

# CFMEU

## CONSTRUCTION WORKER

[www.cfmeuwa.com](http://www.cfmeuwa.com)

Spring 2017 Issue 3

# CHANGE THE RULES!



## STOP THE WAR ON WORKERS

Inside: CFMEU wins at State ALP Labor Conference:  
Your views on Labour Hire: We say farewell to  
Joe McDonald plus lots more...

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**A win for Members!**  
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 Labor State Conference  
 on pages 27 to 31...  
**and what it  
 means to you**

**WE SAY FAREWELL  
 TO JOE ON PAGE 14**



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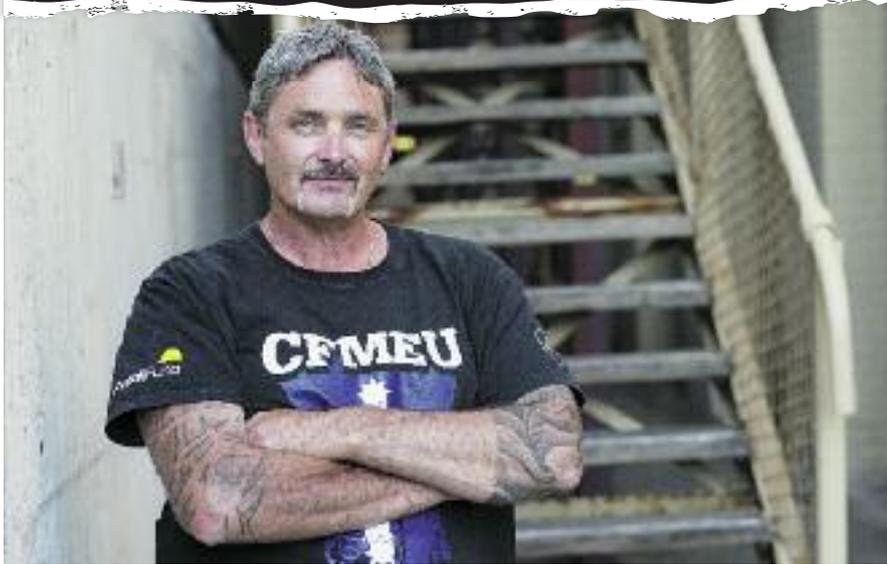
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**MEMBERS LETTERS TO THE EDITOR Email : [editor@cfmeuwa.com](mailto:editor@cfmeuwa.com)**



**THE PROOF IS IN THE PUDDING.**

It was a fantastic outcome for CFMEU members at the WA ALP state conference in August. Having members in our own Construction/FIFO branch of WA Labor gave our members a greater share of the voice to develop and have motions carried towards becoming policy on real issues affecting our members.

**We must NOW build on that with more members in our own ALP branch. So I ask all members to fill out the enclosed application form inserted in this issue of the journal.**

The proof is in the pudding. Members in our labor branch make a real difference and these days we need to fight on both fronts, politically and industrially, to change the rules.

See a full report on the motions carried at the State Conference inside this issue.

**CHANGE THE RULES**

If the rules are broken, change the rules, we have a Fair Work Act that is anything but fair for construction workers. The pendulum has swung too far the other way, in favour of right wing politicians, employers and the organisations that represent them such as the CCI, CME and MBA.

We have just seen how Nigel Hadgkiss head of the ABCC breached his own Fair Work Act

to the detriment of construction workers and was forced to resign.

Enough is enough. Stop the war on workers. Join us in the fight. Once again membership in our union and our branch of the WA ALP can help us to fight bad laws.

**BGC PLAYING WITH FIRE**

There's been a lot of scrutiny of unions over the past few years. It's a pity more light wasn't shone on some of the activities of the State Liberal Government and their big donor mates.

Take the story of BGC and the former FESA House site in Hay Street, where BGC is putting up a shoddy hotel. Does it sound shady to you? See full story inside.

**TENDER PROCESS – CHANGE THE RULES**

By now we are all just coming to grips with the ineptitude of John Holland as head contractor of the Perth Children's Hospital and the process upon which the project was awarded by the Barnett state government. The important thing now, going forward, is to not only identify the problem but to establish what needs to change to make sure it never happens again.

The problem with this project started before it began.

