

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Stadiums Queensland Staff Certified Agreement 2019 [2024] QIRC 044*

PARTIES: **Stadiums Queensland**

AND

**The Australian Workers' Union of Employees, Queensland**

AND

**The Electrical Trades Union of Employees Queensland**

AND

**Together Queensland, Industrial Union of Employees**

AND

**United Workers' Union, Industrial Union of Employees, Queensland**

CASE NO: CB/2024/9

PROCEEDING: Termination of an agreement

DELIVERED ON: 19 February 2024

HEARING DATE: 19 February 2024

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Stadiums Queensland 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, s 228*

APPEARANCES:

Ms J. Lappin, Stadiums Queensland

Mr B. McCreddie, The Australian Workers' Union of Employees, Queensland

Ms K. Chandler and Mr D. Goldman, Together Queensland, Industrial Union of Employees

Mr J. McCall, United Workers' Union, Industrial Union of Employees, Queensland

Mr C. Scott, Office of Industrial Relations

### Reasons for Decision

- [1] On 5 February 2024, Stadiums Queensland applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *Stadiums Queensland Staff Certified Agreement 2019* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 31 July 2023.
- [3] Section 228(3) of the Act provides:
- (3) The commission must approve the termination if, and must refuse to approve the termination unless, satisfied subsection (2) has been complied with and-
    - (a) for an agreement or determination that provides that it may be terminated if particular conditions are met-the conditions have been met; or
    - (b) for an agreement or determination that does not provide for the way it may be terminated-
      - (i) the other parties to the agreement or determination agree to it being terminated; and
      - (ii) termination of the agreement or determination is not contrary to the public interest.
- [4] I have had regard to:
- the submissions made by the parties who appeared today;<sup>1</sup> and
  - the affidavit of Mr Todd Harris, Chief Executive Officer of Stadiums Queensland, affirmed on 5 February 2024.
- [5] The certified agreement does not provide that particular conditions need to be met before it may be terminated.

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<sup>1</sup> I also note the correspondence of Mr Peter Ong, State Secretary of The Electrical Trades Union of Employees Queensland ('the ETU') dated 8 February 2024 where Mr Ong writes that the ETU supports the termination and certification applications but would be unable to attend the hearing.

- [6] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.
- [7] On 5 February 2024, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Stadiums Queensland Staff Certified Agreement 2023*.
- [8] The Applicant; The Australian Workers' Union of Employees, Queensland; The Electrical Trades Union of Employees Queensland; Together Queensland, Industrial Union of Employees; and United Workers' Union, Industrial Union of Employees, Queensland have agreed to the terms of the *Stadiums Queensland Staff Certified Agreement 2023* which will replace the certified agreement.
- [9] I am satisfied that:
- all parties to the certified agreement agree to it being terminated; and
  - the termination of the certified agreement is not contrary to the public interest.
- [10] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect.
- [11] I approve the termination of the *Stadiums Queensland Staff Certified Agreement 2019* with effect from 19 February 2024.
- [12] I make the following order:
- 1. The *Stadiums Queensland Staff Certified Agreement 2019* is terminated.**