

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Sunshine Coast Council Field-Based Employees Certified Agreement 2011 (No.2) [2018] QIRC 025*

PARTIES: Sunshine Coast Council

and

The Australian Workers' Union of Employees, Queensland

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

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

The Electrical Trades Union of Employees Queensland

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

United Voice, Industrial Union of Employees, Queensland

CASE NO: CB/2018/9

PROCEEDING: Termination of an agreement

DELIVERED ON: 07 March 2018

HEARING DATE: 06 March 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. *The Sunshine Coast Council Field-Based Employees Certified Agreement 2011 (No.2) is terminated.***

CATCHWORDS:	INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for termination of agreement after nominal expiry date – Requirements for termination – agreement terminated
LEGISLATION:	<i>Industrial Relations Act</i> 2016, s 228
APPEARANCES:	Mr P. Mulready for the Sunshine Coast Council  Ms K. J. Johnston for the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland  Mr B. Fullarton for The Australian Workers' Union of Employees, Queensland  Ms J. Fiedler for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

### Reasons for Decision

- [1] The Sunshine Coast Council has applied to terminate the *Sunshine Coast Council Field-Based Employees Certified Agreement 2011 (No.2)*, it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 30 June 2014.
- [3] On the basis that the agreement does not include any provisions recording that any particular conditions need to be met before it may be terminated;<sup>1</sup> that the Commission is satisfied that the Sunshine Coast Council has given notice of its intention to apply to terminate the agreement;<sup>2</sup> that the other parties to the agreement agree to it being terminated;<sup>3</sup> and, that the termination of the determination is not contrary to the public interest;<sup>4</sup> the *Sunshine Coast Council Field-Based Employees Certified Agreement 2011 (No.2)* is terminated as from 6 March 2018.<sup>5</sup>

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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).

[4] I make the following order:

- 1. The *Sunshine Coast Council Field-Based Employees Certified Agreement 2011 (No.2)* is terminated.**