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**Sent:** Thursday, 30 July 2020 12:24 PM

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**Subject:** AM2016/8 - 4 Yearly Review - Payment of wages -Building and Construction General On-site Award

Dear Associate,

Further to the Report issued by the President, Justice Ross, on 17<sup>th</sup> July 2020 and the submissions filed by the HIA and MBA on 24<sup>th</sup> July 2020, the CFMMEU wishes to briefly respond to one specific issue arising from the HIA and MBA submissions.

Both the HIA and MBA seek to change the proposed clause 31.4(b) to the following:

“(b) Where notice of termination is given by an employer or employee in accordance with **clause 16** ~~the terms of this award or the NES~~ the amounts described at clause 31.4(a)(i) must be paid to the employee:”

The CFMMEU wishes to point out that clause 16 of the award only deals with the notice of termination by a weekly hire employee. Notice of termination by a daily hire employee is covered by clause 11 and notice of termination by an employer is set out in the NES. This is the reason why the CFMMEU and AIG agreed that 31.4(b) should refer to “the terms of this award or the NES”.

Regards,

**Stuart Maxwell**

Senior National Industrial Officer