

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Townsville City Council  
(Field and Other Employees) Certified Agreement  
2019 [2019] QIRC 192*

PARTIES: **Townsville City Council**

and

**The Australian Workers' Union of Employees,  
Queensland**

and

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

and

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

and

**The Electrical Trades Union of Employees  
Queensland**

and

**Plumbers & Gasfitters Employees' Union  
Queensland, Union of Employees**

and

**Queensland Services, Industrial Union of  
Employees**

CASE NO: CB/2019/118

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 11 December 2019

HEARING DATE: 11 December 2019

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER:

**1. The Townsville City Council (Field and Other Employees) 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*

APPEARANCES:

Ms. S. Coburn for the Townsville City Council

Mr. D. Cutler for Queensland Services, Industrial Union of Employees

Ms. S. Young of The Australian Workers' Union of Employees, Queensland

### **Reasons for Decision**

- [1] The Townsville City Council 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.
- [2] This agreement is made between the Townsville City Council and: The Australian Workers' Union of Employees, Queensland, and the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland, and the Transport Workers' Union of Australia, Union of Employees (Queensland Branch), and The Electrical Trades Union of Employees Queensland, and the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees and the Queensland Services, Industrial Union of Employees.
- [3] The Commission is satisfied that all parties have agreed on the terms of the agreement, which were approved by a valid majority of relevant employees in a properly conducted ballot. The application for certification was made within a reasonable time after the proposed agreement was approved.
- [4] The agreement shall apply to persons employed by Townsville City Council employed under the terms of Division 2, Sections 5 and 6 of the Queensland Local Government Industry (Stream B) Award 2017.
- [5] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Mr. Michael Anthony Chiodo, Chief Executive Officer of Townsville City Council, sworn 6 November 2019.
- [6] The Commission determines that each relevant requirement under sub-div 2 of div 2 of pt 5 of the Act has been satisfied. Further, there is nothing in the agreement which would require the Commission to refuse to grant the application under sub-div 3 of div 2 of pt 5 of the Act.

- [7] The agreement operates from the day it is certified, namely 11 December 2019 and, although the nominal expiry date of the agreement is 30 November 2021, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [8] The application to certify the *Townsville City Council (Field and Other Employees) Certified Agreement 2019* is granted.
- [9] I make the following order:
1. **The *Townsville City Council (Field and Other Employees) Certified Agreement 2019* is certified.**