



Kevin Reynolds
State Secretary
CFMEU – Construction & General Division
PO Box 6681
East Perth WA 6892

Dear Kevin,

Thank you for your letter of 8 December 2011. I understand the sentiments you express, however I strongly disagree with your version of events and have attached a timeline to help clarify matters.

Firstly I did not write you to on 31 October 2011, you wrote to me. That letter was the CFMEU application to affiliate to the Party. The application was approved by the Administrative Committee on 7 November 2011. Following that meeting I called the CFMEU twice, on Tuesday 8 November and Wednesday 9 November 2011, to offer assistance with the affiliation process.

As neither call was returned I then sent an email on Wednesday 9 November 2011 detailing the next steps, pointing to our rules and offering my mobile number if you had any questions. Despite all attempts to speak with you before affiliation numbers were due I had no contact from you until yesterday. This is disappointing, as I was successful in speaking to other unions to ensure they would meet the requirements of rule 3.4.

At the State Executive meeting in Albany on 13 November 2011 the CFMEU was accepted as an affiliate of the WA Labor Party, with total delegates and voting entitlements to be determined by the December meeting of State Executive (rule 6.3.2.2).

As WA Labor State Secretary it is my duty and responsibility to ensure all members and affiliates of the WA Labor Party are treated fairly and equally. In previous years the CFMEU has submitted correct documentation for affiliation. This year the union did not submit the appropriate documentation. Hence I sought independent legal advice for the Administrative Committee and State Executive to consider.

I agree that legal avenues are not the best option for the Party. But our rules are very important. This union affiliation rule was introduced after some unions were disadvantaged by others sorting affiliation numbers. These rules exist to keep our Party fair and strong.

I will seek further advice about this matter. The Administrative Committee will meet again and, as per rule 6.3.2.2, the December meeting of State Executive will consider the question of union delegate entitlements. I will keep you informed of the progress of this matter.

Yours sincerely,

Simon Mead
State Secretary

9/12/2011

cc Affiliated Unions
Administrative Committee



CFMEU affiliation timeline 2011

31 October 2011 – The CFMEU wrote to WA Labor to request affiliation.

7 November 2011 – WA Labor Administrative Committee met and recommended to State Executive that the Union be affiliated.

8 November 2011 – I called the CFMEU to speak to Kevin Reynolds. He was not available.

9 November 2011 – I again called the CFMEU to speak to Kevin Reynolds, he was not available. Therefore I sent Kevin Reynolds an email detailing the situation, explaining the rules and offering my mobile number.

13 November – State Executive met and approved the CFMEU for affiliation. With voting entitlements to be determined by the December State Executive meeting (rule 6.3.2.2).

22 November 2011 – Audit correspondence arrived from the CFMEU to WA Labor Party Office.

24 November 2011 – A meeting regarding Union Affiliation fees was held at the WA Labor Party. The CFMEU did not attend.

25 November 2011 – As determined by rule 3.4.3 all union affiliation documents were opened in front of a scrutineer. Draft delegate entitlements were calculated.

29 November 2011 – A draft delegate schedule, standard letter and affiliation invoice was sent to all unions.

30 November 2011 – I reviewed all union affiliation documentation and requested legal advice about the provisions of rule 3.4.

5 December 2011 – Legal advice was received confirming the CFMEU documentation does not comply with rule 3.4. I immediately made the advice available for discussion at the Administrative Committee meeting.

6 December 2011 – Correspondence was sent to the CFMEU outlining the breach and requesting further information.

7 December 2011 – The CFMEU hand delivered further documentation to WA Labor Party Office.

8 December 2011 – Further correspondence was received from Kevin Reynolds regarding the breach.

12 December 2011 – State Executive will meet to decide this matter (rule 6.3.2.2).