

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION:

In the termination of the TAFE Queensland (TAFE Services Employees) Certified Agreement 2022 [2026] QIRC 006

PARTIES:

State of Queensland (TAFE Queensland)

AND

Together Queensland, Industrial Union of Employees

AND

Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

AND

Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

AND

Electrical Trades Union of Employees, Queensland

AND

Queensland Nurses and Midwives' Union of Employees

AND

United Workers' Union, Industrial Union of Employees, Queensland

CASE NO:

CB/2025/162

PROCEEDING:

Termination of an agreement

DELIVERED ON:

16 January 2026

HEARING DATE:

16 January 2026

MEMBER:

Pidgeon IC

HEARD AT:

Brisbane

ORDER:

The *TAFE Queensland (TAFE Services Employees) Certified Agreement 2022* 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 A. Murphy for the State of Queensland (TAFE Queensland)

Mr D. Hamwood for Together Queensland, Industrial Union of Employees

Reasons for Decision

[1] On 18 December 2025, TAFE Queensland applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *TAFE Queensland (TAFE Services Employees) Certified Agreement 2022* ('the certified agreement').

[2] The certified agreement has a nominal expiry date of 31 August 2025.

[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;¹ and

¹ I note the correspondence of Mr Alec Nash of the United Workers' Union, Industrial Union of Employees ('UWU') dated 23 December 2025 wherein Mr Nash wrote that UWU supports the termination and certification applications but would be unable to attend the hearing. I have also had regard to the correspondence from Mr Peter Ong of the Electrical Trades Union, Industrial Union of Employees ('ETU') wherein Mr Ong states that the ETU agrees to the termination and certification applications but that the ETU would be unable to attend the hearing. I further note the correspondence of Mr Christopher Murray of the Queensland Nurses and Midwives' Union of Employees ('QNMU') dated 9 January 2026 where Mr Murray writes that the QNMU supports the termination and certification applications but would be unable to attend the hearing. In addition, in a letter from Mr Paul Dunbar dated 15 January 2026, the Construction, Forestry, Mining & Energy, Industrial Union of

- the affidavit of Mr Brett Kinnane filed in the Industrial Registry on 18 December 2025

[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 18 December 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *TAFE Queensland (TAFE Services Employees) Certified Agreement 2025*.

[8] The Applicant; Together Queensland, Industrial Union of Employees; Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; Electrical Trades Union of Employees, Queensland; Queensland Nurses and Midwives' Union of Employees; and United Workers' Union, Industrial Union of Employees, Queensland have agreed to the terms of the *TAFE Queensland (TAFE Services Employees) Certified Agreement 2025* which will replace the certified agreement.

[9] I am satisfied that:

- all parties to the certified agreement agree to the certified agreement 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 *TAFE Queensland (TAFE Services Employees) Certified Agreement 2022* with effect from 16 January 2026.

[12] I make the following order:

1. **The *TAFE Queensland (TAFE Services Employees) Certified Agreement 2022* is terminated.**

Employees, Queensland ('CFMEU') wrote to advise that the CFMEU would not be in attendance at the hearing of the matter but that the CFMEU supported the termination of the existing agreement and certification of the new agreement. Ms Melissa McAllister of the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland ('AMWU') also wrote to the Industrial Registry on 15 January 2026 to advise that the AMWU would be unable to attend the hearing, however, that the AMWU supports the termination and certification applications.