The government tender process which

reviewed and appointed John Holland as the principal contractor needs to be completely reviewed and changed by the McGowan state government.

**VALE JIMMY REID AND JOHN NOWLAN**

Sadly we lost two of our legendary Life Members recently – Jimmy Reid and John Nowlan. On behalf of myself and the entire CFMEU State Executive, we send our sincere condolences to both families. Their efforts in helping to build our union will never be forgotten. R.I.P.

**TICKET CHANGEOVER**

The ticket changeover for September 30th is now in full swing. It's a good time to be a member, with plenty happening on the political front to make things better for our members and also work wise. EBAs are coming on line and a ton of shopping centre and other developments are set to get out of the ground. So, be paid up and proud – we are turning the corner after a tough couple of years. Join us!

**THANKS JOE**

Finally I would like to thank Joe McDonald for his loyalty, comradeship and efforts as Assistant Secretary and National President of our great union.

Joe retires on October 13th, but not before he leaves an unmistakable footprint on our union's history and achievements.

I would also like to thank Joe's wife Di for all her support over the years.

See our tribute to Joe in this issue.

Sincerely,

**Mick Buchan**

State Secretary, CFMEU WA



# Want to see real change? Join our own WA ALP branch now.

## Fill out and return the enclosed form in this issue of the journal – here's why...

### CHANGE THE RULES...

There's no two ways about it, construction workers have had to suffer some of the most draconian laws ever. Worse still, workers suffer in areas where there is no law at all EG: Labour Hire.

***These days' battles are not just won on the picket line***

We need to change bad laws and where there are no laws protecting the rights of construction workers we need to introduce them. Change the rules!

***We need to change bad laws and where there are no laws protecting the rights of construction workers we need to introduce them. Change the rules!***

### HOW?

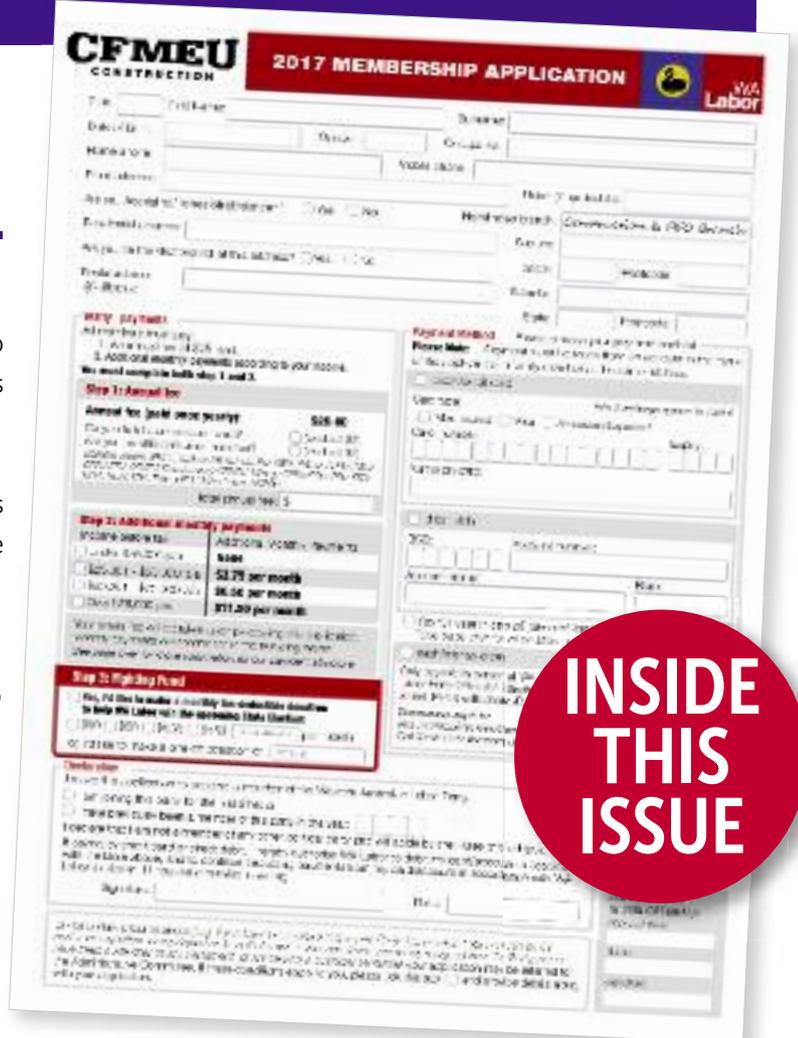
We can only do this by fighting on both an industrial AND political front, to maximise our effect, we need members in the union BUT just as important we need MORE members in our Construction FIFO branch of the WA Labor Party.

