

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Townsville City Council (Field and Other Employees) Certified Agreement 2022 [2022] QIRC 181*

PARTIES: **Townsville City Council**

AND

The Australian Workers' Union of Employees, Queensland

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

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

The Electrical Trades Union of Employees Queensland

Plumbers and Gasfitters Employees' Union Queensland, Union of Employees

CASE NO: CB/2022/39

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 24 May 2022

HEARING DATE 24 May 2022

MEMBER: Hartigan IC

HEARD AT: Brisbane

ORDER: ***The Townsville City Council (Field and Other Employees) Certified Agreement 2022 is certified.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for certification

of an agreement – requirements for certification
– agreement certified

LEGISLATION:

Industrial Relations Act 2016 (Qld) ss 189, 227
and 228

APPEARANCES:

Ms N. Hope of the Local Government
Association Queensland for the Townsville City
Council

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

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

Reasons for Decision

- [1] On 5 May 2022, the Townsville City Council ('the Council') filed an application pursuant to s 189 of the *Industrial Relations Act 2016 (Qld)* ('the IR Act') to certify the *Townsville City Council (Field and Other Employees) Certified Agreement 2022* ('the agreement').
- [2] The named parties to the agreement are the Council and the following unions:
 - (a) The Australian Workers' Union of Employees, Queensland;
 - (b) the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - (c) the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
 - (d) The Electrical Trades Union of Employees Queensland; and
 - (e) the Plumbers and Gasfitters Employees' Union Queensland, Union of Employees.
- [3] As required by s 189(3) of the IR Act, the application was made within 21 days of the date on which the agreement was signed by the parties.
- [4] The agreement applies to all employees of the Council employed under the terms of Div. 2, ss 5 and 6 of the *Queensland Local Government Industry Award (Stream B) Award – State 2017*.

- [5] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 24 May 2022, and the material filed,¹ I am satisfied that:
- (a) each relevant requirement under Ch 4, Pt 5, Sub-Div.2 of the IR Act has been satisfied; and
 - (b) there is nothing in the agreement which would require the Commission to refuse to grant the application under Ch 4, Pt 5, Sub-Div.3 of the IR Act.
- [6] Accordingly, the application to certify the *Townsville City Council (Field and Other Employees) Certified Agreement 2022* is granted.
- [7] The *Townsville City Council (Field and Other Employees) Certified Agreement 2022* operates from the date it was certified, namely 24 May 2022.
- [8] Although the nominal expiry date of the *Townsville City Council (Field and Other Employees) Certified Agreement 2022* is 30 April 2025, the agreement will continue to operate until it is terminated under ss 227 or 228 of the IR Act.
- [9] I make the following order:

The Townsville City Council (Field and Other Employees) Certified Agreement 2022 is certified.

¹ Application for certification and affidavit of Dr Prins Ralston, each filed on 5 May 2022.