

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Paroo Shire Council - Outside Staff Certified Agreement 2010 - CA/2010/16 [2018] QIRC 087*

PARTIES: **Paroo Shire Council**

and

The Australian Workers' Union of Employees, Queensland

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

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

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

CASE NO: CB/2018/80

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 5 July 2018

HEARING DATE: 4 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. The Paroo Shire Council - Outside Staff Certified Agreement 2010 - CA/2010/16 is terminated.**

CATCHWORDS: INDUSTRIAL LAW - APPLICATION TO TERMINATE CERTIFIED AGREEMENT - where application for termination of agreement after nominal expiry date - where requirements for termination

LEGISLATION: *Industrial Relations Act 2016, s 228*

APPEARANCES: Ms S. Mitanis for the Paroo Shire Council.

Ms K. Fiedler for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland.

Reasons for Decision

- [1] The Paroo Shire Council has applied to terminate the *Paroo Shire Council - Outside Staff Certified Agreement 2010 - CA/2010/16*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 19 November 2013.
- [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 the Paroo Shire Council has 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 determination is not contrary to the public interest;⁴ the *Paroo Shire Council - Outside Staff Certified Agreement 2010 - CA/2010/16*, is terminated as from 4 July 2018.⁵
- [4] I make the following order:
- 1. The *Paroo Shire Council - Outside Staff Certified Agreement 2010 - CA/2010/16* 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).