

VBIDP

VICTORIAN BUILDING INDUSTRY DISPUTES PANEL

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ASIAN PACIFIC

PANCH

BELL STREET, PRESTON

- and -

CFMEU

RE: CLAIM FOR SITE & HEIGHT ALLOWANCE

MONDAY, 11 DECEMBER 2006

No: 138-2006

DECISION

This decision deals with only one aspect of the dispute, which relates to Multi-storey Allowance. The Panel takes note of the Union's reference to clause 24 of the EBA which states in part:

"The Multi-Storey Allowance as prescribed by Clause 24.4 of the Award shall apply, in addition to the wage rates and Site allowance provided for herein"

and also notes the National Building and Construction Industry Award provisions contained in Clause 24.4.3 – the allowance per floor.

The Panel records that the parties agree that the building to be constructed will comprise 7 storeys when complete and notes that the contractor also seeks to have a ruling from the Panel as to the application or otherwise of the Multi-Storey Allowance Award provisions.

In determining this matter, the Panel has been convinced that this clause does have application to the proposed construction works. Clause 24.4.3(b) of the Award provides that an allowance of 39c per hour extra (as at this date) should be paid from the commencement of works and that in accordance with those provisions, the allowance payable at the highest point of the building shall continue to apply until completion of the building.

The Panel is still considering the Site Allowance claim and will issue a decision in due course.


BOB MERRIMAN
CHAIRMAN

DATED THIS

11

DAY OF

December

2006