

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION, LOG OF CLAIMS

543. Hon. C.L. Edwardes to the Minister for Consumer and Employment Protection

I refer the Minister to the recent log of claims by the CFMEU Construction and General Division and dated 14 October 2002 and ask -

- (a) has the Minister seen a copy of the log of claims or has his attention been drawn to it; and
- (b) if not, will the Minister sight a copy and advise -
 - (i) what is the position of the State Government to part 44 of the log of claims entitled 'Bargaining Agents Fee';
 - (ii) does the Minister agree that the union can charge an arbitrary fee of \$500 to each employee, per year, as a bargaining agent's fee; and
 - (iii) how does the Minister reconcile the demands of the CFMEU and the answer given to question on notice No. 202 of 2002?

Mr J.C. KOBELKE replied:

- (a) Yes.
- (b)
 - (i) The State Government is not a party to this application. The employers who have been served with the log of claims do not have to agree to the inclusion of the bargaining fee clause in the agreement.
 - (ii) See above.
 - (iii) The issue is whether unions have the right at law to claim and include such fees in enterprise agreements negotiated with employers. This is a matter properly for determination by the appropriate Industrial Tribunal.