

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4 [2018] QIRC 089*

PARTIES: **Barcoo Shire Council**
and
The Australian Workers' Union of Employees, Queensland
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

CASE NO: CB/2018/86

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 *Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4* 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 Barcoo Shire Council.

Reasons for Decision

- [1] The Barcoo Shire Council has applied to terminate the *Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 31 December 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 the Barcoo 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 *Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4*, is terminated as from 4 July 2018.⁵
- [4] I make the following order:
1. **The *Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4* 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).