

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Mount Isa City Council Certified Agreement 2018 [2019] QIRC 045*

PARTIES: Mount Isa City Council

and

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

and

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

and

Australian Workers' Union of Employees, Queensland

and

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

and

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

and

Queensland Services, Industrial Union of Employees

CASE NO: CB/2019/9

PROCEEDING: Certification of an Agreement

DELIVERED ON: 6 March 2019

HEARING DATE: 6 March 2019

HEARD AT: Brisbane

MEMBER: Black IC

ORDER:	1. <i>The Mount Isa City Council Certified Agreement 2018 is certified.</i>
CATCHWORDS:	INDUSTRIAL LAW – Application for Certification of an Agreement – Requirements for Certification – Agreement certified
LEGISLATION:	<i>Industrial Relations Act 2016</i> , Subdivisions 2 and 3 of Division 2 of Part 5
APPEARANCES:	Ms N Todd of Peak Services for Mount Isa City Council Ms S Young for Australian Workers' Union of Employees, Queensland Ms M Robertson for Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] The Mount Isa City Council has made an application to certify an agreement pursuant to section 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 made between the Mount Isa City Council and the following employee organisations:
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees;
 - Australian Workers' Union of Employees, Queensland;
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
 - Queensland Services, Industrial Union of Employees.
- [2] Both the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees, and the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland, have informed the Commission in writing that they were unable to attend today's hearing. Neither union has raised any objection to the application.
- [3] The Commission is satisfied that all parties have agreed on the terms of the agreement. The agreement was 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 the Mount Isa City Council and its employees other than Senior Officers as prescribed by clause 4.2 of the *Queensland Local Government Industry (Stream A) Award – State 2017* Sch. 2, Section 1.

- [5] The proposed agreement replaces the pre-existing agreement which is referred to as the *Mount Isa City Council Certified Agreement 2013 - 2015*.
- [6] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavits of Sharon Ibardolaza dated 20 December 2018 and 21 January 2019. The Commission determines that each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied; and that there is 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.
- [7] The agreement operates from the day that it is certified, namely 6 March 2019. Although the nominal expiry date of the agreement is 30 June 2022, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [8] The application to certify the *Mount Isa City Council Certified Agreement 2018* is granted.
- [9] I make the following order:
- 1. *The Mount Isa City Council Certified Agreement 2018 is certified.***