

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Murweh Shire Council State Certified Agreement 2011 [2019] QIRC 008*

PARTIES: **Murweh Shire Council**

and

The Australian Workers' Union of Employees, Queensland

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

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

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

CASE NO: CB/2018/181

PROCEEDING: Termination of an agreement

DELIVERED ON: 17 January 2019

HEARING DATE: 17 January 2019

MEMBER: Thompson IC

HEARD AT: Brisbane

ORDER: **1. *The Murweh Shire Council State Certified Agreement 2011 is terminated.***

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

LEGISLATION: *Industrial Relations Act 2016, s 228*

APPEARANCES:

Ms N. Todd of Peak Services for the Murweh Shire Council

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

Mr J. Blundell-Thornton of Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

Reasons for Decision

- [1] The Murweh Shire Council has applied to terminate the *Murweh Shire Council State Certified Agreement 2011* (CA/2012/10), it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 16 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;¹ that the Commission is satisfied that Murweh Shire Council have given notice of its intention to apply to terminate the agreement;² that the other parties to the agreement agree to it being terminated;³ and, that the termination of the agreement is not contrary to the public interest;⁴ the *Murweh Shire Council State Certified Agreement 2011* is terminated as and from 17 January 2019.⁵
- [4] I make the following order:
- 1. The *Murweh Shire Council State Certified Agreement 2011* 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).