



Chairman: Peter Parkinson
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CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION (CFMEU)

and

PACQUOLA CORP PTY LTD
T/AS KPA CONCRETE CONSTRUCTION GROUP (KPA)

RE: VARIOUS ALLEGED BREACHES OF THE ENTERPRISE AGREEMENT

21 OCTOBER 2019

021-2019

STATEMENT

[1] The CFMEU notified a dispute on 11 October 2019 alleging various breaches of the Enterprise Agreement pursuant to the “*Pacquola Corp Pty Ltd T/as Concrete Construction Group and the CFMEU (Victorian Construction and General Division) Enterprise Agreement 2016-2018*” (the Agreement).

[2] The Panel conducted a Conference of the parties on 21 October 2019.

[3] The parties had provided the Panel with some correspondence between each other regarding this matter. It became apparent that whilst KPA had made clear its intention to address any alleged shortcomings in relation to the allegations, it had not yet been

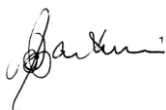
provided with adequate details in relation to the apparently affected employees either by the employees or the CFMEU.

[4] KPA said it was committed to ensuring any established non-compliances would be corrected. The Panel notes that in order for KPA to address the matters however it is incumbent on the CFMEU or the employee(s) to provide the relevant and adequate details to KPA so it can properly investigate the matters.

[5] Simply put, the CFMEU and or employee(s) should in the first instance provide the details of the specific concerns they have directly to KPA. This is the process that should have been followed once the concerns had been raised. KPA has undertaken to investigate and resolve any established non-compliances. KPA has demonstrated its preparedness to cooperate in order to settle these matters properly. The Panel requires the early provision of the relevant detail be provided to KPA by the CFMEU in order that these matters can now be resolved promptly.

[6] The Panel directs that the CFMEU and KPA advise the Panel no later than 5.00pm on Thursday 31 October 2019 as to the status of the matters.

[7] In the event any matters remain unresolved the CFMEU is at liberty to refer the matter back to the Panel for Determination.



Peter Parkinson
Chairman



Tony Cordier
Panel Member



Daniel Hodges
Panel Member