DECISION

Fair Work Act 2009
s.185—Enterprise agreement

Shire of Christmas Island
(AG2019/2007)

SHIRE OF CHRISTMAS ISLAND - UNION OF CHRISTMAS ISLAND WORKERS ENTERPRISE AGREEMENT 2018-2020

Local government administration

COMMISSIONER WILLIAMS

PERTH, 29 JULY 2019


[1] An application has been made for approval of an enterprise agreement known as the Shire of Christmas Island - Union of Christmas Island Workers Enterprise Agreement 2018-2020 (the Agreement). The application was made pursuant to s.185 of the Fair Work Act 2009 (the Act). It has been made by Shire of Christmas Island. The Agreement is a single enterprise agreement.

[2] The Employer has provided written undertakings. A copy of the undertakings is attached in Annexure A. I am satisfied that the undertakings will not cause financial detriment to any employee covered by the Agreement and that the undertakings will not result in substantial changes to the Agreement.

[3] Subject to the undertakings referred to above, I am satisfied that each of the requirements of ss.186, 187, 188 and 190 as are relevant to this application for approval have been met.

[4] Pursuant to s.205(2) of the Act, the model consultation term prescribed by the Fair Work Regulations 2009 is taken to be a term of the Agreement.

[5] The Union of Christmas Island Workers being a bargaining representative for the Agreement, has given notice under s.183 of the Act that it wants the Agreement to cover it. In accordance with s.201(2) I note that the Agreement covers the organisation.
The Agreement is approved and, in accordance with s.54 of the Act, will operate from 5 August 2019. The nominal expiry date of the Agreement is 30 June 2020.
Annexure A

UNDERTAKING


This Agreement will be read and interpreted in conjunction with the National Employment Standards (NES). Where there is an inconsistency between this agreement and the NES, and the NES provides a greater benefit, the NES provision will apply to the extent of the inconsistency.

This undertaking is made according to section 190 of the Fair Work Act 2009 (Cth) (“Act”) and the Shire of Christmas Island understands this undertaking will be taken to be a term of the Agreement pursuant to section 191 of the Act.

Signed on behalf of the employer, the Shire of Christmas Island providing the undertaking above.

Name and Position : David Eric Price, Shire of Christmas Island CEO

Signature : 

Date : 17/7/2019

1. I am a bargaining representative for employees covered by the Agreement. I support the FWC accepting the above undertaking and the Agreement then being approved:

   Name : Ron Foo
   Signature :
   Date : 17/7/2019

2. I am a bargaining representative for employees covered by the Agreement. I support the FWC accepting the above undertaking and the Agreement then being approved:

   Name : Othman Dardak
   Signature :
   Date : 17/7/2019