

From: Stuart Maxwell [<mailto:smaxwell@cfmeu.org>]

Sent: Wednesday, 14 December 2016 9:27 AM

To: AMOD

Cc: Chambers - Hatcher VP; Guy Noble (guy@etuaustralia.org.au); Michael Nguyen (michael.nguyen@amwu.asn.au); Roushan Walsh; Melissa Adler (m.adler@hia.com.au); Raul Baonza (rjb@ccfnsw.com)

Subject: AM2016/23 and ors - 4 Yearly Review - Construction Awards

Dear Vice President Hatcher,

Please find attached two Form F52's – Order to produce documents, filed on behalf of the CFMEU (Construction & General Division), in relation evidence relied upon by the HIA and CCF in AM2016/23 and ors. The orders are directed to Kirsten Lewis of the HIA in regard to the member survey referred to in her witness statement and to Chris Melham of the CCF in regard to their member survey relied on in their written submission.

Yours Faithfully,

Stuart Maxwell

Senior National Industrial Officer

CFMEU

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Form F52 Order Requiring Production of Documents etc. to the Fair Work Commission

Fair Work Act 2009, s.590(2)(c)

Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM2016/23 and ors– 4 yearly review of modern awards – Construction awards

Applicant: Civil Contractors Federation

Respondent(s): CFMEU (Construction and General Division)

**TO: Chris Melham
Chief Executive Officer (National)
Civil Contractors Federation
Unit 13, Level 3, Engineering House
11 National Circuit
Barton ACT 2600**

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 10 a.m.

Date: 22nd December 2016

Place: Fair Work Commission, Sydney

Dated:

Member of the Fair Work Commission

Note:

- This order has been issued at the request of the CFMEU (Construction and General Division).
- You can apply to have this order set aside or varied.
- Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day mentioned above.
- If you have any queries in relation to this order please contact the associate to [member] on [telephone number].

SCHEDULE

1. All documents, spreadsheets or other records related to the survey of CCF members conducted over the period 25 November to 7 December 2016 as identified on pages 9 and 27 of the CCF submission dated 9th December 2016, including but not limited to :
 - (1) The questions put in the survey
 - (2) The distribution size of the survey
 - (3) The number of survey respondents in each State and Territory
 - (4) The number of responses to each question put in the survey
 - (5) The responses to each question put in the survey
 - (6) Where a question allowed for comment the comments made in response to each question

Form F52 Order Requiring Production of Documents etc. to the Fair Work Commission

Fair Work Act 2009, s.590(2)(c)

Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM2016/23 and ors– 4 yearly review of modern awards – Construction awards

Applicant: Housing Industry Association Limited

Respondent(s): CFMEU (Construction and General Division)

**TO: Kirsten Lewis
 HIA Economics Coordinator
 Housing Industry Association Ltd
 79 Constitution Avenue
 Campbell ACT 2612**

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 10 a.m.

Date: 22nd December 2016

Place: Fair Work Commission, Sydney

Dated:

Member of the Fair Work Commission

Note:

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- You can apply to have this order set aside or varied.
- Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day mentioned above.
- If you have any queries in relation to this order please contact the associate to [*member*] on [*telephone number*].

SCHEDULE

1. All documents, spreadsheets or other records related to the survey that you caused to be sent to HIA members as identified in paragraphs 5 and 6 of your Statement dated 29th November 2016 and related to the report containing the results of the Member Survey identified in paragraphs 13 and 14 of your Statement dated 29th November 2016, including but not limited to :
 - (1) The responses made by each of the respondents to all of the questions in the survey.
 - (2) The number of respondents that answered each individual question.
 - (3) Where a question provides for one or more responses, the number of respondents who selected each response and the number who selected more than one response.