### IT WORKS LIKE THIS

The more members we have in our own WA ALP branch the greater your voice to help make positive changes happen. Our efforts to get motions up as part of government policy were historic at the recent WA Labor Party State conference. However, going forward we need to strengthen our position by having YOU in OUR WA Labor Party branch. So join us and the fight for change today.

### WHAT WE NEED ALL MEMBERS TO DO

It doesn't cost the earth but it will mean a world of difference to construction workers and the industry if you join.



**Fill out the enclosed form in this edition of the journal and return it in the reply paid envelope – membership starts from just \$25 a year even less if you are concession card holder.**

### NEED HELP TO DO IT? CALL US AND LET'S DO IT TOGETHER

Just call us and we'll help you through it – we can do it over the phone, visit you or arrange time to come into the CFMEU office at Trades Hall at a time that suits you.

If you'd like more information please contact CFMEU WA Political Organiser Steve Catania on 0438 240 484 or 92286900 Email: [Scatania@cfmeuwa.com](mailto:Scatania@cfmeuwa.com)

**Get on board. Return power to the workers. Change the rules. Join now.**

# Labour Hire under the

Labour Hire is a sore point for all our members and workers generally.

The CFMEU WA is strongly proposing that the WA state government changes how the entire Labour Hire industry operates.

Through our Construction/FIFO branch of the WA Labor party we have proposed that the Labour Hire industry needs to be regulated and licensed with tough penalties in place. We want to stop 'phoenixing', 'weed' out dodgy operators and more permanency and less casualisation.

But you've heard enough from us about why Labour Hire has to change. So, from a recent question we asked on our social media platforms: "Tell us your thoughts about Labour Hire?", let's hear from those who have to suffer it...

## LABOUR HIRE: IT'S BECOME A DISEASE INFECTING WORKERS AND THEIR RIGHTS. TIME FOR A PERMANENT CURE!

**Graeme:** Labour hire companies and the industry that uses them are a CANCER in the Australian work place. And like all cancers should be CUT out.

**Matt:** Need to pay into long service, and pay EBA rates for each site. Stop being grubs... I've been offered positions on the same job \$10 less as labour hire!

**Jim:** Labour hire!! I've worked with a few myself – it's the cutting edge of the class war against the working classes. It doesn't just need to be licensed, it needs to be eradicated altogether. If companies and corporations

can't take responsibility for the people who generate their wealth then they should be made to suffer all the penalties that they deserve.

**Andy:** Should be more requirement for full time workers. Labour hire is a scourge and is being used to negate the requirement for full time workers far too often.

**Scott:** There is no need for them.

**Alistair:** It should be short term. If you remain in one place for a while, they should hire you full time, and the casual loading be compulsory for all casuals by law. Not all inclusive in the flat rates.

**Bill:** Would be nice to start paying proper penalties and actually do what they were set up to do and hand over employees for full time after the trial period.

**Phil:**

- 1 - They don't pay true penalty rates for overtime...time and a half is usually only \$7-8 dollars more plus you lose your site allowance and casual rates on overtime (if you get them)
- 2 - They don't all pay casual loading or site allowance...and the flat rate is low in the first place!
- 3 - They don't provide any PPE...you've got to organise your own uniform and boots.. at least they could pay an allowance. All in all something has to be done about them.. they have their place but need to be regulated.

**Digs:** The employer is legally required to provide PPE, unfortunately the guys will not get the work if they mention this. Illegal bullying.

**Matt:** Several want applicants to pay for own inductions and medicals and do them in your own time... Treat workers like a number, no

regard for experience, it's who you know not what you know... Don't get me started...

**Peter:** Labour hire was always used as a stop gap, nothing more. It has much to do about companies evading their responsibilities as an employer. This is where the government should step in. Good pay and conditions ultimately improve productivity and commitment.

