDUSTRIAL LAW – Application for certification of an agreement – Requirements for certification – Agreement certified
LEGISLATION:	<i>Industrial Relations Act</i> 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 Ipswich City Council Mr L. Norris of Transport Workers' Union of Australia, Union of Employees (Queensland Branch) Mr J. Harding 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 and for Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

Reasons for Decision

[1] The Ipswich City Council has made an application to certify an agreement 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 Ipswich City Council and the following employee organisations:

- Transport Workers' Union of Australia, Union of Employees (Queensland Branch)
- Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

- The Australian Workers' Union of Employees, Queensland
- The Electrical Trades Union of Employees Queensland
- United Voice, Industrial 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.

[2] The agreement has been signed by all parties to the agreement¹ with the exception of The Electrical Trades Union of Employees Queensland (ETU) who provided correspondence to the effect:

The ETU agreed to the terms of the Agreement but does not intend to sign the Agreement. The ETU wishes to be a party to and covered by the agreement.

The parties to the agreement, present in the Commission, had no objection to the course embarked upon by the ETU.

- [3] The agreement is to apply to the Ipswich City Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 18 January 2019 the Commission as presently constituted certified the agreement.
- [5] In certifying the agreement, the Commission recognises that:² each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;³ 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.⁴
- [6] The agreement operates from the day it was certified, namely 18 January 2019.⁵ Although the nominal expiry date of the agreement is on 1 October 2021 the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

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

² *Ibid* s 193(1)(a)-(b).

³ *Ibid* ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

⁴ *Ibid* ss 204, 205, 206, 207, 208, 209.

⁵ *Ibid* s 216(a).

[7] The application to certify the *Ipswich City Council Local Government Employees Certified Agreement 2018* is granted.

[8] I make the following order:

1. ***Ipswich City Council Local Government Employees Certified Agreement 2018 is certified.***

"I certify that the preceding 8 paragraphs
are a true copy of the Reasons for Decision
of Industrial Commissioner Thompson

J.M THOMPSON, Industrial Commissioner: _____

Dated: 18 January 2019".