

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Brisbane City Council Certified Agreement 2018 (EBA9) [2018] QIRC 085*

PARTIES: Brisbane City Council

and

Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch

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

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

Queensland Nurses and Midwives' Union of Employees

Queensland Services, Industrial Union of Employees

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

The Australian Workers' Union of Employees, Queensland

The Electrical Trades Union of Employees Queensland

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

United Voice, Industrial Union of Employees, Queensland

CASE NO: CB/2018/85

PROCEEDING: Certification of an agreement

DELIVERED ON: 2 July 2018

HEARING DATE: 2 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. The *Brisbane City Council Certified Agreement 2018 (EBA9)* 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:

Mr L Cruwys for the Brisbane City Council

Ms M Robertson for the Queensland Services, Industrial Union of Employees and the Queensland Nurses and Midwives' Union of Employees

Ms K Fiedler for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

Mr P Allen for the Transport Workers' Union of Australia, Union of Employees (Queensland Branch)

Mr S Ong for the United Voice, Industrial Union of Employees, Queensland

Mr B Fullerton for The Australian Workers' Union of Employees, Queensland

Reasons for Decision

[1] The Brisbane 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 Brisbane City Council and the following employee organisations:

- Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- Plumbers & Gasfitters Employees' Union Queensland, Union of Employees
- Queensland Nurses and Midwives' Union of Employees
- Queensland Services, Industrial Union of Employees
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
- The Australian Workers' Union of Employees, Queensland
- The Electrical Trades Union of Employees Queensland
- Transport Workers' Union of Australia, Union of Employees (Queensland Branch)
- United Voice, Industrial Union of Employees, Queensland

[2] The agreement has been signed by all parties to the agreement.¹

[3] The agreement is to apply to Brisbane City Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.

[4] In proceedings on 2 July 2018 the Commission as presently constituted certified the agreement.

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

- [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 2 July 2018.⁵ Although the nominal expiry date of the agreement is 7 October 2020, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Brisbane City Council Certified Agreement 2018 (EBA9)* is granted.
- [8] I make the following order:
- 1. The *Brisbane City Council Certified Agreement 2018 (EBA9)* is certified.**

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).