

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Cook Shire Council - Outdoor Certified Agreement 2021* [2022] QIRC 224

PARTIES: **Cook Shire Council**

AND

The Australian Workers' Union of Employees, Queensland

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

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

The Electrical Trades Union of Employees Queensland

CASE NO.: CB/2022/49

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 16 June 2022

HEARING DATE: 15 June 2022

HEARD AT: Brisbane

MEMBER: Merrell DP

ORDER: ***The Cook Shire Council - Outdoor 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*, s 189, ch 4, pt 5, div 2, sub-divs 2 and 3, s 227 and s 228

APPEARANCES:

Ms N. Hope of the Local Government Association of Queensland for the Cook Shire Council.

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

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

Reasons for Decision

- [1] On 26 May 2022, the Cook Shire Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Cook Shire Council - Outdoor Certified Agreement 2021* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisations:
 - The Australian Workers' Union of Employees, Queensland;
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees;
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; and
 - The Electrical Trades Union of Employees Queensland.
- [3] The agreement is signed by all the above-mentioned parties.
- [4] The agreement applies to:
 - the Applicant; and
 - the employee organisations named in paragraph [2] above.
- [5] Having regard to the submissions made by the parties who appeared today and to the affidavit of Ms Linda Cardew, Chief Executive Officer of the Applicant, filed on 26 May 2022:
 - I am satisfied of each relevant requirement in ch 4, 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 *Cook Shire Council - Outdoor Certified Agreement 2021* is granted.
- [7] The *Cook Shire Council - Outdoor Certified Agreement 2021* operates from 16 June 2022.
- [8] Although the nominal expiry date of the *Cook Shire Council - Outdoor Certified Agreement 2021* is 16 June 2025, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [9] I make the following order:

The Cook Shire Council - Outdoor Certified Agreement 2021 is certified.