

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Townsville City Council (Trade Employees) Certified Agreement 2017 [2019] QIRC 193*

PARTIES: **Townsville City Council**

and

**Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland**

and

**The Electrical Trades Union of Employees Queensland**

and

**Plumbers & Gasfitters Employees' Union Queensland, Union of Employees**

and

**Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland**

CASE NO: CB/2019/119

PROCEEDING: Application for approval to terminate certified agreement after nominal expiry date

DELIVERED ON: 11 December 2019

HEARING DATE: 11 December 2019

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER: **1. *The Townsville City Council (Trade Employees) Certified Agreement 2017 is terminated.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for termination after nominal expiry date – Requirements for termination – Agreement terminated

LEGISLATION: *Industrial Relations Act 2016*

APPEARANCES: Ms. S. Coburn for the Townsville City Council

### **Reasons for Decision**

- [1] The Townsville City Council has applied to terminate the *Townsville City Council (Trade Employees) Certified Agreement 2017*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 31 December 2018 and the parties consent to its termination.
- [3] I have considered the affidavit of Ms. Stacey Lea Coburn, Director of Business Services of Townsville City Council, sworn 18 November 2019.
- [4] I am satisfied that:
- the agreement does not provide any particular conditions that must be met before it may be terminated;<sup>1</sup>
  - the Commission is satisfied that the Townsville City Council has given notice of its intention to apply to terminate the agreement;<sup>2</sup>
  - the other parties to the agreement agree to its being terminated;<sup>3</sup> and
  - the termination of the agreement is not contrary to the public interest.<sup>4</sup>
- [5] On that basis, I terminate the *Townsville City Council (Trade Employees) Certified Agreement 2017* with effect from 11 December 2019.<sup>5</sup>
- [6] I make the following order:
1. ***The Townsville City Council (Trade Employees) Certified Agreement 2017 is terminated.***

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<sup>1</sup> *Industrial Relations Act 2016* s 228(3).

<sup>2</sup> *Ibid* s 228(2).

<sup>3</sup> *Ibid* s 228(3)(b)(i).

<sup>4</sup> *Ibid* s 228(3)(b)(ii).

<sup>5</sup> *Ibid* s 228(4).