

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the QFleet Certified Agreement 2016* [2019] QIRC 106

PARTIES: State of Queensland (Department of Housing and Public Works)

and

Together Queensland, Industrial Union of Employees

CASE NO: CB/2019/55

PROCEEDING: Application for approval to terminate certified agreement after nominal expiry date

DELIVERED ON: 12 July 2019

HEARING DATE: 12 July 2019

HEARD AT: Brisbane

MEMBER: Knight IC

ORDER: **1. The *QFleet Certified Agreement 2016* is terminated.**

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for termination after nominal expiry date – Requirements for termination – Agreement terminated

LEGISLATION: *Industrial Relations Act 2016*

APPEARANCES: Ms T. Bullas of the Department of Housing and Public Works

Ms N. Vigor of Together Queensland, Industrial Union of Employees

## Reasons for Decision

- [1] The State of Queensland (Department of Housing and Public Works) has applied to terminate the *QFleet Certified Agreement 2016*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 31 August 2018 and the parties consent to its termination.

[3] I have considered the affidavit of Ms. Elizabeth Therese Carroll, Director-General of the Department of Housing and Public Works, sworn 25 June 2019.

[4] I am satisfied that:

- the agreement does not provide any particular conditions that must be met before it may be terminated;<sup>1</sup>
- the Commission is satisfied that State of Queensland (Department of Housing and Public Works) has given notice of its intention to apply to terminate the agreement;<sup>2</sup>
- the other parties to the agreement agree to its being terminated;<sup>3</sup> and
- the termination of the agreement is not contrary to the public interest.<sup>4</sup>

[5] On that basis, I terminate the *QFleet Certified Agreement 2016* with effect from 12 July 2019.<sup>5</sup>

[6] I make the following order:

1. **The *QFleet Certified Agreement 2016* is terminated.**

---

<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).