

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Queensland Fire and
Emergency Service Certified Agreement 2016*
[2019] QIRC 167

PARTIES: **State of Queensland (Queensland Fire and
Emergency Services)**
(Applicant)

v

**United Firefighters' Union of Australia,
Union of Employees, Queensland**
(First Respondent)

&

**Queensland Fire and Rescue – Senior
Officers Union of Employees**
(Second Respondent)

&

**Together Queensland, Industrial Union of
Employees**
(Third Respondent)

CASE NO: CB/2019/103

PROCEEDING: Application for termination after expiry date

DELIVERED ON: 6 November 2019

HEARING DATE: 6 November 2019

MEMBER: Hartigan IC

HEARD AT: Brisbane

ORDER: **1. The *Queensland Fire and Emergency Service 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* (Qld), s 228

APPEARANCES: Ms F Bridges with the Public Safety Business Agency for the Queensland Fire and Emergency Services

Mr A Cooke for the United Firefighters' Union of Australia, Union of Employees, Queensland

Ms N Vigor for Together Queensland, Industrial Union of Employees

Reasons for Decision

[1] On 23 October 2019, Queensland Fire and Emergency Services applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* ('the Act'), to terminate the *Queensland Fire and Emergency Service Certified Agreement 2016* ('the certified agreement').

[2] The certified agreement has 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;¹ that the Commission is satisfied that the State of Queensland (Queensland Fire and Emergency Services) 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 agreement is not contrary to the public interest;⁴ the *Queensland Fire and Emergency Service Certified Agreement 2016* is terminated as and from 6 November 2019.⁵

[4] I make the following order:

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).

- 1. The *Queensland Fire and Emergency Service Certified Agreement 2016* is terminated.**