

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Douglas Shire Council
Certified Agreement 2020 [2021] QIRC 132*

PARTIES: **Douglas Shire Council**

and

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

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

**Queensland Services, Industrial Union of
Employees**

**The Automotive, Food, Metals, Engineering,
Printing and Kindred Industries, Industrial
Union of Employees, Queensland, Australian
Manufacturing Workers Union**

**The Electrical Trades Union of Employees of
Australia, Queensland Branch**

**The Plumbers Gasfitters Employees Union of
Australia, Queensland Branch, Union of
Employees**

**United Voice, Industrial Union of Employees,
Queensland**

Professionals Australia

CASE NO: CB/2021/9

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 22 April 2021

HEARING DATE: 22 April 2021

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER:	The Douglas Shire Council Certified Agreement 2020 is certified.
CATCHWORDS:	INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for certification of an agreement – Requirements for certification – Agreement certified
LEGISLATION:	<i>Industrial Relations Act 2016</i> s 189, s 227, s 228
APPEARANCES:	Ms W. Darke for the Local Government Association Queensland on behalf of the Douglas Shire Council Mr D. Cutler for the Queensland Services, Industrial Union of Employees Mr B. Watson and Ms L. Gowdie for The Australian Workers' Union of Employees Queensland

Reasons for Decision

- [1] The Douglas Shire Council has made an application to certify an agreement pursuant to s 189 of the *Industrial Relations Act 2016* ("the Act"). 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.
- [2] The agreement is made between: the Douglas Shire Council; the Australian Workers' Union of Employees Queensland; the Construction, Forestry, Mining and Energy, Industrial Union of Employees Queensland; Queensland Services, Industrial Union of Employees; the Automotive, Food, Metals, Engineering, Printing and Kindred Industries, Industrial Union of Employees, Queensland, Australian Manufacturing Workers Union; the Electrical Trades Union of Employees of Australia, Queensland Branch; the Plumbers Gasfitters Employees Union of Australia, Queensland Branch, Union of Employees; United Voice, Industrial Union of Employees, Queensland; and Professionals Australia.
- [3] The Commission is satisfied that all parties have agreed on the terms of the agreement, which were approved by a valid majority of relevant employees in a properly conducted ballot. The application for certification was made within a reasonable time after the proposed agreement was approved.
- [4] The agreement shall apply to the Douglas Shire Council and persons employed by Council who are members of the following unions or who are eligible to become so, and for whom a classification contained in the Certified Agreement applies:
 - The Australian Workers' Union of Employees, Queensland;
 - The Construction, Forestry, Mining and Energy, Industrial Union of Employees Queensland;

- Queensland Services, Industrial Union of Employees;
- The Automotive, Food, Metals, Engineering, Printing and Kindred Industries, Industrial Union of Employees, Queensland, Australian Manufacturing Workers Union;
- The Electrical Trades Union of Employees of Australia, Queensland Branch;
- The Plumbers Gasfitters Employees Union of Australia, Queensland Branch, Union of Employees;
- United Voice, Industrial Union of Employees, Queensland; and / or
- Professionals Australia.

- [5] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Mr. Mark Stoermer, Chief Executive Officer of Douglas Shire Council, sworn 10 March 2021.
- [6] The Commission determines that each relevant requirement under sub-div 2 of div 2 of pt 5 of the Act has been satisfied. Further, there is nothing in the agreement which would require the Commission to refuse to grant the application under sub-div 3 of div 2 of pt 5 of the Act.
- [7] The agreement operates from the day it is certified, namely 22 April 2021 and, although the nominal expiry date of the agreement is three years after the date of certification, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [8] The application to certify the *Douglas Shire Council Certified Agreement 2020* is granted.
- [9] I make the following order:

The Douglas Shire Council Certified Agreement 2020 is certified.