

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the QBuild Office Staff Certified Agreement 2019 [2023] QIRC 305*

PARTIES: **State of Queensland (Department of Energy and Public Works)**

AND

**Together Queensland, Industrial Union of Employees**

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

CASE NO.: CB/2023/110

PROCEEDING: Termination of an agreement

DELIVERED ON: 23 October 2023

HEARING DATE: 23 October 2023

MEMBER: Hartigan DP

HEARD AT: Brisbane

ORDER: **The *QBuild Office Staff Certified Agreement 2019* 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 C. Jeffries and Ms L. Gribbin for the Office of Industrial Relations

Mr M. Thomas for Together Queensland,  
Industrial Union of Employees

### Reasons for Decision

- [1] On 16 October 2023, the Office of the State of Queensland (Department of Energy and Public Works) ('the Department') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act'), to terminate the *QBuild Office Staff Certified Agreement 2019* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 31 August 2023.
- [3] The application was filed in the Industrial Registry, together with an affidavit in support of Ms Amanda Michelle Edie, Chief Human Resources Officer, Department of Energy and Public Works, 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;<sup>1</sup>
  - (b) the Department has given notice of its intention to apply to terminate the certified agreement;<sup>2</sup>
  - (c) all parties to the certified agreement agree to it being terminated;<sup>3</sup> and
  - (d) the termination of the certified agreement is not contrary to the public interest.<sup>4</sup>
- [5] I have also had regard to an application having been made to certify the *State Government Entities Certified Agreement 2023* which is proposed to cover employees currently engaged under the *QBuild Office Staff Certified Agreement 2019*.<sup>5</sup>
- [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 23 October 2023.

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<sup>1</sup> *Industrial Relations Act 2016* (Qld) 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> Matter CB/2023/112 filed on 16 October 2023.

[7] I make the following order:

***The QBuild Office Staff Certified Agreement 2019 is terminated.***