

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Lockyer Valley Regional Council Certified Agreement (Field) 2018 [2018] QIRC 101*

PARTIES: **Lockyer Valley Regional Council**
and
The Australian Workers' Union of Employees, Queensland
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
Transport Workers' Union of Australia, Union of Employees (Queensland Branch)
United Voice, Industrial Union of Employees, Queensland

CASE NO: CB/2018/98

PROCEEDING: Certification of an agreement

DELIVERED ON: 3 August 2018

HEARING DATE: 3 August 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. *The Lockyer Valley Regional Council Certified Agreement (Field) 2018 is certified.***

CATCHWORDS: INDUSTRIAL LAW - APPLICATION FOR CERTIFICATION OF AGREEMENT - where application made within 21 days of the date on which the agreement was made - where requirements for certification

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, s 228

APPEARANCES: Ms S. Mitanis for the Local Government Association of Queensland Ltd.

Mr J. Harding for The Australian Workers' Union of Employees, Queensland.

Mr S. Ong for United Voice, Industrial Union of Employees, Queensland (by email).

Reasons for Decision

[1] The Lockyer Valley 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 Lockyer Valley Regional and the following employee organisations:

- The Australian Workers' Union of Employees, Queensland;
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; and
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland.
- Transport Workers' Union of Australia, Union of Employees (Queensland Branch).
- United Voice, Industrial Union of Employees, Queensland.

[2] The agreement is to apply to Lockyer Valley Regional Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.

[3] In proceedings on 3 August 2018 the Commission as presently constituted certified the agreement.

[4] The agreement is signed by all of the listed parties.¹

[5] In certifying the agreement, the Commission recognises that² 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)(b).

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 3 August 2018.⁵ The nominal expiry date of the agreement is 2 August 2021, however, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *Lockyer Valley Regional Council Certified Agreement (Field) 2018* is granted.

[8] I make the following order:

- 1. The *Lockyer Valley Regional Council Certified Agreement (Field) 2018* is certified.**

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

⁵ Ibid s 216(a).