

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Ipswich City Council Local Government Employees Certified Agreement 2021 [2022] QIRC 379*

PARTIES: **Ipswich City Council**

AND

The Electrical Trades Union of Employees Queensland

The Australian Workers' Union of Employees, Queensland

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

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

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

CASE NO.: CB/2022/92

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 5 October 2022

HEARING DATE: 5 October 2022

HEARD AT: Brisbane

MEMBER: Power IC

ORDER: ***The Ipswich City Council Local Government Employees 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* (Qld), s 189, ch 4, pt 5, div 2, sub-divs 2 and 3, s 227 and s 228

APPEARANCES: Mr N. Sheehan for the Ipswich City Council.

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

Mr P. Dunbar for the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland.

Reasons for Decision

- [1] On 9 September 2022, the Ipswich City Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Ipswich City Council Local Government Employees Certified Agreement 2021* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisation:
 - (a) The Electrical Trades Union of Employees Queensland ('the ETU');
 - (b) The Australian Workers' Union of Employees, Queensland;
 - (c) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (d) Transport Workers' Union of Australia, Union of Employees (Queensland Branch);
 - (e) Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
 - (f) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland.
- [3] The agreement is signed by all the above-mentioned parties, except for the ETU.
- [4] By letter dated 26 September 2022, the ETU advised the Commission that:
 - (a) it is a union who will be covered by the agreement;
 - (b) it agreed to the terms of the agreement, however, does not intend to sign the agreement; and
 - (c) it wished to be a party to and covered by the agreement.

- [5] The agreement applies to:
- (a) the Applicant;
 - (b) the Applicant's employees covered by the classifications contained in the agreement; and
 - (c) the employee organisations named in paragraph [2] above.
- [6] Having regard to the submissions made by the parties who appeared today and to the affidavit of Mr Nicholas Sheehan, Workplace Relations Manager of the Applicant filed on 9 September 2022:
- (a) I am satisfied that the requirements in ch 4 pt 5 div 2 sub-div 2 of the Act have been met; and
 - (b) 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.
- [7] The application to certify the *Ipswich City Council Local Government Employees Certified Agreement 2021* is granted.
- [8] The *Ipswich City Council Local Government Employees Certified Agreement 2021* operates from the day it is certified, namely, 5 October 2022.
- [9] Although the nominal expiry date of the *Ipswich City Council Local Government Employees Certified Agreement 2021* is 1 October 2024, it continues to operate until it is terminated under ss 227 or 228 of the Act.
- [10] I make the following order:

The *Ipswich City Council Local Government Employees Certified Agreement 2021* is certified.