

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Goondiwindi Regional Council Certified Agreement 2019-2021 OUTDOOR* [2020] QIRC 005

PARTIES: **Goondiwindi Regional Council**

and

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

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

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

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

CASE NO: CB/2019/130

PROCEEDING: Certification of an agreement

DELIVERED ON: 14 January 2020

HEARING DATE: 14 January 2020

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: **1. The Goondiwindi Regional Council
Certified Agreement 2019-2021
OUTDOOR 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, s 228.

APPEARANCES:

Ms K Roberts for the Goondiwindi Regional Council

Ms S Young for the Australian Workers' Union

Reasons for Decision

- [1] The Goondiwindi Regional 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 made. The agreement is between the Goondiwindi Regional Council and the following employee organisations:
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - The Australian Workers' Union of Employees, Queensland;
 - Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- [2] The agreement has been signed by all parties to the agreement,¹ and the agreement was approved by a valid majority of relevant employees in a properly conducted ballot.²
- [3] The agreement replaces the pre-existing agreement, *Goondiwindi Regional Council Certified Agreement Number 2 - Outdoor 2012*.
- [4] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Carl Manton affirmed 3 December 2019. The Commission determines that:³

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

² Affidavit of Carl Manton, affirmed 3 December 2019.

³ *Industrial Relations Act 2016*, ss 193(1)(a)-(b).

- Each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;⁴ and
- 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.⁵

[5] The agreement operates from the day it was certified, namely 14 January 2020.⁶ Although the nominal expiry date of the agreement is 21 January 2023, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[6] The application to certify the *Goondiwindi Regional Council Certified Agreement 2019-2021 OUTDOOR* is granted.

[7] I make the following order:

- 1. That the *Goondiwindi Regional Council Certified Agreement 2019-2021 OUTDOOR* is certified.**

⁴ Ibid ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

⁵ Ibid ss 204, 205, 206, 207, 208, 209.

⁶ Ibid s 216(a).