



Australian Government

CPCCBBC4024 Resolve business disputes

Release: 2

CPCBC4024 Resolve business disputes

Modification History

- Release 2 Updated reference to general construction induction training program.
- Release 1 This version first released with CPC Construction, Plumbing and Services Training Package Release 5.0.
- Supersedes and is equivalent to CPCBC4024A Resolve business disputes.
Updated to meet the Standards for Training Packages 2012.

Application

This unit of competency specifies the skills and knowledge required to advise on or resolve business disputes that may arise during activities in residential and commercial contracting projects. It includes the development and implementation of dispute resolution processes and procedures.

This unit of competency applies to builders, site supervisors and related construction industry professionals responsible for resolving business disputes in a positive manner.

This unit of competency is suitable for people with specialised knowledge, completing routine and non-routine tasks and using their own judgement to deal with predictable and sometimes unpredictable problems.

Completion of the general construction induction training program specified by the model Code of Practice for Construction Work is required for any person who is to carry out construction work. Achievement of *CPCWHS1001 Prepare to work safely in the construction industry* meets this requirement.

Licensing, regulatory or registration requirements apply to this unit of competency in some jurisdictions. Relevant state and territory regulatory authorities should be consulted to confirm these requirements.

Pre-requisite Unit

Nil.

Unit Sector

Building and Construction

Elements and Performance Criteria

Elements describe the Performance criteria describe what needs to be done to

essential outcomes.	demonstrate achievement of the element.
1 Evaluate dispute information.	1.1 Review and evaluate information to identify the dispute issue, potential causes, circumstances and persons involved. 1.2 Analyse and appraise contractual arrangements and agreements and relevant legislation. 1.3 Identify risks and prepare contingency strategies. 1.4 Obtain advice from senior managers and other professionals to develop a dispute resolution strategy. 1.5 Follow dispute resolution procedure. 1.6 Secure agreement for procedure from all parties.
2 Negotiate with parties.	2.1 Interview concerned parties individually to clarify reasons for dispute, issues and desired outcome. 2.2 Conduct an inspection of work in dispute, as required, to determine compliance with the requirements. 2.3 Develop solutions based on interview with parties, inspection of work and compliance with requirements to optimise likelihood of a favourable outcome. 2.4 Offer parties recommended solutions to resolve dispute equitably and advise parties of legal processes should resolution not occur. 2.5 Record and maintain dispute process, information and outcome.
3 Identify opportunities for dispute resolution.	3.1 Identify and detail process to consult with external arbitrators or conciliators when disputes cannot be resolved internally. 3.2 Implement procedures to settle dispute promptly following statutory law, professional and organisational requirements. 3.3 Communicate with relevant parties to ensure client satisfaction or follow up actions.

Foundation Skills

As well as the foundation skills explicit in the performance criteria of this unit, candidates require:

- speaking and listening skills to:
 - actively listen and use observational and questioning techniques to identify different perspectives and confirm, clarify and revise understanding.

Unit Mapping Information

Supersedes and is equivalent to CPCBC4024A Resolve business disputes

Links

Companion volumes to this training package are available at the VETNet website -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=7e15fa6a-68b8-4097-b099-030a5569b1ad>

Assessment Requirements for CPCBC4024 Resolve business disputes

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Performance Evidence

To demonstrate competency in this unit, a candidate must meet the elements and performance criteria of this unit by resolving one construction project dispute.

In doing this, the candidate must:

- identify the nature of the dispute and identify the parties in the dispute
- document dispute details accurately and in sufficient terms to eliminate any ambiguity
- follow established dispute resolution procedures and develop and implement dispute resolution procedures where none are established
- maintain impartiality throughout the dispute resolution process.

Knowledge Evidence

To be competent in this unit, a candidate must demonstrate knowledge of:

- contractual and business frameworks underpinning the building and construction industry
- legislation and other guidelines:
 - common law
 - consumer law
 - contract law
 - government dispute resolution guidelines
 - privacy
- dispute resolution and conflict theory
- risk assessment and evaluation strategies
- negotiating processes and strategies
- industry dispute resolution guidelines
- organisational policies and procedures
- values and attitudes of various groups in the community that should be accounted for in discussions

- possible reactions and behaviours from persons in a dispute situation
- dispute resolution procedures:
 - mutual resolution
 - on-site negotiations
 - reference to contractual obligations
 - arbitrated decisions
 - common law outcomes
 - litigated decisions
- causes of business disputes:
 - contract payment issues
 - different opinions about design, structural layout or dimensions
 - dissatisfaction with project progress
 - structural finish, quality, materials or construction methodology
- digital tools and devices to communicate and collaborate effectively with others
- a range of digitally-based technology and applications to access, extract integrate and compile information.

Assessment Conditions

Assessors must satisfy the requirements for assessors listed in the Standards for Registered Training Organisations.

Assessment can be undertaken in the workplace or in a simulated workplace environment.

A simulated environment is one that realistically replicates workplace conditions, materials and equipment, interactions with others and workplace irregularities, and which meets industry standards for safety and environmental practices.

Candidates must have access to:

- current building and construction codes and standards
- contracts, construction drawings and specifications
- relevant government legislation and other quality documentation to undertake the performance criteria and assessment requirements
- digital devices, applications and software to receive, record and save dispute information electronically.

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