

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Ipswich City Council Officers Certified Agreement 2021 [2025] QIRC 132*

PARTIES: **Ipswich City Council**

AND

**Queensland Services, Industrial Union of Employees**

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

CASE NO.: CB/2025/24

PROCEEDING: Termination of an agreement

DELIVERED ON: 23 May 2025

HEARING DATE: 23 May 2025

HEARD AT: Brisbane

MEMBER: Power IC

ORDER: ***The Ipswich City Council Officers Certified Agreement 2021 is terminated.***

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – application for termination of agreement after nominal expiry date – requirements for termination – agreement terminated.

LEGISLATION: *Industrial Relations Act 2016 (Qld)*, ss 189 and 228

APPEARANCES: Mr K. Ryalls for the Ipswich City Council.

Mr J Dougall for the Queensland Services, Industrial Union of Employees.

### Reasons for Decision

- [1] On 9 May 2025, the Ipswich City Council ('the Applicant') applied, pursuant to s 228(1) of the *Industrial Relations Act* 2016 (Qld) ('the Act'), to terminate the *Ipswich City Council Officers Certified Agreement 2021* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 1 October 2024.
- [3] Section 228 of the Act provides:

#### **228 Termination after nominal expiry date**

- (1) After the nominal expiry date of a certified agreement or arbitration determination, the following persons may apply to the commission to terminate the agreement or determination—
  - (a) the employer;
  - (b) a valid majority of the relevant employees;
  - (c) an employee organisation to which the agreement or determination applies and that has at least 1 member who is a relevant employee.
- (2) The person who intends to apply to terminate the agreement or determination must give all other persons to whom the agreement or determination applies notice of the intention.
- (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) The termination takes effect when the commission's approval takes effect.

- [4] I have had regard to:
  - (a) the submissions made by the parties who appeared today; and
  - (b) the affidavit of Ms Sonia Cooper, Chief Executive Officer of the Applicant.
- [5] The certified agreement does not provide that particular conditions need to be met before it may be terminated.
- [6] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.
- [7] On 9 May 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Ipswich City Council Officers Certified Agreement 2024*.

[8] The Applicant and the following employee organisations have agreed to the terms of the *Ipswich City Council Officers Certified Agreement 2024* which will replace the certified agreement:

- (a) Queensland Services, Industrial Union of Employees
- (b) The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees

[9] I am satisfied that:

- (a) all parties to the certified agreement agree to it being terminated; and
- (b) 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 *Ipswich City Council Officers Certified Agreement 2021* with effect from 23 May 2025.

### **Order**

[12] I make the following order:

- 1. The *Ipswich City Council Officers Certified Agreement 2021* is terminated.**