

Form F16 Application for Approval of Enterprise Agreement

IN FAIR WORK AUSTRALIA

FWA use only

FWA Matter No.:

APPLICATION FOR APPROVAL OF ENTERPRISE AGREEMENT

Fair Work Act 2009—s.185



Applicant

Name: James Cook University

Address: Angus Smith Drive

Suburb: Townsville

State: QLD

Postcode: 4811

If the Applicant is a company or organisation:

Contact person: Professor Robyn McGuiggan

ABN: 46 253 211 955

Telephone: (07) 4781 6809

Mobile: n/a

Fax: (07) 4781 5377

Email: robyn.mcguiggan@jcu.edu.au

Is the Applicant?

the employer;

an employee organisation which was a bargaining representative;

a bargaining representative appointed by the employer;

a bargaining representative appointed by an employee;

other (please specify):

Applicant's representative (if any)

Name: Clayton Utz

ABN:

Address: Level 28, 71 Eagle Street

Suburb: Brisbane

State: QLD

Postcode: 4000

Contact person: Hedy Cray

Telephone: (07) 3292 7003

Mobile: 0407 119 599

Fax: (07) 3221 9669

Email: hcray@claytonutz.com

1. Is the enterprise agreement:

a single-enterprise agreement;

a multi-enterprise agreement.

2. What is the full and precise name of the agreement?

James Cook University Enterprise Agreement 2013 - 2016

3. Employer

3.1 If the Applicant is not the employer, please provide details of the employer to be covered by the agreement:

Not Applicable

3.2 What is the industry of the employer?

Educational Services (Higher Education)

4. Bargaining Representative—Employer

Did the employer appoint a bargaining representative? (s.176(1)(d))

- Yes
- No

5. Bargaining representative—Union

Were any employee organisations (unions) bargaining representatives for the agreement? (s.176(1)(b) and (3))

- Yes
- No

If “Yes”, provide details of that bargaining representative:

Employee Organisation 1			
Name:	National Tertiary Education Union		ABN: 38 579 396 344
Address:	4 Briggs Street		
Suburb:	Taringa	State: QLD	Postcode: 4068
Contact person:	Michael McNally		
Telephone:	(07) 3362 8200	Mobile:	0423 538 721
Fax:	(07) 3371 7817	Email:	mmcnally@nteu.org.au

Employee Organisation 2			
Name:	Together Queensland Industrial Union Of Employees		ABN: 44 901 734 369
Address:	27 Peel Street		
Suburb:	South Brisbane	State: QLD	Postcode: 4101
Contact person:	Ken McKay		
Telephone:	1800 177 244	Mobile:	
Fax:	(07) 3017 6235	Email:	ken.mckay@together.org.au

Employee Organisation 3			
Name:	Australian Municipal, Administration, Clerical and Services Union		
			ABN: 28 519 971 998
Address:	27 Peel Street		
Suburb:	South Brisbane	State: QLD	Postcode: 4101
Contact person:	Ken McKay		
Telephone:	1800 177 244	Mobile:	
Fax:	(07) 3017 6235	Email:	ken.mckay@together.org.au

Employee Organisation 4			
Name:	United Voice		
			ABN: 19 845 840 893
Address:	27 Peel Street		
Suburb:	South Brisbane	State: QLD	Postcode: 4101
Contact person:	Ken McKay		
Telephone:	1800 177 244	Mobile:	
Fax:	(07) 3017 6235	Email:	ken.mckay@together.org.au

Employee Organisation 5			
Name:	Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia		
			ABN: 78 117 032 302
Address:	41 Peel Street		
Suburb:	South Brisbane	State: QLD	Postcode: 4101
Contact person:	Wal Giordani		
Telephone:	(07) 3010 0370	Mobile:	0419 721 045
Fax:	(07) 4728 2907	Email:	wal@etu.org.au

6. Bargaining Representatives—Employees

- 6.1 How many instruments of appointment signed by an employee or employees appointing a bargaining representative were given to the employer?
(s.176(1)(c) and (4), s.178(2)(a))

Not Applicable

- 6.2 If one or more such instruments were given to the employer, please provide details of each such bargaining representative who is not a union specified above:

Not Applicable

7. Other

7.1 Are the substantive provisions, or most of the substantive provisions, of the agreement based on a template other than an existing agreement applying to the employer?

Yes
 No

If "Yes", please provide details of the source of the template:

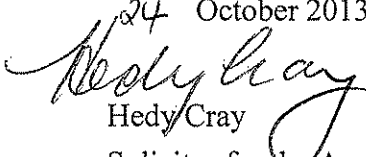
Not Applicable

7.2 Is the Applicant or the Applicant's representative aware of other agreement(s) in identical or substantially identical terms having been dealt with by FWA?

Yes
 No

If "Yes", please provide information that would assist in identifying such agreement(s) (e.g. identification number and date of FWA's decision, the name of such agreement, the name of the member of FWA who dealt with such agreement or the name of the employer covered by such agreement):

Not Applicable

Date:	24 October 2013
Signature:	
Name:	Hedy Cray
Capacity/Position:	Solicitor for the Applicant

Service requirements

A copy of this application must be served on each employer covered by the agreement, each employee organisation that was a bargaining representative and any other employee bargaining representative of which the Applicant is aware, as soon as practicable after the application is lodged.

A copy of this application must also be brought to the attention of employees covered by the agreement through the usual means adopted by the employer(s) for communicating with employees e.g. posting on employee notice boards or by email to employees where this is the usual method.

Note: Rules 9 and 10 deal with service.

Other requirements

The application must be accompanied by declarations completed by an officer or employee of each employer covered by the agreement and an officer or employee of each employee organisation which was a bargaining representative for the agreement and which support the application. These declarations may be found at:

- Form F17 for employer declarations; and
- Form F18 for employee organisation declarations.

When lodging this application, the application must be accompanied by:

- a signed copy of the agreement (see s.185(2)(a)); and
- sufficient additional copies to enable a copy to be provided to each bargaining representative in the event of approval by FWA.

Note: A copy of an enterprise agreement is a signed copy only if:

- (a) it is signed by:
 - (i) the employer covered by the agreement; and
 - (ii) at least 1 representative of the employees covered by the agreement; and
- (b) it includes:
 - (i) the full name and address of each person who signs the agreement; and
 - (ii) an explanation of the person's authority to sign the agreement.

(See reg. 2.06A of the *Fair Work Regulations 2009*.)