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**PLUMBING AND PIPE TRADES EMPLOYEES UNION / CEPU PLUMBING
DIVISION VIC BRANCH (PPTEU)**

AND

ULTIMATE AIRCONDITIONING AUSTRALIA (ULTIMATE)

RE: FAILURE TO REIMBURSE APPRENTICESHIP TAFE/TUITION FEES

31 JANUARY 2024

001-2024

STATEMENT

[1] The PPTEU notified a dispute on 19 January 2024 alleging Ultimate's failure to reimburse two former employees their apprenticeship Tafe/Tuition Fees under the terms of the applicable Enterprise Agreement (Subclause 19.9.1).

[2] The Panel convened a Conference of the parties on 31 January 2024.

[3] The relevantly applicable Enterprise Agreement is the *Ultimate Air-conditioning (Aust) and CEPU Plumbing Division (Vic) Plumbing Enterprise Agreement 2019-2023* (the Agreement). There is no dispute that the Agreement has application to this matter.

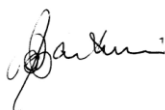
[4] The PPTEU confirmed its claim in relation to two members in the amounts of \$7178.81 for D Currie and \$4,290.39 for D Herring.

[5] The Chair expressed concern over Ultimate's failure to engage with the PPTEU over many, many months of pursuit by the PPTEU, and also that it had not come to the Conference prepared to respond in detail to the material the PPTEU had presented to it.

[6] It was apparent that Ultimate conceded that monies were owed, but for reasons unrelated to its legal obligations that arise from the Agreement, it had failed to comply.

[7] Ultimate undertook to review its relevant records and the PPTEU material as to quantum and respond to the Panel and PPTEU no later than 5.00pm Friday 2 February 2024. In the event that it confirms the amounts as claimed are correct, it undertook to ensure that the respective monies would be paid to each person such that they received the funds not later than 5.00 pm Friday 9 February 2024. The PPTEU accepted this approach. If Ultimate disputes the quantum as claimed, it is required to submit whatever evidence it relies upon in doing so to the Panel and PPTEU no later than 5.00pm Friday 2 February 2024. In this latter event the Panel will then proceed to finally determine the matter, including whether or not Ultimate should be referred to the relevant authorities for any breach of the Agreement. The Chair noted that the evidence that had been submitted by the PPTEU was clear.

[8] Subject to the response from Ultimate, the Panel will issue a further Statement following receipt.



Peter Parkinson
Chairman



Tony Cordier
Panel Member



Adrian Ziccone
Panel Member