

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Fraser Coast Regional Council Certified Agreement 2018* [2018] QIRC 091

PARTIES: **Fraser Coast Regional Council**
and
Queensland Services, Industrial Union of Employees
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
United Voice, Industrial Union of Employees, Queensland
The Electrical Trades Union of Employees Queensland
Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

CASE NO: CB/2018/78

PROCEEDING: Certification of an agreement

DELIVERED ON: 12 July 2018

HEARING DATE: 4 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. *The Fraser Coast Regional Council Certified Agreement 2018 is certified.***

CATCHWORDS: INDUSTRIAL LAW - APPLICATION FOR CERTIFICATION OF AGREEMENT - where application made within 21 days of the date on which the agreement was made - where requirements for certification

LEGISLATION: *Industrial Relations Act* 2016, s 189, s 193, s 195, s 196, s 197, s 198, s 199, s 200, s 201, s 204, s 205, s 206, s 207, s 208, s 209, s 216, s 227, s 228

APPEARANCES: Ms S. Mitanis for the Fraser Coast Regional Council.

Ms M. Robertson, Queensland Services, Industrial Union of Employees.

Ms K. Fiedler, Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees.

Reasons for Decision

- [1] The Fraser Coast Regional Council has made an application to certify an agreement pursuant to section 189 of the *Industrial Relations Act 2016*. As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was made. The agreement is between the Fraser Coast Regional Council and the following employee organisations:
- Queensland Services, Industrial Union of Employees (QSU);
 - The Australian Workers' Union of Employees, Queensland (AWU);
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (CFMEU);
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees (AMEPKU);
 - United Voice, Industrial Union of Employees, Queensland (UV);
 - The Electrical Trades Union of Employees Queensland (ETU); and
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees (PGEU).
- [2] The agreement is to apply to Fraser Coast Regional Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [3] In proceedings on 4 July 2018 the Commission as presently constituted certified the agreement.
- [4] I note that the agreement is signed by the QSU, AWU, CFMEU, AMEPKU, PGEU and UV. Although the agreement has not been signed by the ETU, I am satisfied that all the parties to the agreement have agreed on the terms and that the unions have been provided with an opportunity to sign.¹
- [5] In certifying the agreement, the Commission recognises that² each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;³ and, that there

¹ *Industrial Relations Act 2016*, s 196(1)(b).

² *Ibid* s 193(1)(a)-(b).

was nothing in the agreement which would require the Commission to refuse to grant the application under subdivision 3 of Division 2 of Part 5 of the Act.⁴

[6] The agreement operates from the day it was certified, namely 4 July 2018.⁵ The nominal expiry date of the agreement is 15 March 2021, however, the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.

[7] The application to certify the *Fraser Coast Regional Council Certified Agreement 2018* is granted.

[8] I make the following order:

1. The *Fraser Coast Regional Council Certified Agreement 2018* is certified.

³ Ibid ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

⁴ Ibid ss 204, 205, 206, 207, 208, 209.

⁵ Ibid s 216(a).