

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Rockhampton Regional Council Waste and Recycling Certified Agreement 2018* [2020] QIRC 060

PARTIES: Rockhampton Regional Council  
and  
The Australian Workers' Union of Employees Queensland  
and  
Transport Workers' Union of Australia, Queensland Branch

CASE NO: CB/2020/17

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 29 April 2020

HEARING DATE: 29 April 2020

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER: **1. The Rockhampton Regional Council Waste and Recycling Certified Agreement 2018 is certified.**

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

LEGISLATION: *Industrial Relations Act 2016*

APPEARANCES: Ms N. Todd of the Local Government Association Queensland / Peak Services on behalf of the Rockhampton Regional Council  
  
Ms S. Young of The Australian Workers' Union of Employees Queensland  
  
Ms M Cerrato of the Transport Workers' Union of Australia, Queensland Branch

### 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* ("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, The Australian Workers' Union of Employees Queensland and the Transport Workers' Union of Australia, Queensland Branch.
- [3] The Commission is satisfied that all 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 shall apply to the Rockhampton Regional Council, and persons employed by Rockhampton Regional Council as Waste Collections Operators and Waste Facilities Employees who carry out duties at the Rockhampton Landfill who are members of the following unions or who are eligible to become so, and for whom a classification contained in the Certified Agreement applies:
  - The Australian Workers' Union of Employees, Queensland; and/or
  - The Transport Workers Union of Australia, Queensland Branch.
- [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, sworn 25 March 2020.
- [6] The Commission determines that each relevant requirement under sub-div 2 of div 2 of pt 5 of the Act has been 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 29 April 2020 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 the *Rockhampton Regional Council Waste and Recycling Certified Agreement 2018* is granted.
- [9] I make the following order:
  1. **The *Rockhampton Regional Council Waste and Recycling Certified Agreement 2018* is certified.**