

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Gladstone Regional Council Certified Agreement 2012 [2019] QIRC 005*

PARTIES: Gladstone Regional Council

and

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

and

The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees

and

Australian Workers' Union of Employees, Queensland

and

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

and

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

and

The Electrical Trades Union of Employees Queensland

and

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

and

Queensland Services, Industrial Union of Employees

and

United Voice Industrial Union of Employees, Queensland

CASE NO: CB/2018/203

PROCEEDING: Termination of a certified agreement after nominal expiry date

DELIVERED ON: 17 January 2019

HEARING DATE: 17 January 2019

HEARD AT: Brisbane

MEMBER: Black IC

ORDER: **1. The Gladstone Regional Council Certified Agreement 2012 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 and Ms S Woolf for the Gladstone Regional Council  
Mr J Blundell-Thornton for the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees and the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland  
Ms S Young for the Australian Workers' Union of Employees, Queensland  
Mr T Murray of Queensland Services, Industrial Union of Employees

### **Reasons for Decision**

- [1] The Gladstone Regional Council has applied to terminate the *Gladstone Regional Council Certified Agreement 2012*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 18 September 2015 and the parties consent to its termination.
- [3] Having regard to the affidavit of Leisa Dowling dated 12 December 2018; the exclusion from the agreement of any provisions recording that any particular conditions need to be met before it may be terminated; the Commission's satisfaction that the Council has given notice of its intention to apply to terminate the agreement; the agreement of the other parties to the agreement to the termination of the agreement; and my view that the termination of the agreement is not contrary to the public interest; I have decided to

terminate the *Gladstone Regional Council Certified Agreement 2012* with effect from 17 January 2019.

[4] I make the following order:

**1. *The Gladstone Regional Council Certified Agreement 2012 is terminated.***