

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Townsville City Council (Queensland Local Government Officers) Certified Agreement 2017 [2018] QIRC 035*

PARTIES: Townsville City Council
and
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
Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/6

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 (Queensland Local Government Officers) 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

Ms C. Raftos, for the Queensland Services, Industrial Union of Employees

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:

- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- Queensland Services, Industrial Union of Employees

[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

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).

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 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 (Queensland Local Government Officers) Certified Agreement 2017* is granted.

[8] I make the following order:

- 1. The *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2017* is certified.**

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

⁵ Ibid s 216(a).