

**From:** Chambers - Ross J <[Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)>  
**Sent:** Friday, April 17, 2020 4:31 PM  
**To:** Rebecca Sostarko <[rebecca@masterbuilders.com.au](mailto:rebecca@masterbuilders.com.au)>; Chambers - Ross J <[Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)>  
**Cc:** Shaun Schmitke <[Shaun.Schmitke@masterbuilders.com.au](mailto:Shaun.Schmitke@masterbuilders.com.au)>; AMOD <[AMOD@fwc.gov.au](mailto:AMOD@fwc.gov.au)>  
**Subject:** RE: AM2020/12 - Variation of awards on the initiative of the Commission

Dear Ms Sostarko,

Justice Ross has received your correspondence and granted an extension to **no later than 4pm on Wednesday 22 April 2020.**

Thank you, Tahleah.

**Tahleah Gillard**  
**Associate to The Hon. Justice IJK Ross**  
**President**

**Fair Work Commission**

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The Fair Work Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander peoples. We acknowledge their continuing connection to country and pay our respects to their Elders past present and emerging.



**From:** Rebecca Sostarko <[rebecca@masterbuilders.com.au](mailto:rebecca@masterbuilders.com.au)>  
**Sent:** Friday, 17 April 2020 4:04 PM  
**To:** Chambers - Ross J <[Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)>  
**Cc:** Shaun Schmitke <[Shaun.Schmitke@masterbuilders.com.au](mailto:Shaun.Schmitke@masterbuilders.com.au)>  
**Subject:** AM2020/12 - Variation of awards on the initiative of the Commission

Dear Associate,

Please find **attached** correspondence from Master Builders Australia with respect to AM2020/12.

Due to working from home arrangements the correspondence has not been signed.

We could, however, provide the Commission with a subsequent signed copy if required to do so.

Yours sincerely,

**Rebecca Sostarko**  
Senior Adviser – Safety, Contracts, Workplace Relations

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**MASTER BUILDERS**  
A U S T R A L I A

17 April 2020

Justice IJK Ross AO  
President  
Fair Work Commission  
Level 4, 11 Exhibition Street  
**MELBOURNE VIC 3000**  
**By email: [Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)**

Dear President

**RE: AM2020/12 – S.157(3) VARIATION OF AWARDS ON THE INITIATIVE OF THE COMMISSION**

We refer to the above matter and write pursuant to [2020] FWCFB 1837 at para [33].

We confirm that discussions between relevant parties who maintain an interest in the Awards identified at para [32] are underway and remain ongoing.

Grouping of Electrical and Plumbing Awards with Construction Awards

We report that there are varying views amongst the Employer parties insofar as the decision to include the *Electrical, Electronic and Communications Contracting Award 2010* and the *Plumbing and Fire Sprinklers Award 2010* into a group with the *Building and Construction (General) Onsite Award 2010*, the *Joinery and Building Trades Award 2010* and the *Mobile Crane Hiring Award 2010*.

Notwithstanding these differing views, the approach presently adopted is to continue discussions at a collective level inclusive of the Electrical and Plumbing Awards. While the utility of such approach appears generally accepted in the interests of facilitating consistency in outcomes, parties to the Plumbing and Electrical Awards have foreshadowed their intention hold concurrent discussions. The Commission will be advised if those discussions generate agreement, however for present purposes the collective approach will continue to the extent it remains practicable to do so.

Discussions Generally

The grouping issue identified above, combined with a series of RDOs/public holidays and the passage of the *Coronavirus Economic Response Package (Payments and Benefits) Act 2020* and *Coronavirus Economic Response Package Omnibus (Measures No. 2) Act 2020* ('JobKeeper package') have impacted discussions.

The Decision in this matter was delivered on the same day *Fair Work Act 2009* amendments were passed and this has, understandably, caused parties to revisit both how discussions are approached and the range of matters to be canvassed. Having done this, we confirm that discussions remain ongoing and will continue.

## Future Progress

In light of the matters raised above, we respectfully seek that the Commission consider allowing the parties additional time to continue discussions and provide a further report by not later than 4.00pm on Wednesday 22 April 2020.

It would appear to Master Builders Australia that if outcomes are not achieved by that time, the Commission's assistance is likely to be necessary.

Yours sincerely

### **MASTER BUILDERS AUSTRALIA**

Shaun Schmitke

Deputy CEO, National Director Safety, Contracts, Workplace Relations

*cc- Mr Stuart Maxwell*

*CFMMEU (Construction & General Division)*

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