

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Townsville City Council (Trades Employees) Certified Agreement 2017*
[2018] QIRC 031

PARTIES: Townsville City Council

and

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

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

The Electrical Trades Union of Employees
Queensland

Plumbers & Gasfitters Employees Union
Queensland, Union of Employees

CASE NO: CB/2018/2

PROCEEDING: Certification of an agreement

DELIVERED ON: 15 March 2018

HEARING DATE: 15 March 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. *The Townsville City Council (Trades Employees) Certified Agreement 2017 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 S. Coburn, for the Townsville City Council
Ms K. Fiedler, for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

Reasons for Decision

- [1] The Townsville City 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 Townsville City 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 Electrical Trades Union of Employees Queensland
 - Plumbers & Gasfitters Employees Union Queensland, Union of Queensland
- [2] The agreement has been signed by all parties to the agreement.¹
- [3] The agreement is to apply to Townsville City Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 15 March 2018 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

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.

[6] The agreement operates from the day it was certified, namely 15 March 2018.⁵ Although the nominal expiry date of the agreement is 31 December 2018, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *Townsville City Council (Trades Employees) Certified Agreement 2017* is granted.

[8] I make the following order:

1. **The *Townsville City Council (Trades Employees) Certified Agreement 2017* is certified.**

⁵ Ibid s 216(a).