

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Youth Detention Centre Certified Agreement 2019*
[2020] QIRC 124

PARTIES: **State of Queensland (Department of Youth Justice)**

AND

Together Queensland, Industrial Union of Employees

The Australian Workers' Union, Queensland

United Voice, Industrial Union of Employees, Queensland

CASE NO: CB/2020/56

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 27 August 2020

HEARING DATE: 27 August 2020

HEARD AT: On the papers

MEMBER: Industrial Commissioner Dwyer

ORDER: **1. The *Youth Detention Centre Certified Agreement 2019* is certified.**

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for certification of an agreement – Requirements for certification – Agreement certified

LEGISLATION: *Industrial Relations Act 2016*

Industrial Relations (Tribunals) Rules 2011

Reasons for Decision

[1] On 13 August 2020, the Senior Executive Director of Youth Detention and Operations in the Department of Youth Justice, pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Youth Detention Centre Certified Agreement 2019* ('the Agreement').

[2] The Agreement names the parties as the State of Queensland (Department of Youth Justice) ('the applicant') and the following employee organisations:

- Together Queensland, Industrial Union of Employees;
- The Australian Workers' Union of Employees, Queensland; and
- United Voice, Industrial Union of Employees, Queensland.

[3] Clause 1.2 of the Agreement states it is binding on:

- The State of Queensland;
- Employees employed by the State of Queensland in Youth Detention Centres in the Department of Youth Justice to whom the following Awards apply:
 - i. *Youth Detention Centre Employees Award – State 2016*;
 - ii. *General Employees (Queensland Government Departments) and other Employees Award – State 2015*; and
- The employee organisations named above at [2].

[4] Having regard to the two affidavits of Darren Hegarty which were both filed 13 August 2020:

- 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.

[5] The application to certify the *Youth Detention Centre Certified Agreement 2019* is granted.

[6] The *Youth Detention Centre Certified Agreement 2019* operates from the day it is certified, namely 27 August 2020.

[7] Although the nominal expiry date of the *Youth Detention Centre Certified Agreement 2019* is 31 August 2023, it continues to operate until it is terminated under s 227 or s 228 of the Act.

[8] I make the following order:

1. **The *Youth Detention Centre Certified Agreement 2019* is certified.**