

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Queensland Fire and
Emergency Service Certified Agreement 2019*
[2019] QIRC 168

PARTIES: **State of Queensland (Queensland Fire and
Emergency Services)**
(Applicant)

v

**United Firefighters' Union of Australia,
Union of Employees, Queensland**
(First Respondent)

&

**Queensland Fire and Rescue – Senior
Officers Union of Employees**
(Second Respondent)

&

**Together Queensland, Industrial Union of
Employees**
(Third Respondent)

CASE NO: CB/2019/104

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 6 November 2019

HEARING DATE: 6 November 2019

MEMBER: Hartigan IC

HEARD AT: Brisbane

- ORDER: **1. The *Queensland Fire and Emergency Service Certified Agreement 2019* is certified.**
- CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for certification of an agreement – Requirements for certification – Agreement certified
- LEGISLATION: *Industrial Relations Act 2016* (Qld), 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 F Bridges with the Public Safety Business Agency for the Queensland Fire and Emergency Services
- Mr A Cooke for the United Firefighters' Union of Australia, Union of Employees, Queensland
- Ms N Vigor for Together Queensland, Industrial Union of Employees

Reasons for Decision

- [1] The State of Queensland (Queensland Fire and Emergency Services) ('QFES') has made an application to certify an agreement pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'). As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was signed. The agreement is between QFES and the following parties:
- (a) United Firefighters' Union of Australia, Union of Employees, Queensland;
 - (b) Queensland Fire and Rescue – Senior Officers Union of Employees; and
 - (c) Together Queensland, Industrial Union of Employees.
- [2] The agreement has been signed by all parties to the agreement.¹
- [3] The agreement is to apply to the QFES, the Public Safety Business Agency ('PSBA'), those unions of employees that are bound by the *Queensland Fire and Emergency Service Employees Award – State 2016* and all employees employed by the QFES and PSBA for

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

whom rates of pay, conditions of employment and entitlements are provided for in the agreement.

- [4] In proceedings on 6 November 2019 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
- [6] The agreement operates from the day it was certified, namely 6 November 2019.⁵ Although the nominal expiry date of the agreement is 30 June 2022, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Queensland Fire and Emergency Service Certified Agreement 2019* is granted.
- [8] I make the following order:

1. The *Queensland Fire and Emergency Service Certified Agreement 2019* is certified.

² *Industrial Relations Act 2016* (Qld) 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(1).