



# COMPLAINTS RESOLUTION

This document outlines MERT's process for resolving complaints related to claims (i.e. redundancy payments) and employer obligations. This process is applicable to complaints involving employers or members. MERT is committed to be open, fair and honest in dealings with all members and employers.

## Policy Statement

MERT is committed to resolving complaints promptly and fairly, with a view to minimising financial and relational impacts on members. This process is designed to foster trust and support our mission to be a leading worker entitlement fund in the construction industry.

All complaints will be managed with empathy, transparency, and adherence to applicable regulatory standards.

## Complaint Resolution Process

### *Level 1: Informal Resolution (Within 5 business Days)*

**Action:** The complainant (member or employer) should first attempt to resolve the complaint directly with the relevant party (e.g. member contacts MERT's operations team).

- **Claims Example:** A member disputes any aspect of a redundancy payment amount via the MERT Employees Portal.
- **Contributions Example:** An employer disputes contributions via the MERT Employers' Portal.

**How to Initiate:** Contact MERT Complaints Officer, MERT via mail Locked Bag 20 Parramatta NSW 2124, email ([mertadmin@aes.com.au](mailto:mertadmin@aes.com.au)), phone number (1800 023 692) or the MERT Portal specifying the issue (e.g. incorrect payment, contribution discrepancy).

**Process:** MERT's team will review the issue, verify details (e.g. claim data, contract terms) and propose a resolution within 5 business days.

**Outcome:** If resolved, the agreed action is documented.  
**If unresolved, proceed to Level 2.**

### *Level 2: Formal Internal Review*

**Action:** Submit a formal complaint in writing to MERT's Complaints Officer via [mertadmin@aes.com.au](mailto:mertadmin@aes.com.au) or the MERT Portal.

Please include:

- Details of the complaint (e.g. claim ID, contribution date).
- Supporting documents (e.g. MERT Portal screenshot).
- Desired outcome (e.g. payment correction, contribution revision).

### **Process:**

- The Complaints Officer, will acknowledge receipt within 2 business days.
- the Complaints Officer investigates, reviewing any relevant records (e.g. MERT) and consulting relevant parties (e.g. member, employer). This will be completed within 14 days of receipt of the complaint for determination by the Complaints Officer.

- If the complaint remains unresolved the Complaints Officer will refer the matter to the Board of MERT for further consideration.
- The Board will review the decision, and a written determination will be provided to the member within 60 days, outlining findings and proposed resolution.

Outcome: If accepted, the resolution is implemented. If unresolved, proceed to Level 3.

### *Level 3: Mediation*

**Action:** If the formal review does not resolve the complaint, the complainant may request mediation via an independent mediator approved by MERT.

#### **Process:**

- MERT arranges mediation within 10 days from the request for mediation, involving the complainant, the mediator and any other relevant parties.
- Mediation is confidential, voluntary, and focuses on mutual agreement, aligning with MERT's empathy and fairness values.

**Outcome:** If successful, a binding agreement is documented. **If unresolved, proceed to Level 4.**

### *Level 4: Review Mechanism*

**Action:** If mediation fails, the complainant may escalate the complaint to relevant external regulators/courts as follows:

- Claims Complaints (e.g. redundancy payments): Refer to the Australian Financial Complaints Authority (**AFCA**) for financial service complaints, if it has jurisdiction.
- Invoicing Complaints (e.g. employer issues): Refer to the Australian Competition and Consumer Commission (**ACCC**) for potential CCA breaches (e.g. anti-competitive conduct,) or seek legal advice.
- Court of appropriate jurisdiction

**Outcome:** MERT will comply with any decision by an external regulator/court.

## Record Keeping

All complaints are logged in MERT's incident management system, including:

- Details of the complaint (e.g. claim/contribution details).
- People involved (e.g. member, employer representative).
- Investigation findings and actions taken.
- Related incidents (e.g. prior complaints). Records are retained for 7 years as per regulatory requirements and reviewed to improve processes.

Please send feedback to: [mertadmin@aes.com.au](mailto:mertadmin@aes.com.au)