



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

and

LIFTMOD UNIT TRUST (THE TRUSTEE FOR) T-AS
LIFTMOD PTY LTD (LIFTMOD)

VARIOUS SITES ACROSS MELBOURNE

RE: ALLEGED REDUNDANCIES

19 OCTOBER 2020

016-2020

STATEMENT

[1] The CFMEU notified a dispute on 15 October 2020 alleging a failure of Liftmod to comply with the Enterprise Agreement provisions concerning consultation and redundancies.

[2] The applicable Enterprise Agreement is the *Liftmod Unit Trust (the trustee for) t-as Liftmod Pty Ltd and the CFMEU (Victorian Construction and General Division) Enterprise Agreement 2016-2018* (the Agreement).

[3] The Panel conducted a video Conference of the parties on 19 October 2020.

[4] The parties appraised the Panel of their version of events leading to the termination of two employees on 13 October 2020, as Liftmod submits was for reasons of redundancy.

[5] The Chairman recommended and the parties accepted that the next steps would be taken:

1. Liftmod will provide the CFMEU and the Panel with a copy of the email sent to all Liftmod installation employees on 15 September 2020 seeking volunteers for redundancy.
2. Liftmod would provide the CFMEU the relevant documented material that it utilised to select the two employees for redundancy.
3. Liftmod will provide to the Panel and to the CFMEU any relevant material upon which it relies to demonstrate, contrary to the allegations of the CFMEU, that it has met its obligations pursuant to the Enterprise Agreement in relation to Consultation and Redundancy.
4. CFMEU will provide to the Panel and to Liftmod the Fair Work Commission material which it had previously provided to Liftmod concerning the option of unpaid leave.
5. That the above material referenced in 1-4 above be provided today.
6. That the CFMEU following consideration of the above material to be provided by Liftmod, advise the Chair no later than 5.00pm Wednesday 21 October 2020 as to its position in relation to the Notification.

7. That in the meantime Liftmod reviews its position in relation to the terminations of employment to determine if any other alternative is possible for one or both terminated employees and if so to discuss this with the CFMEU. Should this settle the matter the Panel is to be informed. The Panel notes that Liftmod had already committed to re-engage the employees should there be relevant work available in the future.

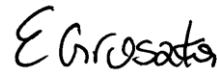
[6] Subject to developments that arise from the foregoing, the Panel will issue a further statement or Directions after Wednesday 21 October 2020.



Peter Parkinson
Chairman



Tony Cordier
Panel Member



Esther Gruszka
Alternate Panel Member



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VARIOUS SITES ACROSS MELBOURNE

RE: ALLEGED REDUNDANCIES

29 OCTOBER 2020

016-2020

STATEMENT No. 2

[1] The CFMEU notified a dispute on 15 October 2020 alleging a failure of Liftmod to comply with the Enterprise Agreement provisions concerning consultation and redundancies.

[2] The applicable Enterprise Agreement is the *Liftmod Unit Trust (the trustee for) t-as Liftmod Pty Ltd and the CFMEU (Victorian Construction and General Division) Enterprise Agreement 2016-2018* (the Agreement).

[3] The Panel conducted a video Conference of the parties and issued a Statement on 19 October 2020 which is to be read in conjunction with this Statement.

[4] The parties acted on the recommendations included in the Statement of 19 October 2020 and subsequently there were exchanges of correspondence between the parties, however the parties have been unable to settle the matter.

[5] The CFMEU has advised the Chairman that it does not wish to pursue the matter further before the Panel at this time.

[6] Accordingly the Panel has determined to take no further action in relation to the matter and to close the file, noting that the matter can be relisted at the request of either party should that be necessary.



Peter Parkinson
Chairman



Esther Gruszka
Alternate Panel Member



Tony Cordier
Panel Member