

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Isaac Regional Council
Certified Agreement 2021 [2021] QIRC 336*

PARTIES: **Isaac Regional Council**

AND

**Automotive, Metals, Engineering, Printing
and Kindred Industries Industrial Union of
Employees, Queensland**

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

**Plumbers & Gasfitters Employees' Union
Queensland, Union of Employees**

**Queensland Services, Industrial Union of
Employees**

**The Association of Professional Engineers,
Scientists and Managers, Australia,
Queensland Branch, Union of Employees**

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

**The Electrical Trades Union of Employees
Queensland**

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

CASE NO: CB/2021/47

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 1 October 2021

HEARING DATE: 1 October 2021

MEMBER: O'Connor VP

HEARD AT: Brisbane

ORDER:

1. The *Isaac Regional Council Certified Agreement 2021* 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 227, s 228

APPEARANCES:

Mr B. O'Shea, Local Government Association Queensland for Isaac Regional Council.

Mr J. McGuire for Queensland Services, Industrial Union of Employees.

Mr D. Marr for The Australian Workers' Union of Employees, Queensland.

Reasons for Decision

- [1] The Isaac Regional Council ('the Council') has made an application to certify the *Isaac Regional Council Certified Agreement 2021* ('the Agreement') pursuant to s 189 of the *Industrial Relations Act* 2016 ('the IR Act'). As required by s 189(3) of the IR Act, the application was made within 21 days of the date on which the Agreement was made.
- [2] It is noted The Electrical Trades Union of Employees Queensland and the Transport Workers' Union of Australia, Union of Employees (Queensland Branch) have not signed the Agreement however both parties communicated to the Industrial Registry their agreement with the terms of the Agreement.
- [3] The Agreement has been signed by all other parties.
- [4] The Agreement is between the Isaac Regional Council and the following employee organisations:
 - (a) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (b) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - (c) Plumbers & Gasfitters Employees' Union Queensland, Union of Employees;
 - (d) Queensland Services, Industrial Union of Employees;

- (e) The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees;
 - (f) The Australian Workers' Union of Employees, Queensland;
 - (g) The Electrical Trades Union of Employees Queensland; and
 - (h) Transport Workers' Union of Australia, Union of Employees (Queensland Branch).
- [5] The Agreement applies to the Council and all of its employees (except where specifically excluded) for whom classifications and rates of pay are prescribed.
- [6] In certifying the Agreement, the Commission recognises that:¹ each relevant requirement under subdivision 2 of Division 2 of Part 5 of the IR Act has been satisfied;² and, that there was nothing in the Agreement which would require the Commission to refuse to grant the application under subdivision 3 of Division 2, Part 5 of the IR Act.³
- [7] The Agreement operates from the day it was certified, namely 1 October 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 IR Act.
- [8] The application to certify the *Isaac Regional Council Certified Agreement 2021* is granted.
- [9] I make the following order:

1. The *Isaac Regional Council Certified Agreement 2021* is certified.

¹ *Industrial Relations Act* 2016, s 193(1)(a)-(b).

² *Ibid*, ss 195-199, 200(1)(b), 201(b).

³ *Ibid*, ss 204-209.

⁴ *Ibid*, s 216.