

[2019] FWCA 8733 [Note: This decision and the associated [agreement](#) has been quashed - refer to Full Bench decision dated 21 April 2020 [\[2020\] FWCFB 2045](#)]



DECISION

Fair Work Act 2009

s.185 - Application for approval of a single-enterprise agreement

Armest Pty Ltd T/A Miles Witt Partnership
(AG2019/3910)

THE GOOD SHEPHERD HOME ENTERPRISE AGREEMENT 2019

Health and welfare services

DEPUTY PRESIDENT ASBURY

BRISBANE, 24 DECEMBER 2019

Application for approval of The Good Shepherd Home Enterprise Agreement 2019.

[1] Armest Pty Ltd T/A Miles Witt Partnership (the Applicant) applies to the Fair Work Commission (the Commission) for approval of an enterprise agreement known as *The Good Shepherd Home Enterprise Agreement 2019* (the Agreement). The Employer to be covered by the Agreement is The Good Shepherd Limited as Trustee for the Good Shepherd Nursing Homes Charitable Trust T/A The Good Shepherd Home (the Employer). The application was made pursuant to s.185 of the *Fair Work Act 2009* (the Act). The Agreement is a single enterprise agreement.

[2] The Australian Workers' Union (AWU) and the Australian Nursing and Midwifery Federation (ANMF), being bargaining representatives for the Agreement, have given notice under s.183 of the Act that it wants the Agreement to cover the organisations. In accordance with s.201(2) of the Act I note that the Agreement covers those organisations.

[3] Undertakings were provided by the Applicant in response to concerns the Commission held in relation to certain clauses of the Agreement. Pursuant to s.190 of the Act, I accept the Applicant's undertakings. In accordance with s.201(3) of the Act, a copy of the undertakings will be attached to the Agreement and forms part of the Agreement.

[4] 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.

[5] The Agreement is approved and in accordance with s.54 of the Act will operate 7 days from the date of approval being 31 December 2019. The nominal expiry date of the Agreement is 30 June 2022.



DEPUTY PRESIDENT

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