

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Burke Shire Council - Certified Agreement 2012 - 2014* [2018] QIRC 011

PARTIES: Burke Shire Council

and

Federated Engine Drivers' and Firemens' Association of Queensland, Union of Employees

and

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

and

Australian Workers' Union of Employees, Queensland

and

Queensland Services, Industrial Union of Employees

CASE NO: CB/2017/82

PROCEEDING: Termination of a certified agreement after nominal expiry date

DELIVERED ON: 8 February 2018

HEARING DATE: 30 January 2018

HEARD AT: Brisbane

MEMBER: Commissioner Black

ORDER: **1. The *Burke Shire Council – Certified Agreement 2012 – 2014* is terminated.**

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

LEGISLATION: *Industrial Relations Act 2016*, s 228

APPEARANCES:

Ms N Todd for the Burke Shire Council

Mr B Watson for The Australian Workers' Union
of Employees, Queensland

Reasons for Decision

- [1] The Burke Shire Council has applied to terminate the *Burke Shire Council - Certified Agreement 2012 - 2014*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 9 April 2015 and the parties consent to its termination.
- [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; that the Commission is satisfied that the Council has given notice of its intention to apply to terminate the agreement; that the other parties to the agreement agree to it being terminated; and that the termination of the agreement is not contrary to the public interest; the *Burke Shire Council - Certified Agreement 2012 - 2014* is terminated as from 30 January 2018.
- [4] I make the following order:
 1. **The *Burke Shire Council – Certified Agreement 2012 – 2014* is terminated.**