

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Redland City Council Employees' Agreement 2025 [2025] QIRC 202*

PARTIES: **Redland City Council**

AND

**The Australian Workers' Union of Employees,
Queensland**

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

**Construction, Forestry, Mining and 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/2025/61

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 4 August 2025

HEARING DATE: 4 August 2025

MEMBER: Caddie IC

HEARD AT: Brisbane

ORDER: ***The Redland City Council Employees' Agreement
2025 is certified.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for certification of an agreement – requirements for certification – where Applicant seeks amendments to the proposed Agreement be made pursuant to s 171(8)(a) or (b) of the Act – proposed amendments approved pursuant to s 171(8)(a) and (b) – agreement certified.

LEGISLATION AND INSTRUMENTS: *Industrial Relations Act 2016* (Qld) s 171, s 189, s 227, s 228, ch 4, pt 5, div 2, sub-divs 2 and 3

APPEARANCES: Ms T Lowe and Ms E Collins for the Applicant.

Mr E Dalglish for Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland.

Mr G Taylor for The Australian Workers' Union of Employees, Queensland.

Reasons for Decision

- [1] On 24 July 2025, Redland City Council ('the Applicant') applied, pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act') to certify the *Redland City Council Employees' Agreement 2025* ('the Agreement').
- [2] The requirement imposed by s 189(3) of the Act has been met, as the application was made within 21 days of the date on which the agreement was made.
- [3] The named parties to the Agreement are the Applicant and the following employee organisations ('the employee organisations'):
 - (a) Australian Workers' Union of Employees, Queensland ('AWU');
 - (b) Transport Workers' Union of Australia, Union of Employees (Queensland Branch) ('TWU');
 - (c) Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland ('CFMEU');
 - (d) Plumbers & Gasfitters Employees' Union Queensland, Union of Employees ('PGEU');
 - (e) Automotive, Metals, Engineering, Printing, and Kindred Industries Industrial Union of Employees, Queensland ('AMEPKU'); and

(f) Electrical Trades Union of Employees, Queensland ('ETU').

- [4] The Agreement is signed by all employee organisations, with the exception of the ETU, who did not participate in bargaining and refrained from signature.¹ In correspondence, the ETU confirmed they wish to be a party to and be covered by the Agreement, and advise they are supportive of the application for certification.²

The Amendments

- [5] The application included an undertaking by the Applicant relating to a clarification of the all-purpose allowance for Water Industry Workers contained in clause 50 of the Agreement. By way of affidavit, the Applicant explained that the parties had agreed to revise the amount of the allowance and sought to insert a clarified wage schedule reflecting the correct allowance amounts at page 42 of the Agreement.³
- [6] The original clause applied a \$9,000 allowance on top of a non-construction base rate. The parties intended for the allowance to apply on top of the construction-inclusive base. The effect of the revision is that the allowance is \$11,000 on top of the non-construction base rate. This revision is supported by the relevant employee organisations.⁴
- [7] Also included in the application as Exhibit B of the affidavit is a summary of administrative corrections that occurred post the access period. These corrections consist of clerical or formatting changes to the Agreement, such as clause renumbering.⁵
- [8] The Applicant corresponded with the Commission and the employee organisations on 30 July 2025, providing an undertaking regarding the 'intended application of indexed allowances under the Agreement.'⁶ The undertaking was provided by way of affidavit, which set out as follows:⁷

...

2. Council gives this written undertaking to the Queensland Industrial Relations Commission (QIRC) pursuant to section 190 of the Industrial Relations Act 2016 (Qld) (the Act) in respect of the Redland City Council Employees' Certified Agreement 2025 (the Agreement).
3. Page 45 of the Agreement provides that all monetary allowances in Part 8 will be indexed by 3.75% following certification.
4. Council confirms that this was not the intention of the parties. Only the following allowances are to be indexed by 3.75% from the first full pay period following certification:
 - i. Dead animal removal allowance;
 - ii. Pesticide spray allowance; and

¹ Affidavit of L Rusan, filed 24 July 2025; Exhibit F.

² Correspondence of Mr Peter Ong, dated 30 July 2025.

³ Affidavit of L Rusan, filed 24 July 2025, 6; Exhibit C.

⁴ Affidavit of L Rusan, filed 24 July 2025, 6; Exhibit A.

⁵ *Industrial Relations Act 2016* (Qld) s 171(8)(a).

⁶ Correspondence of Ms Tarnya Lowe, dated 30 July 2025.

⁷ Affidavit of T Lowe, filed 30 July 2025, 3.

iii. Single axle trailer allowance.