**Martin:** Personally I think it just needs to be gone, now we are having to accept pay cuts whenever they decided, without negotiations, also all inductions are done on our time travel our time super that's just a start. Uniforms? You only get shirts as far as I understand PPE consist of more than that.

**Adrian:** F&S\$K them off it's a big business scam, no sick pay no annual leave. I have family that have been with a grubby labour company for 4 years. How can someone work for the same company, as a casual worker, for 4 years? If someone works for a hire company for longer than 3 months they should automatically go full time with reasonable pay.

**Daniel:** Tired of applying for jobs that are a fantasy, just to get you on their books.

**James:** The stitch up of the spotter's fees and/or not being able to work direct for the host company for three months. Labour hire is generally an unnecessary middle person getting money that should go to workers.

**Red:** Labour hire started with good intentions, to fill a short term hole, or a prerequisite to full time employment, but now it just seems to be abused by companies to avoid employing anyone fulltime and drive down wages and conditions.

**Andre:** It's not called 'Slavour Hire' for nothing!

# Microscope...



**Sam:** A lot of them pay less on casual than what the full time boys on site get, even though they don't accrue holidays or sick days.

**Derek:** 70% of the employment I've had has been labour hire in the 3 years I've been in Perth. The money has been very up and down depending on the supervisors and your experience. Union jobs are better paid than most and why labour hire is used in construction I don't know, as it's very rare in the UK. Why you are not just on casual rates and employed by the contractor?

**Michael:** The need to outlaw requiring ABN number for employees. The need to license and vett labour hire companies. The need to review payments made monthly or yearly to ensure award payments are made. To prosecute employee forced wage repayments. To ensure that the company is crime syndicate free. Ensure that the contractor is as liable for work safe as is the end employer.

**Chris:** Flat rates and no stability – you can't get a home loan on that!!! And it's office workers that employ people for positions they know nothing about. Temp agencies have killed construction in Perth.

**Philip:** Pay rates vary too much. Should be maximum of 3 months then full time.

**Scott:** It's destroying jobs and is bringing the wages down. Who the fuck wants to work for 30 dollars flat...what a joke

**Matt:** Oh yeah and stop this bullshit of a single polesmoking 'employee' signing off on 'agreements' that affect the whole workforce.

**Lyndon:** Stop under cutting each other! Taking money out of our pockets!

**Allan:** Can't get a job ATM unless it's Labour hire.

**Shonelle:** Cut out the middle man ...Get rid of labour hire mobs.

**David:** Get rid of the fuckers!

**Judd:** Abolished. Taking a cut of workers' pay.

**John:** Recruitment agencies ruin industries such as construction, mining and various trades. Company's no longer hire employees full time nor are they obliged to comply with the old 3-month probation period. Therefore, employees have no sense of job security since they are being employed on casual terms indefinitely.

Companies continue to hire staff through recruitment agencies which means there is a rapid turnover in employees. Companies do not feel they are required to hold onto and look after employees who are hired through agencies. Workers are, in most cases, employed on a flat hourly rate with no overtime or penalties. However, this is very wrong as skilled employees deserve higher pay rates and need their hard earned penalties and overtime to survive.

I have worked in the construction and mining industry for 18 years and I have never witnessed companies with such disregard for workers today. I myself have witnessed first-hand what it is like being involved with recruitment agencies with no feeling of security and not knowing if my job is safe from one week to another.

**Michelle:**

This has been a well-known FACT for more than three decades, these companies destroy the self-esteem of Australian workers so they can exploit the workplace laws. They are impossible to prosecute, god knows we've tried, and they destroy the lives of ordinary Australian families too often.

**Alan:** It's time to name and shame these dodgy fuckers and put some pressure on them to sort themselves out.

**Keiran:** It is disgusting. I've been Labour hire for over 3 years now. No holidays, No sick leave, No ability to get a loan. And that's the way the Turnbull government likes it.

I work an average 43.5 hours a week along with every one else, but the company uses Labour hire to cut conditions and wages.

They pay the Labour about 60% of a permanents wage if you take into consideration all the extras that permanents receive. This is not what Labour hire is for, it is supposed to replace long term ill and people on leave or long service, not drive down worker entitlements as they are doing all over Australia in all industries. Labour hire is a leech attached to Australian workers' rights.

