

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Maranoa Regional Council Certified Agreement 2019 [2020] QIRC 020*

PARTIES: Maranoa Regional Council

and

The Australian Workers' Union of Employees, Queensland

and

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

and

Queensland Services, Industrial Union of Employees

and

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

and

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

CASE NO: CB/2020/3

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 4 February 2020

HEARING DATE: 4 February 2020

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER: **1. *The Maranoa Regional 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

APPEARANCES:

Ms S. Wishart of Murdoch Lawyers, and Ms N. Ward, for the Maranoa Regional Council

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

Mr S. Boman of Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] The Maranoa 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 Maranoa Regional Council and The Australian Workers' Union of Employees, Queensland and The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland and Queensland Services, Industrial Union of Employees and the Transport Workers' Union of Australia, Union of Employees (Queensland Branch) and the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees.
- [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 persons employed by Maranoa Regional Council covered by the *Queensland Local Government Industry (Stream A) Award – State 2017*, *Queensland Local Government Industry (Stream B) Award – State 2017*, *Queensland Local Government Industry (Stream C) Award – State 2017* and *Training Wage Award – State 2012* except for the Chief Executive Officer and Senior Officer positions as defined by clause 4.2 of Division 2 – Section 1 of the *Queensland Local Government Industry (Stream A) Award – State 2017*.
- [5] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Ms Noela Ward, Manager – Organisational Development and Human Resources for Maranoa Regional Council, sworn 13 December 2019.
- [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 4 February 2020 and, although the nominal expiry date of the agreement is 4 February 2023, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [8] The application to certify the *Maranoa Regional Council Certified Agreement 2019* is granted.
- [9] I make the following order:
1. **The *Maranoa Regional Council Certified Agreement 2019* is certified.**