

# Orders



SOUTH  
AUSTRALIAN  
EMPLOYMENT  
TRIBUNAL

## Case Details

Agreement title	Mount Barker District Council Inside Enterprise Agreement No. 10 2023
Employer	Mount Barker District Council
Case number	ET-23-02136

## Orders - Approval of Enterprise Agreement Mount Barker District Council Inside Enterprise Agreement No. 10 2023

I HEREBY APPROVE this Enterprise Agreement, along with the undertakings in respect of clauses 1.3 and 5.3 set out below, pursuant to section 79 of the *Fair Work Act 1994*.

*“The Council undertakes that the Agreement will apply to all employees employed pursuant to the South Australian Municipal Salaried Officers Award excluding members of the executive group who are employed pursuant to individual contracts, ie. the Chief Executive Officer, Deputy Chief Executive Officer, General Managers, Head of Wastewater and Executive Manager to the CEO and Managers who enter a negotiated salary package which results in an individual contract outside of the provisions of the Enterprise Agreement.”*

*“The Council undertakes that, notwithstanding clause 5.3 of the Agreement which provides that ‘employees are able to accrue up to 494 (13 weeks) of long service leave’, no cap will be applied to amount of long service leave an employee may accrue”*

This Agreement shall come into force on and from 12 September 2023 and have a nominal life extending for a period to 31 December 2025.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a long horizontal stroke.

**Commissioner Rogers**

**12 Sep 2023**

DOC\_BUILDER\_ENTERPRISE\_AGREEMENTS



IN THE SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL

SAET Case No. ET-23-02136

Applicant: Mount Barker District Council

Section 79 of the *Fair Work Act 1994* (SA) — Approval of enterprise agreement

**Undertaking — Section 79(9) of the *Fair Work Act 1994* (SA)**

I, Andrew Stuart, Chief Executive Officer, on behalf of the Mount Barker District Council (**the Council**) give the following Undertaking with respect to the Mount Barker District Council Inside Staff Enterprise Agreement No 10, 2023 (**the Agreement**):

- 1 I have authority conferred on me pursuant to the *Local Government Act 1999* (SA) to provide this undertaking in relation to the application for enterprise agreement before the South Australian Employment Tribunal (**the Tribunal**) pursuant to section 79 of the *Fair Work Act 1994* (SA).
- 2 The Council undertakes that the Agreement will apply to all employees employed pursuant to the South Australian Municipal Salaried Officers Award excluding members of the executive group who are employed pursuant to individual contracts, i.e. the Chief Executive Officer, Deputy Chief Executive Officer, General Managers, Head of Wastewater and Executive Manager to the CEO and Managers who enter a negotiated salary package which results in an individual contract outside of the provisions of the Enterprise Agreement.
- 3 This Undertaking is made in accordance with section 79(9) of the *Fair Work Act 1994* (SA) and is provided to address a concern raised by Commissioner Rogers in the application before the Tribunal, and will be attached to the Agreement if approved by the Tribunal.

Signature



Name ANDREW STUART

Title

CEO

Date

23 / 8 / 23