

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of Parliamentary Service Electorate Office Staff Certified Agreement 2020 [2024] QIRC 056*

PARTIES: **State of Queensland (Queensland Parliamentary Service)**

AND

United Workers' Union, Industrial Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

Together Queensland, Industrial Union of Employees

CASE NO: CB/2024/11

PROCEEDING: Application for termination of an Agreement

DELIVERED ON: 1 March 2024

HEARING DATE: 1 March 2024

MEMBER: Knight IC

HEARD AT: Brisbane

ORDERS: ***The Parliamentary Service Electorate Office Staff Certified Agreement 2020 is terminated.***

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – application for termination of a certified agreement after nominal expiry date – requirements for termination – agreement terminated

LEGISLATION: *Industrial Relations Act 2016 (Qld) ss 189, 228*

APPEARANCES: Mr P. Morris of State of Queensland (Queensland Parliamentary Services)

Mr O Samson of Together Queensland, Industrial Union of Employees

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

Reasons for Decision

- [1] On 16 February 2024, the State of Queensland (Queensland Parliamentary Service) ('the QPS') applied to terminate the *Parliamentary Service Electorate Office Staff Certified Agreement 2020* ('the agreement') pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act').
- [2] The agreement has a nominal expiry date of 31 August 2023.
- [3] Section 228(3) of the IR 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] In making my decision I have had regard to s 228(3), the submissions made by the parties who appeared at the hearing today and the affidavit of Mr Neil John Laurie, the Clerk of the Parliament, filed on 16 February 2024.
- [5] The agreement does not provide that particular conditions need to be met before it may be terminated.
- [6] On 8 February 2024, the QPS notified the other parties to the agreement of its intention to terminate the agreement. Those parties are:
- United Workers' Union, Industrial Union of Employees, Queensland (UWUQ);
 - Queensland Services, Industrial Union of Employees (QSU); and
 - Together Queensland, Industrial Union of Employees (TQ).
- [7] I am satisfied the QPS has provided the requisite notice of its intention to apply to terminate the agreement.
- [8] The UWUQ and TQ appeared today and consented to the present application.

- [9] No other person appeared or sought to make submissions. I am satisfied that all parties to the agreement agree to it being terminated, and the termination of the agreement is not contrary to the public interest.
- [10] On 16 February 2024, the QPS made an application under s 189 of the IR Act to certify the *Parliamentary Service Electorate Office Staff Certified Agreement 2023*.¹
- [11] The QPS and the UWUQ and TQ have agreed to the terms of the *Parliamentary Service Electorate Office Staff Certified Agreement 2023* which will replace the agreement.²
- [12] Section 228(4) of the IR Act provides that termination takes effect when the Commission's approval takes effect.
- [13] I approve the termination of the *Parliamentary Service Electorate Office Staff Certified Agreement 2020* with effect from today's date, being 1 March 2024.
- [14] I make the following order:

The *Parliamentary Service Electorate Office Staff Certified Agreement 2020* is terminated.

¹ *In the making of the Parliamentary Service Electorate Office Staff Certified Agreement 2023* [2024] QIRC 057

² The Commission was provided with material confirming the Queensland Services, Industrial Union of Employees no longer wished to be party to the *Parliamentary Service Electorate Office Staff Certified Agreement 2023*.