

BETWEEN: **CONSTRUCTION FORESTRY MINING & ENERGY UNION**
Appellant

and



MAMMOET AUSTRALIA PTY LTD ACN 075 483 644
Respondent

APPELLANT'S CHRONOLOGY

Part I: Certification

I certify that this chronology is in a form suitable for publication on the internet.

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Part II: Events leading to the litigation

Date	Event	Appeal Book Reference
18 September 2008	Mammoet Australia Pty Ltd Pluto Project Greenfields Agreement 2008 - CAEGN085366517 (Agreement).	
December 2008	Contract No 0C00002567 – Heavy Lift and Transportation between Woodside Burrup Pty Ltd and Mammoet Australia Pty Ltd (Mammoet).	
4 February 2009	Michael Landgren (Landgren) commences employment with Mammoet. Mammoet provide board and lodging (Accommodation) to Landgren at Gap Ridge Village in Karratha.	
March 2009	Peter Schwarz (Schwarz) commences employment with Mammoet. Mammoet provide Accommodation to Schwarz at Gap Ridge Village in Karratha.	
June 2009	Mammoet make offer for new enterprise agreement to replace the Agreement. Mammoet employees reject offer.	

Filed by the Appellant on 17 May 2013

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<p>13 July 2009</p>	<p>Construction, Forestry Mining & Energy Union (CFMEU) write letter as bargaining agent to Mammoet notifying intention to make an enterprise agreement under Part 2-4 of the <i>Fair Work Act 2009 (Cth)</i> (FW Act).</p>	
<p>18 September 2009</p>	<p>Nominal Expiry Date of the Agreement.</p>	
<p>24 December 2009</p>	<p>Fair Work Australia (FWA) makes majority support determination under section 236 and 237 of the FW Act.</p>	
<p>5 January 2010</p>	<p>CFMEU makes application to FWA for a Protected Action Ballot under s 437 of FW Act on behalf of Mammoet's crane and forklift operators.</p>	
<p>7 January 2010</p>	<p>Landgren moves to Searipple Village in Karratha for Accommodation.</p>	
<p>22 March 2010</p>	<p>FWA makes protected action ballot order under section 443 of the FW Act for Mammoet's crane and forklift operators.</p>	
<p>20 April 2010</p>	<p>Australian Electoral Commission declares result of protected action ballot.</p>	
<p>21 April 2010</p>	<p>CFMEU give notice to Mammoet of protected industrial action under section 414 of FW Act in the form of a 28 day stoppage of work commencing on 28 April 2010 of Mammoet's crane and forklift operators.</p>	
<p>23 April 2010</p>	<p>Letter from Mammoet Project Manager Malcolm Robinson (Robinson) to Woodside Burrup Pty Ltd in relation to protected industrial action and employer response.</p>	
<p>27 April 2010</p>	<p>Meeting between <i>inter alios</i> Robinson and Mammoet's crane and forklift operator employees.</p> <p>Mammoet notify CFMEU and Mammoet employees of employer response action in the form of a 28 day lockout commencing on 26 May 2010.</p> <p>Mammoet notify relevant employees of withdrawal of Accommodation.</p>	
<p>28 April 2010</p>	<p>Mammoet's crane and forklift operator employees commence protected industrial action.</p> <p>Mammoet withdraw Accommodation from Landgren, Schwarz, Bolton and Ken Walker at 6.30am.</p>	

29 April 2010	Landgren flies from Karratha back home to Brisbane at his own expense.	
May 2010	Schwarz flies from Perth back home to Adelaide at his own expense.	

Dated: 17 May 2013



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