

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the Termination of the Department of Education Certified Agreement 2022 [2026]*
QIRC 131

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

AND

Together Queensland, Industrial Union of employees

AND

State of Queensland (Department of State Development, Infrastructure and Planning)

CASE NO: CB/2026/39

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 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 M. Thomas for Together Queensland,
Industrial Union of employees

Ms V. Van Der Laak for the State of
Queensland (Department of State
Development, Infrastructure and Planning)

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 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 affidavit 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 Certified Agreement 2025*.
- [8] The applicant and the following employee organisations have agreed to the terms of the *Department of Education Certified Agreement 2025* which will replace the certified agreement:
- Together Queensland, Industrial Union of Employees; and
 - The State of Queensland (Department of State Development, Infrastructure and Planning).
- [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 Certified Agreement 2022* with effect from 17 April 2026.
- [12] I make the following order:

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