

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the South Burnett Regional Council Certified Agreement - Field Staff 2011* [2019] QIRC 101

PARTIES: South Burnett Regional Council

v

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

Construction, Forestry, Mining and Energy Industrial Union of Employees

The Australian Workers' Union of Employees, Queensland

Transport Workers' Union of Australia, Union of Employees, Queensland Branch

CASE NO: CB/2020/27

PROCEEDING: Termination of an agreement

DELIVERED ON: 6 July 2020

HEARING DATE: 6 July 2020

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: **1. The *South Burnett Regional Council Certified Agreement - Field Staff 2011* 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 S Mitanis of LGAQ for the Applicant

Ms M Robertson of QSU for the Respondent.

Reasons for Decision

- [1] The South Burnett Regional Council has applied to terminate the *South Burnett Regional Council Certified Agreement - Field Staff 2011*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 15 March 2014 and the parties consent to its termination.
- [3] On the basis that the agreement does not include any provisions recording that any particularly conditions need to be met before it may be terminated;¹ that the Commission is satisfied that the South Burnett Regional 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 agreement is not contrary to the public interest;⁴ the *South Burnett Regional Council Certified Agreement - Field Staff 2011* is terminated as from 6 July 2020.⁵
- [4] I make the following order: **The *South Burnett Regional Council Certified Agreement - Field Staff 2011* 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)