

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Budget Estimates 2017 - 2018

Agency - Fair Work Commission

Department of Employment Question No. EMSQ17-004123

Senator McKenzie asked on 30 May 2017 on proof Hansard page 24

Question

FWC - CFMEU vs CSRP Pty Ltd

CHAIR: So anybody can be an interested party? Is that what you are saying?

Mr Furlong: Anyone can make an application. Whether or not a member of the commission determines that they will receive it is a matter for them.

CHAIR: When you, in evidence earlier, said that an employer organisation—

Mr Furlong: Sorry, it was an employee organisation.

CHAIR: Ah. Yes, you have to get that one right in this conversation, don't you? So an employee organisation. Can you go to the detail of that particular matter.

Mr Furlong: Construction, Forestry, Mining and Energy Union v CSRP Pty Ltd was a decision of 19 April 2017. The appellant in this case was the CFMEU, which was not a bargaining rep in relation to the agreement and did not have a member who was employed by the respondent when the agreement was made. I have quite a lot of detail here. I am more than happy to table it.

CHAIR: Can I have that lot of detail, on notice.

Answer

A Full Bench of the Fair Work Commission issued a [Decision](#) (attached) in the matter of **Construction, Forestry, Mining and Energy Union v CSRP Pty Ltd** (C2016/7635) on 19 April 2017.

The Full Bench was considering whether the appellant had standing to bring an appeal against a decision to approve an enterprise agreement.