

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the City of Gold Coast Certified Agreement 2019* [2019] QIRC 153

PARTIES: **Council of the City of Gold Coast**

AND

**The Association of Professional Engineers,
Scientists and Managers, Australia,
Queensland Branch**

**Queensland Services, Industrial Union of
Employees**

**Electrical Trades Union of Employees
Queensland**

**Plumbers & Gasfitters Employees' Union
Queensland, Union of Employees**

**Transport Workers' Union of Australia, Union
of Employees (Queensland Branch)**

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

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

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

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

**Transport Workers' Union of Australia, Union
of Employees (Queensland Branch)**

CASE NO: CB/2019/93

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 16 October 2019

HEARING DATE: 16 October 2019

HEARD AT: Brisbane

MEMBER: Power IC

ORDER: **1. *The City of Gold Coast 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*

APPEARANCES:

Mr G. Newman for the City of Gold Coast

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

Ms S. Young for the Australian Workers' Union of Employees, Queensland

Mr K. Sherf for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 26 September 2019, the Council of the City of Gold Coast ('the Applicant') pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made application to certify the *City of Gold Coast Certified Agreement 2019* ('the agreement').
- [2] By cl 1.3 of the agreement, the named parties are Council of the City of Gold Coast and the following employee organisations:
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch
 - Queensland Services, Industrial Union of Employees
 - Electrical Trades Union of Employees Queensland
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees
 - Transport Workers' Union of Australian, Union of Employees (Queensland Branch)
 - The Australian Workers' Union of Employees, Queensland
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

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

[3] The Commission is satisfied that all parties have agreed on the terms of the agreement.

[4] The Applicant's application under Chapter 4, Part 5 of the Act was made within a reasonable time after the instrument was approved by a valid majority of the relevant employees at the time in a properly conducted ballot.

[5] The agreement covers:

- Council of the City of Gold Coast;
- its employees referred to in clause 1.3 of the agreement; and
- the employee organisations referred to in paragraph [2] of these reasons.

[6] Having regard to the submissions made by the parties who appeared today and to the affidavit of Mr Joe McCabe filed on 26 September 2019:

- I am satisfied of each relevant requirement in Chapter 4, Part 5, Division 2, Sub-division 2 of the Act; and
- there is nothing in the agreement which would require me to refuse to grant the application pursuant to Chapter 4, Part 5, Division 2, Sub-division 3 of the Act.

[7] The application to certify the *City of Gold Coast Certified Agreement 2019* is granted.

[8] The *City of Gold Coast Certified Agreement 2019* operates from the day it is certified, namely 16 October 2019.

[9] Although the nominal expiry date of the *City of Gold Coast Certified Agreement 2019* is 16 October 2022, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[10] I make the following order:

- 1. The *City of Gold Coast Certified Agreement 2019* is certified.**