

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Department of Education and Training State School Teachers' Certified Agreement 2016 [2019] QIRC 178*

PARTIES: **State of Queensland (Department of Education)**  
and  
**Queensland Teachers Union of Employees**  
and  
**Together Queensland, Industrial Union of Employees**

CASE NO: CB/2019/100

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 19 November 2019

HEARING DATE: 19 November 2019

HEARD AT: Brisbane

MEMBER: O'Connor VP

ORDER: **1. The *Department of Education and Training State School Teachers' Certified Agreement 2016* 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: Mrs E Breen for the Department of Education  
Ms K Ruttiman for the Queensland Teachers Union of Employees

### Reasons for Decision

- [1] The State of Queensland (Department of Education) has applied to terminate the *Department of Education and Training State School Teachers' Certified Agreement 2016* pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 30 June 2019.
- [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;<sup>1</sup> that the Commission is satisfied that the Department of Education has given notice of its intention to apply to terminate the agreement;<sup>2</sup> that the other parties to the agreement agree to it being terminated;<sup>3</sup> and, that the termination of the agreement is not contrary to the public interest;<sup>4</sup> the *Department of Education and Training State School Teachers' Certified Agreement 2016* is terminated as from 19 November 2019.<sup>5</sup>
- [4] I make the following order:
- 1. The *Department of Education and Training State School Teachers' Certified Agreement 2016* is terminated.**

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<sup>1</sup> *Industrial Relations Act 2016* s 228(3).

<sup>2</sup> *Ibid* s 228(2).

<sup>3</sup> *Ibid* s 228(3)(b)(i).

<sup>4</sup> *Ibid* s 228(3)(b)(ii).

<sup>5</sup> *Ibid* s 228(4).