

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Redland City Council
Employees' Certified Agreement 2019 [2023]
QIRC 224*

PARTIES: **Redland City Council**

AND

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

AND

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

AND

**Plumbers & Gasfitters Employees' Union
Queensland, Union of Employees**

AND

**The Australian Workers' Union of
Employees, Queensland**

AND

**The Electrical Trades Union of Employees
Queensland**

AND

**Transport Workers' Union of Australia,
Union of Employees (Queensland Branch)**

CASE NO: CB/2023/63

PROCEEDING: Termination of an agreement

DELIVERED ON: 31 July 2023

HEARING DATE: 31 July 2023

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: **1. *The Redland City Council Employees' Certified Agreement 2019 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 228*

APPEARANCES: Mr M. Beaumont and Ms E. Collins for the Redland City Council

Mr D. Marr for The Australian Workers' Union of Employees, Queensland

Reasons for Decision

- [1] On 10 July 2023, the Redland City Council applied, pursuant to s 228(1) of the *Industrial Relations Act 2016 (Qld)* ('the IR Act'), to terminate the *Redland City Council Employees' Certified Agreement 2019* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 6 December 2022.
- [3] The application was filed in the Industrial Registry together with the affidavit of Mr Andrew Chesterman, Chief Executive Officer of the Redland City Council, and a Form 50 – Notice of intention to terminate certified agreement or arbitration determination.
- [4] After consideration of the material filed in support of the application, I am satisfied that:
- a. the certified agreement does not include any provisions recording that any particular conditions need to be met before it may be terminated;¹

¹ *Industrial Relations Act 2016 (Qld) s 228(3).*

- b. the Redland City Council has given notice of its intention to apply to terminate the certified agreement;²
- c. all parties to the certified agreement agree to it being terminated;³ and
- d. the termination of the certified agreement is not contrary to the public interest.⁴

[5] I have had regard also to an application made by the Redland City Council to certify the *Redland City Council Employees' Certified Agreement 2022*.⁵

[6] Section 228(4) of the IR Act provides that termination takes effect when the Commission's approval takes effect. I approve the termination of the certified agreement with effect from 31 July 2023.

Order

- 1. The *Redland City Council Employees' Certified Agreement 2019* is terminated.**

² Ibid s 228(2).

³ Ibid s 228(3)(b)(i).

⁴ Ibid s 228(3)(b)(ii).

⁵ Matter CB/2023/64 filed 10 July 2023.