**HATE DODGY LABOUR HIRE? DO YOU WANT TO CHANGE THINGS FOR THE BETTER? THERE'S ONLY ONE WAY....**

Help us to continue fighting on both fronts. Join our Construction /FIFO branch of the WA Labor Party. From only \$25 a year. Fill out the form inside this journal today. More Info? Call Steve Catania now at the CFMEU office on 9228 6900 or email [scatania@cfmeuwa.com](mailto:scatania@cfmeuwa.com)

# Time to Aim Up & Fight

Over the past 25 years, the big end of town and their political mouthpieces have fed Australian workers the line that "if the rich get richer, trickle-down economics will ensure that workers will be better off". What a load of bullshit.

What we have seen instead is an increasing gap between rich and poor and a significant deterioration in the wages and conditions of blue collar workers. There is no clearer proof of this than in Western Australia where workers are copping the trifecta of economic incompetence by the Barnett Government, the end of the resources boom and workplace laws designed to de-unionise workplaces and reduce wages.

## THE HISTORICAL DESTRUCTION OF WORKPLACE RIGHTS IN WESTERN AUSTRALIA

Western Australian workers have been used as the experimental laboratory of anti-worker bosses, multinationals and right wing politicians since the late 1980's. It kicked off with the attack on Pilbara mine workers at Robe River, Hamersley Iron and Newman by the likes of Robe, Rio Tinto and BHP.

It was soon followed by a 7 year ideological war waged on workers by the WA Liberal Party when Industrial Relations Minister Graham 'wanker' Kierath introduced individual contracts. Further to this, Kierath brought in a Construction Industry Task Force to harass and intimidate construction workers and undermine their fundamental right to strike over bad safety, sub-standard wages and unjust industrial outcomes.

In the mid 1990's, the anti-worker laws of the Kierath Government were picked up by John



## The Fair Work Act – Anything But Fair to Aussie Workers

Howard and Peter Reith at the Federal level with individual contracts, the ABCC and fines for construction workers and their unions for engaging in legitimate industrial struggle.

In 2007, Australian workers had a real opportunity to throw out bad workplace laws once and for all with the election of the Rudd Government. The Liberal Party were on the nose, Workchoices was dead (albeit not buried) and there was a clear mandate for the new ALP Government to bring in new laws which gave Aussie workers a fair go.

Instead, in 2009 we got the Fair Work Act which was just a watered down version of the same stinking laws which had been previously been condemned by the ACTU, the ALP (when in opposition) and Australian workers. This is a mistake that we cannot afford to repeat a second time around.

## THE FAIR WORK ACT – ANYTHING BUT FAIR TO AUSSIE WORKERS

Under the Fair Work Act, we have seen a further erosion of workplace rights. In the private sector, trade union density stands at

less than 10% – the lowest since Aussie workers wore chains under the servitude of English overseers, squatters and industrialists.

The Fair Work Act has removed the rights of construction workers to withdraw their labour regardless of circumstance – even bad safety.

As one of the Fair Work Commissioner's explained at a Fair Work Commission conference, "an imminent risk to health and safety means that you have to have a concrete block about to drop on your head in the next 10 seconds. It is only then that you can remove yourself from the workplace. Anything less than that is unprotected industrial action". What a load of unadulterated crap.

The Fair Work Act has stripped away the previous rights of union organisers to enter site regardless of the time of day or the view of the boss. In 2016, we had FWBC/ABCC inspectors/thugs and BGC goons shoving cameras in CFMEU Organisers faces time and time again in a failed effort to stop Union officials meeting workers in BGC crib sheds.

# Back

A clear demonstration of the desperation of the Liberal Party and the ABCC to keep the CFMEU off the job was evidenced by their botched prosecution of 6 WA CFMEU officials for the "crime" of meeting workers in crib sheds during breaks. It is ironic that prior to the Federal Court proceedings, Michaela Cash and her BGC sidekick had a media circus outside the BPI/BGC job where she spruiked a whole lot of bullshit about "union lawlessness". Not a peep from Cash, the ABCC or BGC when the ABCC stuffed up the Court case and had to drop all charges against the CFMEU and its officials.

