**WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION**

Application No. AG 16 OF 2020

**APPLICATION FOR A NEW AGREEMENT TITLED**

**“SHIRE OF VICTORIA PLAINS (EXTERNAL EMPLOYEES) UNION INDUSTRIAL AGREEMENT 2020”**

NOTICE is given that an application has been made to the Commission by the *Western Australian Municipal, Administrative, Clerical And Services Union Of Employees* and *Shire Of Victoria Plains* under the *Industrial Relations Act 1979* for the registration of the above Agreement.

As far as relevant, those parts of the proposed Agreement which relate to area of operation and scope are published hereunder.

**1. TITLE**

This Agreement shall be known as the *Shire of Victoria Plains (External Employees) Union Industrial Agreement 2020* **(Agreement).**

**3.5 DATE AND PERIOD OF OPERATION**

No less than six (6) months prior to the Nominal Expiry Date, the Shire of Victoria Plains **(Shire)** and the Western Australian Municipal, Administrative, Clerical and Services Union **(WASU)** shall commence discussions regarding a replacement agreement.

**4. SCOPE AND PARTIES BOUND**

4.1 This Agreement shall replace and cancel in its entirety the *Shire of Victoria Plains (External Employees) Enterprise Bargaining Agreement 2005* certified by the Australian Industrial Relations Commission on 6 May 2005 **(Expired Agreement).**

4.2 The parties bound by this Agreement shall be:

4.2.1 The Shire, of 28 Cavell Street, Calingiri WA 6569; and

4.2.2 The WASU, of 102 East Parade, East Perth WA 6004.

4.3 Except as set out in clause 4.4 below, this Agreement shall be binding upon and govern the terms and conditions of employment of all employees of the Shire whose terms and conditions of employment were previously governed by the Expired Agreement or all new employees who would have been covered by the Expired Agreement had they been employed by the during the operation of the Expired Agreement **(Employees).**

4.4 For the avoidance of doubt, this Agreement does not apply to the employees engaged by the Shire to fill the roles of "Works Manager" or "Works Supervisor" at the Shire or such subsequent or successor positions.

4.5 This Agreement shall apply in the state of Western Australia to approximately 10 Employees.

**5 RELATIONSHIP TO AWARD**

5.1 This Agreement shall operate in conjunction with the *Municipal Employee's (Western Australia) Interim Award 2011* as it exists from time to time **(Award).**

5.2 To the extent that any provision in this agreement is inconsistent with a provision in the Award, the provision in this Agreement shall prevail.

5.3 Where the Agreement is silent on a matter dealt with in the Award, the Award shall apply.

A copy of the proposed Agreement may be inspected at my office by appointment at 111 St. Georges Terrace, Perth.

S. BASTIAN

REGISTRAR

23 July 2020