QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION:	*In the making of the Cairns Regional Council Certified Agreement 2021* [2022] QIRC 222
PARTIES:	**Cairns Regional Council**
	AND
	The Australian Workers' Union of Employees, Queensland
	Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
	Queensland Services, Industrial Union of Employees
	Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
	The Electrical Trades Union of Employees Queensland
	Plumbers & Gasfitters Employees' Union Queensland, Union of Employees
	United Voice, Industrial Union of Employees, Queensland
	The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
	Transport Workers' Union of Australia, Union of Employees (Queensland Branch)
CASE NO.:	CB/2022/53
PROCEEDING:	Application for certification of an agreement
DELIVERED ON:	16 June 2022
HEARING DATE:	16 June 2022
HEARD AT:	Brisbane
MEMBER:	Power IC

ORDER: **The *Cairns Regional Council 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: Mr B Cooper of Mapien for the Cairns Regional 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, Queensland

                          Ms J Wiggan for the Queensland Services, Industrial Union of Employees.

Reasons for Decision

[1]   On 1 June 2022, the Cairns Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act'), made an application to certify the *Cairns Regional Council Certified Agreement 2021* ('the agreement').

[2]   The named parties to the agreement are the Applicant and the following employee organisation:

(a)   The Australian Workers' Union of Employees, Queensland;

(b)   Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;

(c)   Queensland Services, Industrial Union of Employees;

(d)   Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;

(e)   The Electrical Trades Union of Employees Queensland;

(f)   Plumbers & Gasfitters Employees' Union Queensland, Union of Employees;

(g)   United Voice, Industrial Union of Employees, Queensland;

(h)   The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees; and

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

[3]   The agreement is signed by all the above-mentioned parties.

[4]   The agreement applies to:

(a)   the Applicant;

(b)   current and future employees of the Applicant who are employed at any site owned, managed or controlled by the Applicant; and

(c)   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 Christine Posgate, Director, People & Organisational Performance of the Applicant filed on 1 June 2022:

(a)   I am satisfied of each relevant requirement in ch 4 pt 5 div 2 sub-div 2 of the Act; 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.

[6]   The application to certify the *Cairns Regional Council Certified Agreement 2021* is granted.

[7]   The *Cairns Regional Council Certified Agreement 2021* operates from the day it is certified, namely, 16 June 2022.

[8]   Although the nominal expiry date of the *Cairns Regional Council Certified Agreement 2021* is 30 June 2025, it continues to operate until it is terminated under ss 227 or 228 of the Act.

[9]   I make the following order:

The *Cairns Regional Council Certified Agreement 2021* is certified.