

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Boulia Shire Council
Certified Agreement 2019 [2020] QIRC 040*

PARTIES: **Boulia Shire Council (ABN: 20 492 088 398)**
(Applicant)

v

**The Australian Workers' Union of
Employees, Queensland**
(First Respondent)

and

**Queensland Services, Industrial Union of
Employees**
(Second Respondent)

and

**Construction, Forestry, Mining and
Energy, Industrial Union of Employees,
Queensland**
(Third Respondent)

and

**Automotive, Metals, Engineering, Printing
and Kindred Industries Industrial Union of
Employees, Queensland**
(Fourth Respondent)

CASE NO: CB/2020/7

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 11 March 2020

HEARING DATE: 9 March 2020

MEMBER: Hartigan IC

HEARD AT: Brisbane

ORDER: **1. The *Boulia 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 (Qld), s 189, s 193, s 195, s 196, s 197, s 198, s 199, s 200, s 201, s 204, s 205, s 206, s 207, s 208, s 209, s 216, s 227, s 228

APPEARANCES: Mr K. Hunt for the Boulia Shire Council

Ms M. Robertson for Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] The Boulia Shire Council ("Council") has made an application to certify an agreement pursuant to s 189 of the *Industrial Relations Act* 2016 ("the Act").
- [2] 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.
- [3] The parties bound by this agreement are the Council, its Employees and the following unions:
 - (a) The Australian Workers' Union of Employees, Queensland;
 - (b) Queensland Services, Industrial Union of Employees;
 - (c) Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland; and
 - (d) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland.

- [4] The agreement has been signed for and by all parties to the agreement.¹
- [5] On 11 March 2020, the Commission as presently constituted, certified the agreement.
- [6] In certifying the agreement, the Commission recognises that:²
- (a) each relevant requirement pursuant to Subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;³ and
 - (b) that there were no matters in the agreement which would require the Commission to refuse to grant the application pursuant to Subdivision 3 of Division 2 of Part 5 of the Act.⁴
- [7] The agreement operates from the day it was certified, namely 11 March 2020.⁵ Although the nominal expiry date of the agreement is 30 June 2023, the agreement continues to operate until it is terminated pursuant to ss 227 or 228 of the Act.
- [8] The application to certify the *Boulia Shire Council Certified Agreement 2019* is granted.
- [9] I make the following order:

1. The *Boulia Shire Council Certified Agreement 2019* is certified.

¹ *Industrial Relations Act 2016* (Qld) s 196(1).

² *Ibid* ss 193(1)(a)-(b).

³ *Ibid* ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

⁴ *Ibid* ss 204, 205, 206, 207, 208, 209.

⁵ *Ibid* s 216(1).