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CONSTRUCTION, FORESTRY, MARITIME EMPLOYEES' UNION (CFMEU)
AND
MJB CONTRACTORS PTY LTD (MJB)

RE. ALLEGED BREACH OF AGREEMENT - NON-INCLUSION OF
ALLOWANCE IN SUPERANNUATION CONTRIBUTION CALCULATIONS

009-2025

18 FEBRUARY 2026

STATEMENT No.2

[1] The Panel issued a Decision in this matter on 19 January 2026. The Decision should be read together with this Statement.

[2] In that Decision the Panel effectively held over the determination of any retrospective arrangements resulting from its Decision.

[3] The Panel convened a further Hearing for this purpose on 18 February 2026.

[4] The CFMEU set out its proposal regarding retrospective arrangements in correspondence dated 17 February 2026.

[5] MJB confirmed that it was now complying with the Panel's Decision which had been implemented in its current pay run.

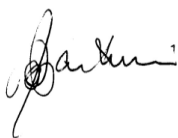
[6] MJB broadly accepted the proposal set out by the CFMEU but noted that an analysis of every employee dating back 6 years was unlikely to be necessary given the relevant values in play for relevant classifications of employees, at least from the analysis it had already undertaken.

[7] MJB agreed it would undertake and complete an audit to identify what amounts were owing to its employees within 4 weeks and to engage with the CFMEU early in that process to confirm all appropriate considerations were being made by it for this purpose. The results of the audit will be provided to the CFMEU and the Panel.

[8] The Panel expects the parties to work cooperatively to this end and requires that the results of the audit be provided by MJB no later than 5.00pm 18 March 2026. The Panel expects MJB to then remit any unpaid superannuation identified by the audit into employees' nominated funds without delay, including the earnings that would have accrued on those contributions consistent with clause 22.8 of the Agreement.

[9] MJB is to provide appropriate evidence confirming these payments to the CFMEU and the Panel. As proposed by the CFMEU, MJB is to issue correspondence to affected employees explaining the circumstances and the steps taken to rectify them.

[10] In the event there remains any dispute this will be resolved by the Panel.



Peter Parkinson
Chairman



Tony Cordier
Panel Member



Adrian Ziccone
Panel Member