



7 February 2020

Mr Dave Noonan  
National Construction Secretary  
Construction, Forestry, Maritime, Mining and Energy Union  
Level 9  
215-217 Clarence Street  
SYDNEY NSW 2000

**By email: [dnoonan@cfmeu.org](mailto:dnoonan@cfmeu.org)**

Dear Mr Noonan

I refer to the CFMEU Construction media release 'Unfit ABCC failing to prosecute builders' dated 23 January 2020.

On 2 December 2016, the ABCC assumed jurisdiction for ensuring that workers in the commercial building and construction industry receive their entitlements. Since then, the ABCC has undertaken proactive compliance campaigns and responded to allegations of non-payment/under-payment.

The media release refers to around \$60 million in wages having been recovered by the CFMMEU over the past five years. I invite you to provide the particulars of those underpayments recovered since 2 December 2016, so that the ABCC can determine if further action is warranted.

Further, I encourage the CFMMEU to refer information regarding the alleged underpayment of wages and other entitlements to the ABCC at any time. I remain committed to ensuring that all building industry participants comply with their legal obligations under designated building laws.

I am available to meet to discuss these matters at a convenient time. I look forward to your response.

Yours sincerely

Stephen McBurney  
**Commissioner**  
**Australian Building and Construction Commission**