

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2021 - 2024 [2021] QIRC 410*

PARTIES: **Barcoo Shire Council**

AND

Australian Workers' Union of Employees, Queensland

The Construction, Forestry, Maritime, Mining & Energy, Industrial Union of Employees, Queensland

CASE NO: CB/2021/54

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 1 December 2021

HEARING DATE: 1 December 2021

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: **1. The *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2021 - 2024* is certified**

CATCHWORDS: INDUSTRIAL LAW - COLLECTIVE BARGAINING - application for certification of agreement - requirements for certification - agreement certified

LEGISLATION: *Industrial Relations Act 2016 (Qld) ss 189, 227, 228*

APPEARANCES:

Mr K Hunt and Mr P Hockings for Barcoo Shire Council

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

Reasons for Decision

- [1] On 21 October 2021, Barcoo Shire Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2021 - 2024* ('the agreement').
- [2] The named parties to the agreement are set out at Clause 3. In addition to the Applicant, the following employee organisations are listed as parties to the agreement:
 - Australian Workers' Union of Employees, Queensland; and
 - The Construction, Forestry, Maritime, Mining & Energy, Industrial Union of Employees, Queensland.
- [3] The agreement is signed by all the above-mentioned parties. Consequently, I am satisfied that upon certification, pursuant to s 189(2) of the Act, the agreement will cover all parties.
- [4] The agreement applies to Barcoo Shire Council and all its employees employed under:
 - *Queensland Local Government Industry (Stream B) Award – State 2017*; and
 - *Queensland Local Government Industry (Stream C) Award – State 2017*.
- [5] Having regard to the submissions made by the parties who appeared today and to the Affidavit of Mr Paul Hockings, Chief Executive Officer of Barcoo Shire Council, filed on 21 October 2021:
 - I am satisfied of each relevant requirement in ch4, 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.

- [6] The application to certify the *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2021 - 2024* is granted.
- [7] The *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2021 - 2024* operates from the date of operation per Clause 6 of the agreement, namely 1 July 2021.
- [8] Although the nominal expiry date of the *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2021 - 2024* is 30 June 2024, it continues to operate until it is terminated under s 227 or 228 of the Act.
- [9] I make the following order:
1. **The *Barcoo Shire Council Local Government Operational Employees' Certified Agreement 2021 - 2024* is certified.**