

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Western Downs Regional Council Operational Staff Certified Agreement - 2020* [2020] QIRC 170

PARTIES: **Western Downs Regional Council**

AND

Australian Manufacturing Workers' Unions

Plumbers and Pipe Trades Employees Union, Queensland Branch

The Australian Workers' Union of Employees, Queensland

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

The Electrical Trades Union of Employees of Queensland

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

CASE NO: CB/2020/62

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 2 October 2020

HEARD AT: On the papers

MEMBER: Industrial Commissioner Dwyer

ORDER: **1. *The Western Downs Regional Council Operational Staff Certified Agreement - 2020* is certified.**

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

LEGISLATION: *Industrial Relations Act 2016*

*Industrial Relations (Tribunals) Rules 2011***Reasons for Decision**

- [1] On 20 August 2020, the Chief Executive Officer of the Western Downs Regional Council pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Western Downs Regional Council Operational Staff Certified Agreement - 2020* ('the Agreement').
- [2] The Agreement names the parties as the Western Downs Regional Council ('the applicant') and the following employee organisations:
- Australian Manufacturing Workers' Unions;
 - Plumbers and Pipe Trades Employees Union, Queensland Branch;
 - The Australian Workers' Union of Employees, Queensland;
 - The Construction, Forestry, Mining and Energy Industrial Union of Employees, Queensland;
 - The Electrical Trades Union of Employees of Queensland; and
 - Transport Workers' Union of Australia, Union of Employees, Queensland Branch.
- [3] Clause 2.1 of the Agreement states it is binding on:
- The Western Downs Regional Council;
 - Its employees; and
 - The employee organisations named above at [2].
- [4] Having regard to the affidavit of Ross Andrew Musgrove which was filed 20 August 2020 and subsequent correspondence provided by the applicant Council on 25 September 2020:
- I am satisfied of each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the Act; and
 - There is nothing in the Agreement which would require me to refuse to grant the application pursuant to ch 4, pt 5, div 2, sub-div 3 of the Act.

- [5] The application to certify the *Western Downs Regional Council Operational Staff Certified Agreement - 2020* is granted.
- [6] The *Western Downs Regional Council Operational Staff Certified Agreement - 2020* operates from the day it is certified, namely 2 October 2020.
- [7] Although the nominal expiry date of the *Western Downs Regional Council Operational Staff Certified Agreement - 2020* is 1 July 2023, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [8] I make the following order:
1. **The *Western Downs Regional Council Operational Staff Certified Agreement - 2020* is certified.**