

CFMEU

CONSTRUCTION

17th August 2016

The President, Justice Ross
Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000

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Dear Justice Ross,

Re: AM2014/300 – 4 Yearly review of modern awards – award flexibility

On 15th July 2016 your Honour issued Directions regarding further Full Bench proceedings dealing with the issue of the insertion of the model TOIL term into the Mobile Crane Hiring Award 2010, as part of the 4 Yearly Review of modern awards. The Directions required written submissions to be filed by Wednesday 17th August 2016. Subsequent to the Directions the Member Support Research Team sent out an email asking parties to the proceedings to confirm whether they would be opposing the provisional view of the Full Bench in the 11th July 2016 Decision([2016] FWCFB 4579 at [110]).

Whilst we are not required to file a submission because of the position we have adopted, we believe it would be of assistance to the Full Bench and the other parties to advise the Fair Work Commission that the CFMEU will not be opposing the provisional view expressed by the Full Bench in regard to the Mobile Crane Hiring Award 2010.

Yours sincerely,



Stuart Maxwell
Senior National Industrial Officer