

**From:** Shaun Schmitke [<mailto:Shaun.Schmitke@masterbuilders.com.au>]  
**Sent:** Thursday, 1 December 2016 3:33 PM  
**To:** Chambers - Hatcher VP; Jane McCarty  
**Cc:** Rebecca Sostarko; Stuart Maxwell ([smaxwell@cfmeu.org](mailto:smaxwell@cfmeu.org))  
**Subject:** RE: AM2016/23 - 4 Yearly Review of Modern Awards - Group 4 Awards - Construction Awards

**Ms Katrine Huynh**

Associate to Vice President Hatcher  
Level 10 Tower Terrace  
80 William Street  
East Sydney NSW 2011

Dear Ms Huynh,

Thank you for the below advice regarding the MBA request of 14 November, 2016 granting an extension due to the unavailability of witnesses. We note that the Commission has also granted the CFMEU request for an extension of time in response to Mr Maxwell's email from earlier today.

MBA had earlier advised Mr Maxwell directly via email that we would not be opposed to his request, and in fact we would actively support it. The basis for this support was that we too were equally affected by the "activity" in the Commonwealth Parliament and would also seek an extension in the same terms.

Noting our initial request for an extension related specifically to materials associated with the WHS aspects of our claims, and now having regard to correspondence just received from HIA, we would request that the Commission consider an extension commensurate to that granted to the CFMEU being granted to all parties.

This would therefore result in the following:

- All parties: To file by 5:00pm on Friday 9 December 2016; (if our request above and HIA request is granted) and
- MBA WHS related materials only: To file by 5:00pm on Friday 16 December 2016 (consistent with the advice provided below).

**Alternatively**, for the reasons noted earlier above, we would seek an extension in the same terms as the CFMEU specifically for the MBA given our respective organisations were equally affected by recent events in the Commonwealth Parliament.

This would therefore result in the following:

- All parties: To file by 5:00pm on Friday 2 December 2016;
- MBA/CFMEU: To file by 5:00pm on Friday 9 December 2016 (if our request above is granted) and
- MBA WHS related materials only: To file by 5:00pm on Friday 16 December 2016 (consistent with the advice provided below).

We thank the Commission for its consideration of this request and apologise for the inconvenience caused.

Kind regards,  
Shaun Schmitke

**Shaun Schmitke**  
National Director Industrial Relations



Level 3, 44 Sydney Avenue, FORREST ACT 2603  
PO Box 7170 YARRALUMLA ACT 2600  
**T** (02) 6202 8888 **F** (02) 6202 8877  
**W** [www.masterbuilders.com.au](http://www.masterbuilders.com.au)