

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

**QUESTIONS ON NOTICE
Additional Estimates 2009-2010**

Agency - Office of the Australian Building and Construction Commissioner.

DEEWR Question No. EW0896_10

Senator Cameron provided in writing.

Question

FWA PROCEEDINGS AND INSTITUTE PROCEEDINGS

1. Since 1st January 2009, has the ABC Commissioner or an ABC Inspector instituted any proceedings under the Fair Work Act or its predecessor Act pursuant to s.73A of the BCII Act?
2. If so, what was or is the nature of those proceedings?

Answer

The Office of the Australian Building and Construction Commissioner has provided the following response:

1. Yes.
2.
 - a) Proceedings instituted under the *Workplace Relations Act 1996*

Proceeding	Alleged contravention
<i>Cozadinos v AWU, Lee, CEPU, Mooney, AMWU and Dodd</i>	s.494 and s.719
<i>Cozadinos v CFMEU and Ioannidis</i>	s.797
<i>Cozadinos v CFMEU Powell and Tadic</i>	s.494
<i>Cozadinos v CFMEU and Salta</i>	s.790
<i>Darlaston v CFMEU Parker and others</i>	s.758 and s.767(1)
<i>Dux v AMWU and Bradley</i>	s.494
<i>Gregor v Setka</i>	s.767(1)
<i>Hardwick v CFMEU and Travers</i>	s.767(1)

<i>Keene v AMWU and Dodd</i>	s.719
<i>Radisich v CFMEU, CFMEUW and Molina</i>	s.789(1)(a)
<i>Radisich v McDonald and CFMEU</i>	s.790(1), s.789 and s.791
<i>Stuart v AWU and Lee</i>	s.719 and s.494
<i>Thompson v Carter and CFMEU</i>	s.768(1) and s.767(1)
<i>Thompson v Thomas, Bland and BLFQ</i>	s.790 and s.789(1)
<i>Wotherspoon v Brown</i>	s.790
<i>Wotherspoon v CFMEU, Reardon and Hudson</i>	s.719

b) Proceedings instituted under the *Fair Work Act 2009*

Proceeding	Alleged contravention
Heyman v Long	s.507
Robertson v Harrison	s.507