## FALSE STAT DECS RIFE

Under the Fair Work Act we have seen a race to the bottom where dodgy employer organisations such as the CCI, MBA and Strategic Human Resources have prepared false stat dec after false stat dec in making applications to the Fair Work Commission for the approval of sub-standard Enterprise Agreements. Many of these non-union Enterprise Agreements have stripped away Award conditions and have allowed bottom feeders to undercut legitimate sub-contractors. One can only imagine the outrage of Michaela Cash and the Murdoch gutter press if Union officials had been caught doing the dodgy with false stat decs. There's one rule for workers and their unions and another for big business.

It is clear that the Fair Work Act is incapable of protecting workers from dodgy builders and unscrupulous employers. It is time to tear the legislation up and put in place workplace laws which ensure good wages and conditions, job security and the legal right to strike.

# Is Multiplex the new John Holland?

# MULTIPLIX

**ARE THEY TRYING TO OUTPERFORM EACH OTHER AS THE WORST BUILDER IN PERTH?**

# John Holland

To see how F\*\*\*ed up our industrial laws are, you don't need to go any further than a Multiplex construction site. Dodgy safety, workers being ripped off, unlawful use of illegal foreign labour, labour hire and companies operating with Enterprise Agreements paying workers less than the Award, is commonplace on Multiplex projects.

Even Multiplex's treatment of their own direct workforce is nothing short of appalling. Multiplex employees with years and years of experience have been punted down the road and replaced the very next day with labour hire. The CFMEU even caught Multiplex red-handed 'accidentally' ripping its workforce off on the Mandurah Forum Project and recovered thousands of dollars

backpay for those workers. This is in addition to a number of prosecutions regarding alleged breaches of the Fair Work Act where Multiplex are being prosecuted by the Union in the Federal Court.

In Western Australia, Multiplex have jumped on the John Holland band-wagon in their war on workers. The industrial troglodytes running Multiplex in Western Australia should have a close look at how well the Perth Children's Hospital (PCH) went for John Holland before hitching themselves to their industrial circus. Any developer with an eye on the PCH debacle can smell the stench of John Holland from a mile away. If you talk to most WA construction workers and sub-contractors, Multiplex have now become contaminated with the same stench.

THE RULES ARE BROKEN. CHANGE THE RULES.

# Perth Children's Hospital: WA Government needs to fix the system

This is what happens in a race to the bottom. By now we are all just coming to grips with the ineptitude of John Holland as head contractor of the Perth Children's Hospital, and the process upon which the project was awarded by the Barnett state government.

Lead in the water is just one of a major list of problems associated with what has become a debacle.

It would be easy for the CFMEU to say 'I told you so.' We have done that already. The important thing now is to not only identify the problem, but to establish what needs to change to make sure it never happens again. The problem with this project started before it began.

The government tender process which reviewed and appointed John Holland as the principal contractor needs to be completely reviewed by the McGowan state government.

There's an old saying: 'If it's too good to be true, it probably is.' The original quote from John Holland bore no relation to the final cost, which is still on-going and climbing higher.

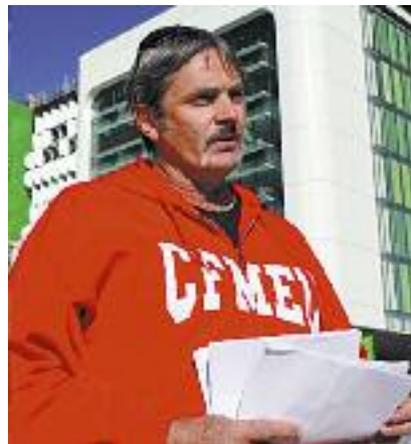
Time and time again Holland went back to the Barnett government seeking massive price variations. Each time they were granted another hand-out, John Holland put more pressure on sub-contractors in order for Holland to keep their own profit margins intact.

With the squeeze on sub-contractors, subbies in turn had to engage cheap unqualified labour, through labour hire companies. This project had backpackers, students, and foreign itinerants doing unqualified work.

**This brings us the second solution which needs to be put in place by the McGowan government.**

Legislation to regulate and license the Labour Hire Industry needs to be enacted as a matter of urgency – similar to what has been proposed in Queensland.

Many sub-contractors walked from the project unable to compete. As each one left cheaper alternatives took their place.



**"The Children of WA  
deserve much better.  
And so do the workers."**

This continual squeezing to make profit out of variations, created fertile ground for cheap non-conforming products to be used. The take out from all this, is that if the price is too cheap, workers, project quality, the community and taxpayers suffer.

