

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Maritime Safety Queensland Maritime Operations Certified Agreement 2018*
[2019] QIRC 180

PARTIES: **State of Queensland (Department of Transport and Main Roads)**

AND

Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District

Australian Maritime Officers Union Queensland Union of Employees

The Australian Workers' Union of Employees, Queensland

The Electrical Trades Union of Employees, Queensland

Together Queensland, Industrial Union of Employees

CASE NO: CB/2019/110

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 21 November 2019

HEARING DATE: 21 November 2019

HEARD AT: Brisbane

MEMBER: Dwyer IC

ORDER: **1. *The Maritime Safety Queensland Maritime Operations Certified Agreement 2018 is certified.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for certification of an agreement – Requirements for certification – Agreement certified

LEGISLATION: *Industrial Relations Act 2016*

Industrial Relations (Tribunals) Rules 2011

APPEARANCES:

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

Ms T. Ellis for the Australian Maritime Officers Union Queensland Union of Employees.

Mr M. Thomas for Together Queensland, Union of Employees.

Ms J. Grant-Vicig and Mr T. Smith of the State of Queensland (Department of Transport and Main Roads).

Reasons for Decision

- [1] On 5 November 2019, the Director-General of the Department of Transport and Main Roads ('the Applicant') pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Maritime Safety Queensland Maritime Operations Certified Agreement 2018* ('the Agreement').
- [2] Clause 1.3 of the Agreement names the parties as the Applicant and the following employee organisations:
- The Australian Maritime Officers Union Queensland Union of Employees;
 - The Electrical Trades Union of Employees, Queensland;
 - The Australian Workers' Union of Employees, Queensland;
 - The Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District; and
 - Together Queensland, Industrial Union of Employees
- [3] The Agreement is signed by all the above-mentioned parties.
- [4] The Agreement covers:
- Maritime Safety Queensland, an agency of the Department of Transport and Main Roads;
 - its employees; and
 - the organisations named at cl 1.3 of the Agreement.

- [5] Having regard to the submissions made by the parties who appeared and to the affidavit of Neil Scales filed 5 November 2019:
- I am satisfied of each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the Act; and
 - there is nothing in the Agreement which would require me to refuse to grant the application pursuant to ch 4, pt 5, div 2, sub-div 3 of the Act.
- [6] The application to certify the *Maritime Safety Queensland Maritime Operations Certified Agreement 2018* is granted.
- [7] The *Maritime Safety Queensland Maritime Operations Certified Agreement 2018* operates from the day it is certified, namely 21 November 2019.
- [8] Although the nominal expiry date of the *Maritime Safety Queensland Maritime Operations Certified Agreement 2018* is 30 September 2021, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [9] I make the following order:
1. **The *Maritime Safety Queensland Maritime Operations Certified Agreement 2018* is certified.**