

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the South Bank Employing Office Employees' Certified Agreement 2019*  
[2019] QIRC 088

PARTIES: **South Bank Employing Office**

and

**Together Queensland, Industrial Union of Employees**

**United Voice, Industrial Union of Employees, Queensland**

CASE NO: CB/2019/43

PROCEEDING: Certification of an agreement

DELIVERED ON: 10 June 2019

HEARING DATE: 10 June 2019

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: **1. *The South Bank Employing Office Employees' Certified Agreement 2019 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: Mr T Marsden for South Bank Employing Office

Mr D Peverill of United Voice, Industrial Union of Employees

Ms N Vigor of Together Queensland Industrial Union of Employees

### Reasons for Decision

- [1] The South Bank Employing Office 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 South Bank Employing Office and the following employee organisations:
- Together Queensland Industrial Union of Employees; and
  - United Voice, Industrial Union of Employees, Queensland.
- [2] The agreement has been signed by all parties to the agreement,<sup>1</sup> and the agreement was approved by a valid majority of relevant employees in a properly conducted ballot.<sup>2</sup>
- [3] The agreement replaces the pre-existing agreement, *South Bank Employing Office Employees' Agreement 2016*.
- [4] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavits of William John Delves affirmed 22 May 2019. The Commission determines that:<sup>3</sup>
- Each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;<sup>4</sup> 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.<sup>5</sup>

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<sup>1</sup> *Industrial Relations Act 2016*, s 196(1).

<sup>2</sup> Affidavit of William John Delves, Chief Executive Officer, affirmed 22 May 2019.

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

<sup>4</sup> *Ibid* ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

<sup>5</sup> *Ibid* ss 204, 205, 206, 207, 208, 209.

[5] The agreement operates from the day it was certified, namely 10 June 2019.<sup>6</sup> Although the nominal expiry date of the agreement is 28 February 2022, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[6] The application to certify the *South Bank Employing Office Employees' Certified Agreement 2019* is granted.

[7] I make the following order:

1. **That the *South Bank Employing Office Employees' Certified Agreement 2019* is certified.**

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<sup>6</sup> Ibid s 216(a).