

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Building and Asset Services Field Staff Certified Agreement 2016 (FSA9) [2019] QIRC 064*

PARTIES: **State of Queensland (Department of Housing and Public Works)**

AND

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

Plumbers and Gasfitters Employees' Union Queensland, Union of Employees

The Australian Workers' Union of Employees, Queensland

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

The Electrical Trades Union of Employees Queensland

Together Queensland, Industrial Union of Employees

CASE NO: CB/2019/19

PROCEEDING: Certification of an agreement

DELIVERED ON: 2 May 2019

HEARING DATE: 2 May 2019

MEMBER: Merrell DP

HEARD AT: Brisbane

ORDER: **1. *The Building and Asset Services Field Staff Certified Agreement 2016 (FSA9) is certified.***

CATCHWORDS:	INDUSTRIAL LAW – application for certification of an agreement – requirements for certification – agreement certified
LEGISLATION:	<i>Industrial Relations Act 2016</i> , 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
APPEARANCES:	Mr G. Wallace and Ms T. Bullas of the Department of Housing and Public Works.

Reasons for Decision

- [1] The State of Queensland (Department of Housing and Public Works) has made an application to certify an agreement pursuant to s 189 of the *Industrial Relations Act 2016*. 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 the State of Queensland (Department of Housing and Public Works) and the following employee organisations:
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
 - Plumbers and Gasfitters Employees' Union Queensland, Union of Employees
 - The Australian Workers' Union of Employees, Queensland
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
 - The Electrical Trades Union of Employees Queensland
 - 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 State of Queensland (Department of Housing and Public Works) and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 2 May 2019, the Commission, as presently constituted, certified the agreement.

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

- [5] In certifying the agreement, the Commission recognises that² each relevant requirement under ch 4, pt 5, div 2, sub-div 2 of the Act has been satisfied³ and that there is nothing in the agreement which would require the Commission to refuse to grant the application under ch 4, pt 5, div 2, sub-div 3 of the Act.⁴
- [6] The agreement operates from the day it was certified, namely 2 May 2019.⁵ Although the nominal expiry date of the agreement is 31 August 2019, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Building and Asset Services Field Staff Certified Agreement 2016* (FSA9) is granted.
- [8] I make the following order:
- 1. The *Building and Asset Services Field Staff Certified Agreement 2016* (FSA9) is certified.**

² Ibid 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).