

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Rockhampton Regional Council Treatment Plant Operators Certified Agreement 2018 [2019] QIRC 157*

PARTIES: Rockhampton Regional Council
and
The Australian Workers' Union of Employees Queensland

CASE NO: CB/2019/87

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 25 October 2019

HEARING DATE: 25 October 2019

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER: **1. *The Rockhampton Regional Council Treatment Plant Operators Certified Agreement 2018 is certified.***

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

LEGISLATION: *Industrial Relations Act 2016*

APPEARANCES: Ms S. Mitanis of the Local Government Association Queensland on behalf of the Rockhampton Regional Council

Ms S. Young of The Australian Workers' Union of Employees Queensland

Reasons for Decision

- [1] The Rockhampton Regional Council has made an application to certify an agreement pursuant to s 189 of the *Industrial Relations Act 2016* ("the Act"). As required by s 189(3) of the Act, the application was made within 21 days of the date on which the agreement was signed.
- [2] The agreement is made between the Rockhampton Regional Council and The Australian Workers' Union of Employees Queensland.
- [3] The Commission is satisfied that all parties have agreed on the terms of the agreement, which were approved by a valid majority of relevant employees in a properly conducted ballot. The application for certification was made within a reasonable time after the proposed agreement was approved.
- [4] The agreement shall apply to persons employed at Rockhampton Regional Council's treatment plant.
- [5] In certifying the agreement, the Commission has regard to the submissions of the parties and the affidavit of Mr. Evan Anthony Pardon, Chief Executive Officer of Rockhampton Regional Council, sworn 2 September 2019.
- [6] The Commission determines that each relevant requirement under sub-div 2 of div 2 of pt 5 of the Act has been satisfied. Further, there is nothing in the agreement which would require the Commission to refuse to grant the application under sub-div 3 of div 2 of pt 5 of the Act.
- [7] The agreement operates from the day it is certified, namely 25 October 2019 and, although the nominal expiry date of the agreement is 1 July 2022, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [8] The application to certify the *Rockhampton Regional Council Treatment Plant Operators Certified Agreement 2018* is granted.
- [9] I make the following order:
 1. **The *Rockhampton Regional Council Treatment Plant Operators Certified Agreement 2018* is certified.**