

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Rockhampton Regional Council Certified Agreement 2018 – Internal Employees* [2019] QIRC 103

PARTIES: **Rockhampton Regional Council**  
and  
**Association of Professional Engineers, Scientists and Managers Australia, Queensland Branch**  
and  
**The Australian Workers' Union of Employees, Queensland**  
and  
**Queensland Services, Industrial Union of Queensland**  
and  
**United Voice, Industrial Union of Employees, Queensland**

CASE NO: CB/2019/46

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 5 July 2019

HEARING DATE: 1 July 2019

HEARD AT: Brisbane

MEMBER: Knight IC

ORDER: **1. The *Rockhampton Regional Council Certified Agreement 2018 – Internal Employees* is certified.**

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for certification of an agreement – Requirements for certification – Agreement certified

LEGISLATION:	<i>Industrial Relations Act 2016</i> (Qld)
APPEARANCES:	Mr. V. Pejovic, of the Local Government Association Queensland, for the Applicant
	Ms. M. Robertson, for the Queensland Services, Industrial Union of Queensland
	Mr. D. Peverill, of United Voice, Industrial Union of Employees, Queensland

### **Reasons for Decision**

- [1] The Rockhampton Regional Council has made an application to certify an agreement pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ("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] The agreement is made between the:
- Rockhampton Regional Council;
  - Association of Professional Engineers, Scientists and Managers Australia, Queensland Branch, Union of Employees;
  - Australian Workers' Union of Employees, Queensland;
  - Queensland Services, Industrial Union of Queensland; and
  - United Voice, Industrial Union of Employees, Queensland.
- [3] The Commission is satisfied that the 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 is to apply to employees in professional, technical, operational or administrative roles, where relevant. However, this agreement shall not apply to any employee appointed to the position of Chief Executive or senior officer pursuant to a written contract of employment.
- [5] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Mr. Evan Anthony Pardon, Chief Executive Officer of Rockhampton Regional Council.
- [6] The Commission has determined that each relevant requirement under sub-div 2 of div 2 of pt 5 of the Act is 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, 5 July 2019 and, although the nominal expiry date of the agreement is 1 July 2022, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[8] The application to certify is granted.

[9] I make the following order:

1. ***The Rockhampton Regional Council Certified Agreement 2018 – Internal Employees is certified.***