The WA State government needs to do much more in the area of procurement to ensure unsafe, non-conforming products do not reach construction sites.

Last but not least. There is a genuine reason why union built is called quality built. By that I mean, projects which have proper union delegate and safety committee structures in place are better positioned to take on board, represent and act on workers concerns, to ward off any issues and problems as they come to hand.

Hollands IR management of this project gave the worker's and sub-contractors no voice to air their complaints or suspicions. They created a toxic atmosphere making it almost impossible for sub-contractors and workers to speak up without the fear of losing their contract or job. Holland's recalcitrant response to any pressure by unions about issues as they came up was to simply call in the ABCC and the Police.

***We are now seeing the consequences of their inept management, draconian attitude, and poor governance.***

The Children of WA deserve much better. And so do the workers.

# Change the rules!

## FORRESTFIELD AIRPORT TUNNEL LINK PROTEST

Anger amongst 200 workers reached boiling point when they received shortfalls in their pay packets of between \$400 to \$2000, the latter amount resulting largely from unpaid overtime.

Workers on the project have also seen their wages not being paid on time. Recently union members gave up their own valuable time on a Sunday morning to protest and support the workers.

The workers confronted the projects HR Management about the missing wages and were told it was just a glitch with a new payroll system. HR inflamed the situation by telling the workers they would have to wait 2 weeks for it to be sorted.

This callous approach did nothing to quell an already inflamed situation on the project and does not bode well for good morale and productivity on the project.

CFMEU WA State Secretary Mick Buchan says: 'This should not happen on a major civil project. The workers are mistrustful of management and HR on the project. Late wages and now massive shortfalls have caused workers to incur dishonor fees from the bank. The bills are never late.

The project is danger of becoming another Perth Children's Hospital fiasco.

The Turnbull Government's ABCC and its building code is not interested in how workers are treated and the problems they suffer. Once again, in the absence of any decency and fair play from the company toward its workforce, it's up to the CFMEU and its members to sort out the mess.



# BGC PLAYING

This is the story of how a monumental Perth landmark was demolished to make way for a boring, poorly conceived hotel. Perth now has a hotel vacancy rate of 25%, the worst in the country. More about that later. In the process our city lost an international award winning, state of the art fire station facility called FESA House. The WA Fire and Emergency Services Authority headquarters. Opened in 1979, the Perth Fire Station (later known as FESA House), was the culmination of extensive research overseas, namely in Europe, of what the best modern Fire Stations of the day had to offer.

Impressed, the SA State Secretary of the United Firefighters Union, Mick Doyle, was so taken with the building that he convinced the SA Fire Service to replicate the plans for their new headquarters in the 1980's. It stills stands today in that state.

