

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Somerset Regional Council – Officers Certified Agreement 2020* [2021] QIRC 024

PARTIES: **Somerset Regional Council**
(Applicant)

AND

Queensland Services, Industrial Union of Employees
(Respondent)

CASE NO: CB/2020/83

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 22 January 2021

HEARING DATE: 22 January 2021

MEMBER: Industrial Commissioner Hartigan

HEARD AT: Brisbane

ORDER: **1. The Somerset Regional Council – Officers 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*, s 189, s 196, s 216, s 227, s 228

APPEARANCES: Ms C Spence for the Somerset Regional Council

Mr S Boman of QSU for the Respondent

Reasons for Decision

- [1] The Somerset Regional Council has applied to certify the *Somerset Regional Council – Officers Certified Agreement 2020* ("the certified 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 named parties to the certified agreement are the Somerset Regional Council and The Queensland Services, Industrial Union of Employees.
- [4] The agreement has been signed by all parties to the agreement.¹
- [5] The agreement applies to the Somerset Regional Council, council employees covered by Division 1 and Division 2 – Section 1 of the *Queensland Local Government Industry (Stream A) Award – State 2017* and the Queensland Service Industrial Union of Employees.² The certified agreement shall not apply to any employee appointed as a "Senior Officer" as defined by clause 4.2 of Division 2 – Section 1 of the *Queensland Local Government Industry (Stream A) Award – State 2017*.
- [6] In proceedings on 22 January 2021 the Commission, as presently constituted, certified the agreement.
- [7] Having regard to the material filed,³ I am satisfied that:
- (a) each relevant requirement under Ch. 4, Pt. 5, Div. 2, Sub-Div. 3 of the Act has been satisfied; and
 - (b) there is nothing in the certified agreement which would require the Commission to refuse to grant the application under Ch. 4, Pt. 5, Div. 2, Sub-Div. 3 of the Act.
- [8] The application to certify the *Somerset Regional Council – Officers Certified Agreement 2020* is granted.
- [9] The certified agreement operates from the day it was certified, namely 22 January 2021.⁴ Although the nominal expiry date of the agreement is 30 June 2023, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [10] I make the following order:
- 1. The Somerset Regional Council – Officers Certified Agreement 2020 is certified.**

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

² See clause 1.3.1 of the Certified Agreement.

³ Application for certification and affidavit of Mr Andrew Johnson each filed on 27 November 2020.

⁴ *Industrial Relations Act 2016* s 216(1).