

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Supplementary Budget Estimates 2012-2013**

Agency - ABCC/FWBII

DEEWR Question No. EW0624_13

Senator Abetz asked on 17 October 2012 , Hansard page 56

Question

FWBC - Communication with complainant

Senator ABETZ: You then have confirmed for the party making the objection that you cannot use that coercive power. Have you told the party making the original complaint that you have been somewhat stifled or frustrated by not being able to use the coercive power in the particular case on which they have made the complaint? Mr Johns: I will have to take notice what communication has been made to the original complainant.

Answer

Fair Work Building and Construction has provided the following response.

The investigation into the contraventions at the heart of this matter was not stifled or frustrated by the question around the use of coercive powers.

The matter is currently being prosecuted before the Federal Court [*Director of FWBII v McDonald & Ors – WAD 278 of 2012*].