

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the Gladstone Regional Council Certified Agreement 2018 [2019] QIRC 006*

PARTIES: Gladstone Regional Council

and

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

and

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

and

Australian Workers' Union of Employees, Queensland

and

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

and

The Electrical Trades Union of Employees Queensland

and

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

and

Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/204

PROCEEDING: Certification of an Agreement

DELIVERED ON: 17 January 2019

HEARING DATE: 17 January 2019

HEARD AT:	Brisbane
MEMBER:	Black IC
ORDER:	<b>1. <i>The Gladstone Regional Council Certified Agreement 2018 is certified.</i></b>
CATCHWORDS:	INDUSTRIAL LAW – Application for Certification of an Agreement – Requirements for Certification – Agreement certified
LEGISLATION:	<i>Industrial Relations Act 2016</i> , Subdivisions 2 and 3 of Division 2 of Part 5
APPEARANCES:	Ms N Todd and Ms S Woolf for the Gladstone Regional Council Mr J Blundell-Thornton for the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees and the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland Ms S Young for the Australian Workers' Union of Employees, Queensland Mr T Murray of Queensland Services, Industrial Union of Employees

### **Reasons for Decision**

- [1] The Gladstone 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 Gladstone Regional Council and the following employee organisations:
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
  - The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees;
  - Australian Workers' Union of Employees, Queensland;
  - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
  - The Electrical Trades 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 Gladstone Regional Council and its employees other than the Chief Executive Officer and Executive Officers as prescribed by clause 1.4 of the Agreement.
- [4] The proposed agreement replaces the pre-existing agreement which is referred to as the *Gladstone Regional Council Certified Agreement 2012*.
- [5] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Leisa Dowling dated 12 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 17 January 2019. Although the nominal expiry date of the agreement is 8 November 2021, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Gladstone Regional Council Certified Agreement 2018* is granted.
- [8] I make the following order:
- The Gladstone Regional Council Certified Agreement 2018 is certified.***