

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Mount Isa City Council Certified Agreement 2013 - 2015* [2019] QIRC 044

PARTIES: Mount Isa City Council

and

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

and

The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees

and

Australian Workers' Union of Employees, Queensland

and

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

and

Federated Engine Drivers' and Firemens' Association of Queensland, Union of Employees

and

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

and

Queensland Services, Industrial Union of Employees

and

United Voice Industrial Union of Employees, Queensland

CASE NO: CB/2019/8

PROCEEDING: Termination of a certified agreement after nominal expiry date

DELIVERED ON: 6 March 2019

HEARING DATE: 6 March 2019

HEARD AT: Brisbane

MEMBER: Black IC

ORDER: **1. *The Mount Isa City Council Certified Agreement 2013 - 2015 is terminated.***

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

LEGISLATION: *Industrial Relations Act 2016, s 228*

APPEARANCES: Ms N Todd of Peak Services for Mount Isa City Council  
Ms S Young for Australian Workers' Union of Employees, Queensland  
Ms M Robertson for Queensland Services, Industrial Union of Employees

### **Reasons for Decision**

- [1] The Mt Isa City Council has applied to terminate the *Mount Isa City Council Certified Agreement 2013 - 2015*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 30 June 2015 and the parties consent to its termination.
- [3] Having regard to the affidavit of Sharon Ibardolaza dated 20 December 2018; the exclusion from the agreement of any provisions recording that any particular conditions need to be met before it may be terminated; the Commission's satisfaction that the Council has given notice of its intention to apply to terminate the agreement; the agreement of the other parties to the agreement to the termination of the agreement; and my view that the termination of the agreement is not contrary to the public interest; I have decided to terminate the *Mount Isa City Council Certified Agreement 2013 - 2015* with effect from 6 March 2019.
- [4] I make the following order:
1. ***The Mount Isa City Council Certified Agreement 2013 – 2015 is terminated.***