

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the WorkCover Employing Office – Certified Agreement 2018*
[2023] QIRC 197

PARTIES: **WorkCover Employing Office**

AND

Together Queensland, Industrial Union of Employees

CASE NO: CB/2023/59

PROCEEDING: Termination of an agreement

DELIVERED ON: 5 July 2023

HEARING DATE 5 July 2023

MEMBER: Hartigan DP

HEARD AT: Brisbane

ORDER: ***The WorkCover Employing Office – Certified Agreement 2018 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 E. Wright, Ms R. Eagar and Mr J. Kinnane of the WorkCover Employing Office

Mr D. Goldman of Together Queensland, Industrial Union of Employees

Reasons for Decision

- [1] On 21 June 2023, the WorkCover Employing Office applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act'), to terminate the *WorkCover Employing Office – Certified Agreement 2018* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 30 September 2022.
- [3] The application was filed in the Industrial Registry, together with several affidavits in support of Ms Emma Wright, Chief People Officer, WorkCover Employing Office, and a Notice of intention to terminate a certified agreement.
- [4] Having regard to the material relied upon in support of the application, I am satisfied that:
- (a) the certified agreement does not include any provisions recording that any particular conditions need be met before it may be terminated;¹
 - (b) the WorkCover Employing Office has given notice of its intention to apply to terminate the certified agreement;²
 - (c) all parties to the certified agreement agree to it being terminated;³ and
 - (d) the termination of the certified agreement is not contrary to the public interest.⁴
- [5] I have also had regard to an application having been made by the WorkCover Employing Office and Together Queensland, Industrial Union of Employees to certify the *WorkCover Employing Office – Certified Agreement 2022*.⁵
- [6] Section 228(4) of the IR Act provides that termination takes effect when the Commission's approval takes effect. I approve the termination of the certified agreement with effect from 5 July 2023.
- [7] I make the following order:

The *WorkCover Employing Office – Certified Agreement 2018* is terminated.

¹ *Industrial Relations Act 2016* (Qld) s 228(3).

² *Ibid* s 228(2).

³ *Ibid* s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).

⁵ Matter CB/2023/60 filed on 21 June 2023.

