

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2018-2021* [2018] QIRC 081

PARTIES: Blackall-Tambo Regional Council  
and  
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland  
The Australian Workers' Union of Employees, Queensland  
Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/61

PROCEEDING: Certification of an agreement

DELIVERED ON: 28 June 2018

HEARING DATE: 28 June 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. The *Blackall - Tambo Regional Council Enterprise Bargaining Agreement 2018-2021* 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 Blackall  
Tambo Regional Shire Council

Ms M Robertson for the Queensland Services,  
Industrial Union of Employees

### Reasons for Decision

- [1] The Blackall-Tambo Regional 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 Blackall Tambo Regional Council and the following employee organisations:
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
  - The Australian Workers' Union of Employees, Queensland
  - Queensland Services, Industrial Union of Employees
- [2] The agreement has been signed by all parties to the agreement.<sup>1</sup>
- [3] The agreement is to apply to Blackall-Tambo Regional Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 28 June 2018 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>
- [6] The agreement operates from the day it was certified, namely 28 June 2018.<sup>5</sup> Although the nominal expiry date of the agreement is 30 June 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 *Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2018-2021* is granted.

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<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.

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

[8] I make the following order:

1. **The *Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2018-2021* is certified.**