

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018* [2019] QIRC 015

PARTIES: **Ipswich City Council**

**and**

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

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

CASE NO: CB/2018/200

PROCEEDING: Certification of an agreement

DELIVERED ON: 18 January 2019

HEARING DATE: 18 January 2019

MEMBER: Thompson IC

HEARD AT: Brisbane

ORDER: **1. *The Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018* is certified.**

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

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

APPEARANCES:

Ms N. Todd of Peak Services for the Ipswich City Council

Mr L. Norris of Transport Workers' Union of Australia, Union of Employees (Queensland Branch)

Mr J. Harding of The Australian Workers' Union of Employees, Queensland

**Reasons for Decision**

- [1] The Ipswich City Council has made an application to certify an agreement pursuant to s 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 Ipswich City Council and the following employee organisations:
- Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and
  - The Australian Workers' Union of Employees, Queensland.
- [2] The agreement has been signed by all parties to the agreement.<sup>1</sup>
- [3] The agreement is to apply to the Ipswich City Council and all of its employees for whom classifications and rates of pay are prescribed in the agreement.
- [4] In proceedings on 18 January 2019 the Commission as presently constituted certified the agreement.
- [5] In certifying the agreement, the Commission recognises that:<sup>2</sup> each relevant requirement under subdivision 2 of Division 2 of Part 5 of the Act has been satisfied;<sup>3</sup> and, that there 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.<sup>4</sup>

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<sup>1</sup> *Industrial Relations Act 2016*, s 196(1).

<sup>2</sup> *Ibid* s 193(1)(a)-(b).

<sup>3</sup> *Ibid* ss 195, 196, 197, 198, 199, 200(1)(b), 201(b).

<sup>4</sup> *Ibid* ss 204, 205, 206, 207, 208, 209.

- [6] The agreement operates from the day it was certified, namely 18 January 2019.<sup>5</sup> Although the nominal expiry date of the agreement is on 1 October 2021 the agreement continues to operate until it is terminated under s 227 or s 228 of the Act.
- [7] The application to certify the *Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018* is granted.
- [8] I make the following order:
1. ***Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018* is certified.**

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<sup>5</sup> Ibid s 216(a).