

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Torres Shire Council Certified Agreement 2019* [2019] QIRC 131

PARTIES: **Torres Shire Council**

AND

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

AND

**Queensland Services, Industrial Union of
Employees**

CASE NO: CB/2019/71

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 6 September 2019

HEARING DATE: 6 September 2019

MEMBER: Industrial Commissioner Hartigan

HEARD AT: Brisbane

ORDER: **1. The Torres Shire Council 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 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 N. Todd for the Torres Shire Council

Mr A. Santelises for The Australian Workers Union of Employees, Queensland

Ms M. Robertson for Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] The Torres Shire 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 signed. The agreement is between the Torres Shire Council and the following employee organisations:
- The Australian Workers Union of Employees, Queensland; and
 - Queensland Services, Industrial Union of Employees.
- [2] The agreement has been signed by all parties to the agreement.¹
- [3] The agreement is to apply to the Torres Shire Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 6 September 2019 the Commission as presently constituted certified the agreement.
- [5] In certifying the agreement, the Commission recognises that:² each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;³ and, that 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.⁴
- [6] The agreement operates from the day it was certified, namely 6 September 2019.⁵ Although the nominal expiry date of the agreement is 6 September 2022, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Torres Shire Council Certified Agreement 2019* is granted.
- [8] I make the following order:
- 1. The *Torres Shire Council Certified Agreement 2019* is certified.**

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

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).