

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Charters Towers Regional Council Union Collective Certified Agreement 2021 [2021] QIRC 363*

PARTIES: **Charters Towers Regional Council**

AND

Queensland Services, Industrial Union of Employees

The Australian Workers' Union of Employees, Queensland

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

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

Plumbers and Gasfitters Employees' Union Queensland, Union of Employees

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

CASE NO.: CB/2021/49

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 27 October 2021

HEARING DATE: 27 October 2021

HEARD AT: Brisbane

MEMBER: Power IC

ORDER: ***The Charters Towers Regional Council Union Collective Certified Agreement 2021 is certified.***

CATCHWORDS: INDUSTRIAL LAW - QUEENSLAND - AGREEMENTS - Application for certification of an agreement - requirements for certification - Agreement certified

LEGISLATION: *Industrial Relations Act 2016*, s 189, ch 4, pt 5, div 2, sub-divs 2 and 3, s 227 and s 228

APPEARANCES: Ms M. Martin of the Local Government Association of Queensland for the Charters Towers Regional Council.

Mr J. Maguire for the Queensland Services, Industrial Union of Employees.

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

Reasons for Decision

- [1] On 28 September 2021, the Charters Towers Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Charters Towers Regional Council Union Collective Certified Agreement 2021* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisations:
 - (a) Queensland Services, Industrial Union of Employees;
 - (b) The Australian Workers' Union of Employees, Queensland;
 - (c) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (d) Construction, Forestry, Mining and Energy Industrial Union of Employees, Queensland;
 - (e) Plumbers and Gasfitters Employees' Union Queensland, Union of Employees; and
 - (f) Transport Workers' Union of Australia, Union of Employees (Queensland Branch).
- [3] It is noted the Transport Workers' Union of Australia, Union of Employees (Queensland Branch) have not signed the agreement, however, have communicated to the Industrial Registry their agreement with the terms of the agreement despite not being a signatory to the agreement.
- [4] The agreement is signed by all other parties.
- [5] The agreement applies to the Applicant and all its employees covered by the *Queensland Local Government Industry (Stream A) Award – State 2017* (except where specifically excluded), the *Queensland Local Government Industry (Stream B) Award – State 2017*, the *Queensland Local Government Industry (Stream C) Award – State 2017* and the

Order - Apprentices' and Trainees' Wages and Conditions (excluding certain Queensland Government Entities) 2003.

- [6] Having regard to the submissions made by the parties who appeared today and to the affidavit of Mr Aaron Johansson, Chief Executive Officer of the Applicant, filed on 28 September 2021:
 - (a) I am satisfied of each relevant requirement in Chapter 4, Part 5, Division 2, subdivision 2 of the Act; and
 - (b) there is nothing in the agreement which would require me to refuse to grant the application pursuant to Chapter 4, Part 5, Division 2, subdivision 3 of the Act.
- [7] The application to certify the *Charters Towers Regional Council Union Collective Certified Agreement 2021* is granted.
- [8] The *Charters Towers Regional Council Union Collective Certified Agreement 2021* operates from the day it is certified, namely, 27 October 2021.
- [9] Although the nominal expiry date of the *Charters Towers Regional Council Union Collective Certified Agreement 2021* is 30 June 2023, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [10] I make the following order:

The Charters Towers Regional Council Union Collective Certified Agreement 2021 is certified.