

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the Termination of the Department of Education Cleaners' Certified Agreement 2022 [2026] QIRC 129*

PARTIES: **State of Queensland (Department of Education)**

AND

United Workers' Union, Industrial Union of Employees, Queensland

CASE NO: CB/2026/37

PROCEEDING: Termination of an agreement

DELIVERED ON: 17 April 2026

HEARING DATE: 17 April 2026

MEMBER: O'Connor VP

HEARD AT: Brisbane

ORDER: ***The Department of Education Cleaners' 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 (Qld) s 189, s 228*

APPEARANCES: Ms H. McAuliffe for the State of Queensland (Department of Education)

Mr A. Nash for the United Workers' Union,
Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 2 April 2026, the State of Queensland (Department of Education) ('the applicant') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* ('the Act'), to terminate the *Department of Education Cleaners' 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;
 - the affidavits of Ms Erin Rutherford, Acting Director, Industrial Relations Strategy, of the applicant, filed on 2 April 2026.
- [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 requisite notice of its intention to apply to terminate the certified agreement.
- [7] On 2 April 2026, the applicant made an application, pursuant to s 189 of the Act, to certify the *Department of Education Cleaners' Certified Agreement 2025*.

[8] The applicant and the United Workers' Union, Industrial Union of Employees, Queensland have agreed to the terms of the *Department of Education Cleaners' Certified Agreement 2025* 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 *Department of Education Cleaners' Certified Agreement 2022* with effect from 17 April 2026.

[12] I make the following order:

The *Department of Education Cleaners' Certified Agreement 2022* is terminated.