



Chairman: Peter Parkinson
UNIT 1, 233 CARDIGAN STREET
CARLTON SOUTH VIC 3053
A.C.N. 110 263 182
TEL: 03 9348 2613 FAX: 03 9348 2714
dboard@vbidb.org.au
www.vbidb.org.au

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION (CFMEU)

and

PREMIER CRANES AND RIGGING PTY LTD (PREMIER)

**RE: ALLEGED INCORRECT PAYMENT OF SITE ALLOWANCE
WESTGATE TUNNEL PROJECT**

27 AUGUST 2019

018-2019

STATEMENT

[1] The CFMEU notified a dispute on 22 August 2019 alleging incorrect payment of Site Allowance for work performed on the Westgate Tunnel Project pursuant to the “*Premier Cranes & Rigging Pty Ltd and the CFMEU (Victorian Construction and General Division) Rigger/Steel Erector Enterprise Agreement 2016-2018*” (the Agreement).

[2] The Panel scheduled a Conference of the parties on 27 August 2019.

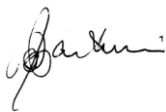
[3] Premier has been performing works on the Project since August 2018. Up until March 2019 Premier was paying a site allowance consistent with the findings of the Panel in Determination 008-2018 of 20 July 2018. Premier was not a party to the proceedings from which that Determination arose. In March 2019 Premier began paying

a lesser amount of site allowance to its employees under the applicable agreement. Dialogue between the parties has been unable to resolve the matter.

[4] Both parties acknowledged their familiarity with the Panel's Determination in Matter No. 008-2018. Premier requested more time to consider their position. The Chairman explained that it could be anticipated that unless the Panel could be convinced by appropriate substantive evidence that its findings in Matter No. 008-2018 should not apply to Premier, then the Panel will determine that the project scope, site allowance and operative dates determined in Matter 008-2018 will apply to Premier.

[5] The Panel has set the matter down for Hearing on Tuesday 3 September 2019 at 2.00pm at the Panel's premises at which both parties will be required to make submissions on the following matters:

- 1. Is there anything that is so substantively different to the findings made by the Panel in Matter No. 008-2018 that the Panel should reach a different conclusion as to scope, quantum of site allowance and operative date, should it proceed to make a Determination in this matter?; and*
- 2. Any other relevant matter.*



Peter Parkinson
Chairman



Tony Cordier
Panel Member