

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Cloncurry Shire Council Certified Agreement 2019* [2020] QIRC 183

PARTIES: **Cloncurry Shire Council**

AND

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

**Queensland Services, Industrial Union of
Employees**

CASE NO: CB/2020/77

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 21 October 2020

HEARING DATE: 21 October 2020

HEARD AT: On the papers

MEMBER: Industrial Commissioner Dwyer

ORDER: **1. The Cloncurry Shire 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*

Industrial Relations (Tribunals) Rules 2011

Reasons for Decision

- [1] On 29 September 2020, the Chief Executive Officer of the Cloncurry Shire Council pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Cloncurry Shire Council Certified Agreement 2019* ('the Agreement').

- [2] The Agreement names the parties as being the Cloncurry Shire Council and the following employee organisations:
- The Australian Workers' Union of Employees, Queensland; and
 - Queensland Services, Industrial Union of Employees
- [3] Clause 1.2 of the Agreement states it is binding on:
- The Cloncurry Shire Council;
 - Its employees subject to the Agreement; and
 - The employee organisations named above at [2].
- [4] Having regard to the affidavit of David Jacobus Bezuidenhout which was filed 29 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 *Cloncurry Shire Council Certified Agreement 2019* is granted.
- [6] The *Cloncurry Shire Council Certified Agreement 2019* operates from the day it is certified, namely 21 October 2020.
- [7] Although the nominal expiry date of the *Cloncurry Shire Council Certified Agreement 2019* is 30 June 2022, 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 *Cloncurry Shire Council Certified Agreement 2019* is certified.**