

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the TAFE Queensland Educators Certified Agreement 2019 [2020] QIRC 17*

PARTIES: **State of Queensland (TAFE Queensland)**

AND

**Queensland Teachers Union of Employees**

**Together Queensland, Industrial Union of Employees**

CASE NO: CB/2019/136

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 31 January 2020

HEARING DATE: 31 January 2020

HEARD AT: Brisbane

MEMBER: Merrell DP

ORDER: ***The TAFE Queensland Educators 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, s 189, s 227 and s 228*

APPEARANCES: Mr J. Butler-White and Mr S. Spina for the State of Queensland (TAFE Queensland)

Ms K. Rutterman and Mr K. Bates for Queensland Teachers Union of Employees

Ms N. Vigor for Together Queensland, Industrial Union of Employees

### Reasons for Decision

- [1] On 20 December 2019, the State of Queensland (TAFE Queensland) ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *TAFE Queensland Educators Certified Agreement 2019* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisations:
- Queensland Teachers Union of Employees; and
  - Together Queensland, Industrial Union of Employees.
- [3] The agreement is signed by all the above-mentioned parties.
- [4] The agreement applies to the Educators and short term casual employees engaged in Adult Community Education and other short courses as prescribed in Schedule 4 of the *TAFE Queensland Award - State 2016*.
- [5] Having regard to the submissions made by the parties who appeared today and to the affidavit of Mr Owen Heather, Director, Employee Relations of the Applicant, filed on 20 December 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 *TAFE Queensland Educators Certified Agreement 2019* is granted.
- [7] The *TAFE Queensland Educators Certified Agreement 2019* operates from the day it is certified, namely 31 January 2020.
- [8] Although the nominal expiry date of the *TAFE Queensland Educators Certified Agreement 2019* is 30 June 2023, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [9] I make the following order:

**The *TAFE Queensland Educators Certified Agreement 2019* is certified.**