

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Paroo Shire Council - Non-Operational Staff Certified Agreement 2021-2024* [2022] QIRC 042

PARTIES: **Paroo Shire Council**

and

Queensland Services, Industrial Union of Employees

CASE NO: CB/2022/2

PROCEEDING: Certification of an agreement

DELIVERED ON: 17 February 2022

HEARING DATE: 17 February 2022

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Paroo Shire Council - Non-Operational Staff Certified Agreement 2021-2024 is certified.***

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

LEGISLATION: *Industrial Relations Act* 2016, s 189, s 193, s 195, s 196, s 197, s 198, s 199, s 200, s 201, s 204, s 205, s 206, s 207, s 208, s 209, s 216, s 227, s 228.

APPEARANCES: Mr S Phipps for the Council

Mr J Maguire for TSU

Reasons for Decision

- [1] The Paroo 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 made. The agreement is between the Paroo Shire Council and the Queensland Services, Industrial Union of Employees.
- [2] The agreement has been signed by both parties to the agreement,¹ and the agreement was approved by a valid majority of relevant employees in a properly conducted ballot.²
- [3] The agreement replaces the pre-existing agreement, *Paroo Shire Council - Non-Operational Staff Certified Agreement 2018*.
- [4] In certifying the agreement, the Commission has regard to the submissions of the parties and two affidavits of Simon Phipps, HR/WHS Officer sworn 20 January 2022 and 17 February 2022. The Commission determines that:³
- Each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;⁴ and
 - there was nothing in the agreement which would require the Commission to refuse to grant the application under subdivision 3 of Division 2 of Part 5 of the Act.⁵
- [5] The agreement operates from the day it was certified, namely 17 February 2022.⁶ Although the nominal expiry date of the agreement is 30 June 2024, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [6] The application to certify the *Paroo Shire Council - Non-Operational Staff Certified Agreement 2021-2024* is granted.
- [7] I make the following order:
- 1. That the *Paroo Shire Council - Non-Operational Staff Certified Agreement 2021-2024* is certified.**

¹ *Industrial Relations Act 2016*, s 196(1).

² Affidavits of Simon Phipps signed 20 January 2022 and 17 February 2022.

³ *Industrial Relations Act 2016*, ss 193(1)(a)-(b).

⁴ *Ibid* ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

⁵ *Ibid* ss 204, 205, 206, 207, 208, 209.

⁶ *Ibid* s 216(a).