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CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION

and

ADCO CONSTRUCTIONS (VIC) PTY LTD

RE: ALLEGED TERMINATION OF UNION DELEGATE

13 OCTOBER 2017

018-2017

STATEMENT

[1] The CFMEU notified a dispute on 10 October 2017 regarding an alleged failure by the Employer to comply with the provisions of Clause 18 of the applicable Enterprise Agreement concerning the requisite notice and separation certificate for an employee whose employment had been terminated on 18 September 2017 and the consequent payments arising. [*ADCO Constructions (Vic) Pty Ltd and the CFMEU (Victorian Construction and General Division) Enterprise Agreement 2016 -2018*].

[2] A Conference before the Panel was set down for 13 October 20017.

[3] Immediately prior to the Conference proceeding, notification was received from the Employer that it considered it had settled the matter with the CFMEU.

[4] Upon enquiry by the Panel, the CFMEU acknowledged that it had received advice from the Employer that it had now paid the disputed amounts owing to the employee and that it awaited confirmation of receipt of payment from their member. The CFMEU acknowledged on this basis there was no longer a need for the Conference at this stage.

[5] The Chairman contacted the Employer's representative directly who confirmed that the Employer accepted that it had not complied with the Clause and that the outstanding payments in accordance with the Clause had been paid to the employee's account overnight.

[6] On this basis the Panel adjourned the Conference, however it is noted that earlier compliance by the Employer would have avoided the necessity of the involvement of the Panel in this matter.

[7] Subsequently the CFMEU confirmed that the correct payment had been received by its member. Consequently the file is closed.

A handwritten signature in black ink, appearing to read 'Peter Parkinson', written over a light grey rectangular background.

Peter Parkinson
Chairman