

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Maranoa Regional Council Field Employees Certified Agreement 2012 [2020] QIRC 019*

PARTIES: Maranoa Regional Council

and

The Australian Workers' Union of Employees, Queensland

and

Construction, Forestry, Mining and Energy Industrial Union of Employees, Queensland

and

Transport Workers' Union of Australia, Union of Employees (Queensland Branch)

and

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

CASE NO: CB/2020/2

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

DELIVERED ON: 4 February 2020

HEARING DATE: 4 February 2020

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER: **1. *The Maranoa Regional Council Field Employees Certified Agreement 2012 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. Wishart of Murdoch Lawyers, and Ms N. Ward, for the Maranoa Regional Council

Ms S. Young of The Australian Workers' Union of Employees Queensland

Reasons for Decision

- [1] The Maranoa Regional Council has applied to terminate the *Maranoa Regional Council Field Employees Certified Agreement 2012*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 31 October 2015 and the parties consent to its termination.
- [3] I have considered the affidavit of Ms Noela Ward, Manager – Organisational Development and Human Resources for Maranoa Regional Council, sworn 13 December 2019.
- [4] I am satisfied that:
- the agreement does not provide any particular conditions that must be met before it may be terminated;¹
 - the Commission is satisfied that the Maranoa Regional Council has given notice of its intention to apply to terminate the agreement;²
 - the other parties to the agreement agree to its being terminated;³ and
 - the termination of the agreement is not contrary to the public interest.⁴
- [5] On that basis, I terminate the *Maranoa Regional Council Field Employees Certified Agreement 2012* with effect from 4 February 2020.⁵
- [6] I make the following order:
1. **The *Maranoa Regional Council Field Employees Certified Agreement 2012* is terminated.**

¹ *Industrial Relations Act 2016* s 228(3).

² *Ibid* s 228(2).

³ *Ibid* s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).

⁵ *Ibid* s 228(4).