

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB11) 2022 [2025] QIRC 293*

PARTIES: **State of Queensland (Queensland Health)**
State of Queensland (Department of Education)
State of Queensland (Health and Wellbeing Queensland)

AND

Queensland Nurses and Midwives' Union of Employees
The Australian Workers' Union of Employees, Queensland

CASE NO: CB/2025/125

PROCEEDING: Termination of an agreement

DELIVERED ON: 30 October 2025

HEARING DATE: 29 October 2025

MEMBER: Gazenbeek IC

HEARD AT: Brisbane

ORDER: ***The Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB11) 2022 is terminated***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for termination of agreement after nominal expiry date – requirements for termination of agreement – agreement terminated

LEGISLATION:	<i>Industrial Relations Act 2016</i> (Qld) ss 189, 191, 228 <i>Industrial Relations (Tribunals) Rules 2011</i> (Qld), r 93
APPEARANCES:	R. Dayal, M. Morris, and E. Culleton for the State of Queensland (Queensland Health) M. Marron for the State of Queensland (Department of Education) D. Seage and E. Hanna for the Queensland Nurses and Midwives' Union of Employees B. Watson for the Australian Workers' Union of Employees, Queensland

Reasons for Decision

- [1] On 24 October 2025, the State of Queensland, represented through Queensland Health, the Department of Education, and Health and Wellbeing Queensland (together, 'the Applicants') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB11) 2022* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 31 March 2025.
- [3] The application was filed in the Industrial Registry together with an affidavit in support of Ms Alarna Lane-Mullins (Chief Human Resources Officer) of Queensland Health, and a notice of intention to terminate the certified agreement.
- [4] The named parties to the agreement are the Applicants, and the following employee organisations:
 - (a) Queensland Nurses and Midwives' Union of Employees ('QNMU'); and
 - (b) The Australian Workers' Union of Employees, Queensland ('AWU').
- [5] On 24 October 2025, the Applicants also applied, pursuant to s 189 of the Act, to certify the *Nurses and Midwives (Queensland Health and Department of Education) Certified*

Agreement (EB12) 2025,¹ the terms of which all parties to this certified agreement have agreed.

- [6] Further accompanying the application was correspondence of Ms Lane-Mullins dated 22 October 2025, requesting that the Commission consider exercising its discretion, pursuant to rule 93 of the *Industrial Relations (Tribunals) Rules 2011* (Qld), to shorten the minimum 7-day period for notice of hearing required by s 191 of the Act. This request, which was supported by all parties to the certified agreement, was made so that “Queensland Health’s payroll services may finalise its build to accurately process and pay ... approximately 57,931 employees before Christmas” the entitlements of “a wage increase of 3% (effective from 1 April 2025)” and “backpay accrued from 1 April 2025.”²
- [7] In light of the provided reasons for the request, supported by all parties, I have exercised my discretion to allow the 7-day period to be waived. The hearing of this application was accordingly listed before the Commission on 29 October 2025, at which the Applicants,³ QNMU, and AWU each confirmed their support of the application to terminate the certified agreement.
- [8] Having regard to the material relied upon in support of the application, and the submissions made at the hearing before me, I am satisfied that:
- the Applicants have given the requisite notice of its intention to apply to terminate the certified agreement;⁴
 - the certified agreement does not provide that any particular conditions need to be met before it may be terminated;⁵
 - all parties to the certified agreement agree to it being terminated;⁶ and
 - the termination of the certified agreement is not contrary to the public interest.⁷
- [9] Section 228(4) of the Act provides that termination takes effect when the Commission’s approval takes effect. Accordingly, I approved the termination of the certified agreement with effect from the date of the hearing of this application, being 29 October 2025.

¹ *In the making of the Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB12) 2025* [2025] QIRC 294.

² Letter of Ms A. Lane-Mullins (Chief Human Resources Officer, Queensland Health) to the Industrial Registrar, dated 22 October 2025.

³ I note that Health and Wellbeing Queensland was not in attendance at the hearing, however correspondence was received by the Registry on 27 October 2025 from Ms J. Daher (A/Corporate Services Manager) of Health and Wellbeing Queensland confirming their support for the termination of the certified agreement, and providing consent for Queensland Health to make submissions on their behalf as and when required.

⁴ *Industrial Relations Act 2016* (Qld) s 228(2).

⁵ *Industrial Relations Act 2016* (Qld) s 228(3)(a).

⁶ *Ibid*, s 228(3)(b)(i).

⁷ *Ibid*, s 228(3)(b)(ii).

[10] I make the following order:

***The Nurses and Midwives (Queensland Health and Department of Education)
Certified Agreement (EB11) 2022 is terminated***