

From: Stuart Maxwell <smaxwell@cfmeu.org>
Sent: Monday, 23 March 2020 8:32 AM
To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>
Subject: FW: AM2016/8- 4 yearly review of modern awards- Payment of Wages

Dear Justice Ross,

Further to the Report issued on 13th March 2020 in AM2016/8 - 4 yearly review of modern awards— Payment of Wages, and the submission filed by the HIA on 20th March 2020, the CFMMEU notes that the HIA submission does not accurately reflect the views expressed by the CFMMEU and supported by the other unions. To assist the Commission the full email sent to the parties is set out below.

Yours faithfully,

Stuart Maxwell
Senior National Industrial Officer

CFMEU

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From: Stuart Maxwell
Sent: Wednesday, 18 March 2020 3:39 PM
To: 'Regan, Laura' <l.regan@hia.com.au>; Rebecca Sostarko <rebecca@masterbuilders.com.au>; Ruchi Bhatt <Ruchi.Bhatt@aigroup.com.au>; Luis Izzo <Luis.Izzo@ablawyers.com.au>; stephen.crawford@nat.awu.net.au; abha.devasia@amwu.org.au; 'Yolla Abousleiman' <yolla@etuastralia.org.au>
Cc: Adler, Melissa <m.adler@hia.com.au>
Subject: RE: AM2016/8- 4 yearly review of modern awards- Payment of Wages

Dear Ms Regan,

THE CFMMEU does not agree with the draft directions that were circulated.

Firstly in regard to the date of any hearing, this would be a matter to be determined by the Full Bench once all the submissions have been received. It also may be impacted by the FWC's operating methods applying during the coronavirus pandemic. It is suggested that this matter be left to a further mention to be held once the submissions have been received.

In regard to the dates it is suggested that the four week period for reply submissions is unfair to those making reply submissions given that the HIA has had over 3 years to work out what additional

submissions it may wish to make over and above those made in December 2016. It is therefore suggested that any reply submissions be filed by 27th May 2020.

The CFMMEU therefore suggests that the draft directions be changed to:

The Housing Industry Association Ltd.'s outstanding application to vary Clause 31.3 of the *Building and Construction Award 2010* (filed on [2 December 2016](#)) is to be dealt with by the Payment of Wages Full Bench. The Commission makes the following directions:

1. All parties supporting HIAs application shall file comprehensive written submissions and any witness statements or documentary material on which the party seeks to rely on by **5.00pm Wednesday 15 April 2020**.
2. Any interested party which wishes to adduce evidence and/or make submissions in reply to any of the evidence and submissions filed in accordance with direction (1) shall file such evidence and/or submissions in the Commission by **5.00pm Wednesday 27 May 2020**.
3. All submissions and evidence shall be sent to amod@fwc.gov.au
4. A mention will be scheduled for **June 2020**.
5. The parties are granted liberty to apply to vary these directions.

Regards

Stuart Maxwell
Senior National Industrial Officer

CFMEU

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