4. These three allowances were unchanged during bargaining and are therefore subject to immediate indexation.
5. The remaining monetary allowances listed in Part 8 of the Agreement were increased or introduced during bargaining. As such, they are not intended to be indexed at the time of certification.
6. These other monetary allowances will instead be indexed annually by 3.75%, effective from 1 May 2026, for the life of the Agreement.
7. This undertaking is provided to assist with the Commission's consideration of the Agreement under section 193 of the Act. This undertaking confirms the interpretation does not disadvantage employees and reflects the intention of the parties during bargaining.

...

- [9] The Applicant provided, by way of an exhibit to the affidavit, correspondence between the Applicant and relevant employee organisations confirming that the relevant employee organisations support the undertaking.⁸
- [10] Correspondence between my Chambers and the Applicant identified that the Applicant sought to insert clarified wording on page 45 of the Agreement pursuant to s 171(8)(a) or (b) of the Act.
- [11] At hearing on 4 August 2025, the Applicant advised they had identified an error in the pay scales contained within the Agreement and requested a further amendment be made prior to certification that reflected the intention of parties at bargaining. The employee organisations present at hearing, the AWU and CFMEU, had no objection to the amendment.
- [12] Section 171 of the Act provides as follows:

171 Proposed bargaining instrument to be given to employees for approval

- (1) This section applies if, during negotiations under this chapter, the negotiating parties propose to –
 - (a) make a certified agreement, other than an excluded instrument; or
 - (b) seek the making of a bargaining award.
- (2) The employer must take reasonable steps to ensure –
 - (a) each relevant employee has, or has ready access to, the proposed bargaining instrument or a copy of the proposed instrument at least 14 days before the day the relevant employees are asked to approve the proposed instrument; and
 - (b) the terms of the proposed instrument, including the procedures for preventing and settling disputes, and the effect of the terms are explained to each relevant employee before approval is given; and
 - (c) for an agreement with employees – each relevant employee is informed that the employee may ask a relevant employee organisation of which the employee is a

⁸ The written consent of the CFMEU, AWU, AMEPKU and PGEU was provided in Exhibit I. In correspondence to the Commission and other parties on 1 August 2025, the ETU and the TWU confirmed they support the undertaking.

member to represent the employee in negotiating with the employer about the agreement.

...

- (3) The employer must not ask relevant employees to approve the proposed instrument until 21 days after the later of the following -

- (a) the day the notice of intention for the negotiations was given;
- (b) the day a scope order in relation to the proposed instrument came into effect.

...

- (6) If the proposed instrument is amended for any reason, the steps in subsections (2) and (3) must be taken again for the instrument as amended.

...

- (8) However, the steps need not be taken if the commission is satisfied the proposed bargaining instrument was amended only –**

- (a) for a formal or clerical reason; or
- (b) in another way that does not adversely affect a relevant employee's interests.

...

- [13] I am satisfied that the proposed bargaining instrument was amended solely for formal or clerical reasons, or in another way that does not adversely affect a relevant employee's interests. On that basis, I approve the amendments sought to be made to the proposed Agreement.

Certification

- [14] Having regard to the submissions made by the parties who appeared at hearing today,⁹ (and noting that the parties excused from attendance at hearing endorse the certification of the Agreement), and to the affidavit of Louise Rusan, Chief Executive Officer of Redland City Council, filed 24 July 2025:

- I am satisfied of each pertinent 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 under ch 4, pt 5, div 2, sub-div 3 of the Act.

⁹ I note the correspondence of Mr Justin Maxwell, A/State Secretary for the PGEU, dated 28 July 2025, where Mr Maxwell writes that the union consents to the application for certification of the Agreement and advises they will be unable to have a representative present at hearing. I also note the correspondence of Mr Rohan Webb, State Secretary of AMEPKU, dated 28 July 2025, who confirms the union consents to the certification of the proposed Agreement and advises that the union will be unable to have a representative present at hearing. Mr Richard Olsen, Branch Secretary of the TWU, confirmed by correspondence dated 28 July 2025 that the union consents to the application to certify the Agreement, and seeks leave to be excused from attendance at the hearing. The ETU advised by correspondence from Mr Peter Ong, State Secretary, dated 30 July 2025, that the union would be unable to have a representative present at hearing but confirmed that they support the application to certify the Agreement. On 30 July 2025, my Chambers responded to all parties noting receipt of relevant correspondence and granting these parties leave not to appear at hearing.

- [15] The application to certify the *Redland City Council Employees' Agreement 2025* is granted.
- [16] The *Redland City Council Employees' Agreement 2025* operates from the day it is certified, namely 4 August 2025.
- [17] While the nominal expiry date of the *Redland City Council Employees' Agreement 2025* is 1 May 2029, it continues in operation until it is terminated pursuant to s 227 or s 228 of the Act.
- [18] I order accordingly.

Order

The *Redland City Council Employees' Agreement 2025* is certified.