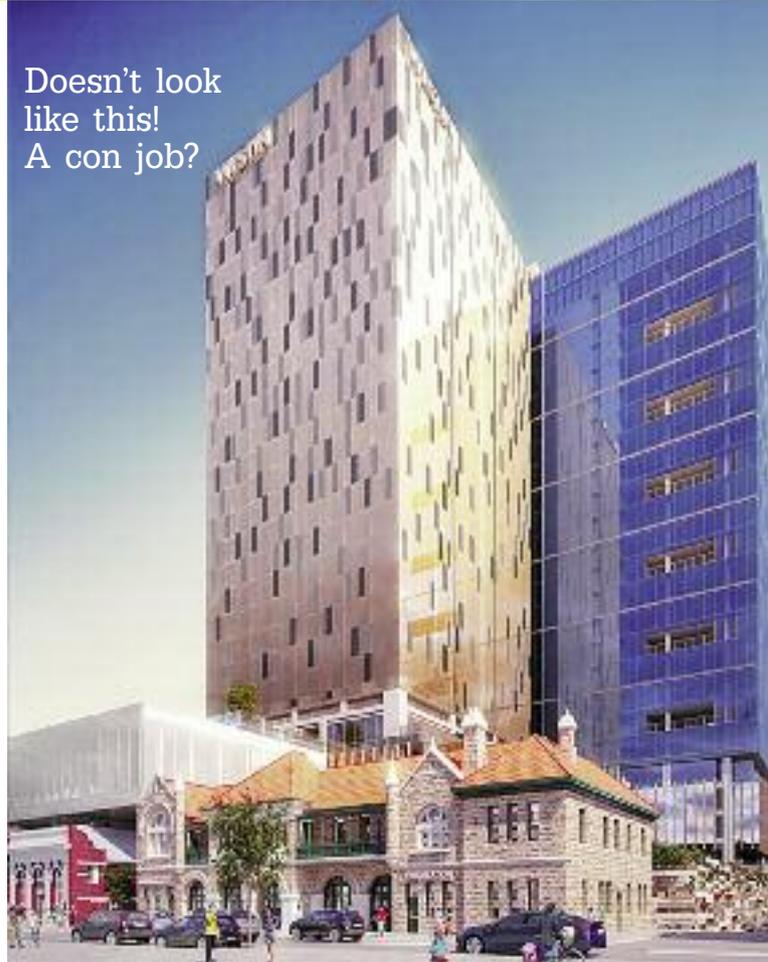
FESA House was located at 480 Hay Street. It was the main city fire station. Every major city in the world has one. The building was purpose built in 1979 to operate with general office accommodation, a communications command centre and most importantly as a 24/7, 10 bay central city fire station. Architectural boffins called FESA House the last of the great 'Brutalist' style buildings. Beauty may have been in the eye of the beholder, but it was built to last – or so everyone thought at the time. Perth has other fine examples of Brutalist style architecture, namely Council House and the Perth Concert Hall. FESA House had been previously described as the best-preserved example of the 'Brutalist' style in Perth. Yet it was not enough to have it heritage listed. Even after a significant community petition to save it, the Liberals knocked it back – why?

Jumping a few years down the track the Barnett Liberal government decided to sell FESA House and the land it sat on as part of its 'incentive' program to build hotel accommodation in Perth. This decision was made at the height of the Resources boom, and as we know Boom Times don't last forever. Enter BGC and the Westin Hotel Group.

Tenders were called for the sale of the building and development of the land. It didn't go to the group who put in the highest price. At the time Finbar was reported as offering \$11.7 Million. When the tender process was finally released it was revealed that BGC, a major donor of the WA Liberal Party, had won the tender with a bid just \$8 million for the land. Coincidence?

This deal came under scrutiny and proved controversial when it was revealed that, as a non-hotel development site (not for offices and

Doesn't look like this!  
A con job?



other commercial use), it was valued around \$19-26 Million. However under the Barnett government scheme to attract more hotel development, it was sold off for far less. Strangely the hotel development will include provision for retail and office space. The FIRE agency received full book value (\$24 million) from taxpayers not from the sale purchase.

BGC was appointed to build a hotel for the Westin Group. As the new building in Hay Street started to take shape it bore no resemblance to the 'flash' artist perspectives of the development. Up went a bland, horrible looking building. Look at it today and you'll notice different shades of colouration within the glass panels, a hotchpotch pattern of ugliness. Look closer and you'll see the quality of façade materials with shattered windows, as our camera recently caught on close up (See pic). You would think that having purchased the land so cheap premium quality materials would be used by BGC.

# WITH FIRE

A monumental Building



We wonder how this deal would have stood up to the scrutiny of a Royal Commission. Where there's smoke...?

Especially window fittings. Another BGC project, Perth Arena, has just announced they need to replace over 200 faulty windows!

All that aside, it seems like we lost a building of architectural and community significance to a dodgy Liberal party deal. If that's not bad enough, Perth city went from being the only major capital city in Australia to reduce its number of central fire bays. The City now has 3 bays compared to having 10 previously.

Labor MLA Lynn Maclaren raised these questions in the parliament over the deal.

"I refer to the sale of the former Fire and Emergency Services Authority (FESA) House site at 480 Hay Street, and I ask:

- (a) how much was the FESA House site sold for, to whom and for what purpose;
- (b) what was its market value;
- (c) how many offers were there for this site and what was the price for each offer;
- (d) what was the tender process in place for this sale;
- (e) what heritage assessment took place before the sale took place; and
- (f) how many brutalist buildings of heritage value exist in Perth and how many have heritage protection?"



Ugly, discoloured and broken panels

# AROUND THE

The CFMEU has many proud members out there on sites doing a great job every day. Here's just a few pics of your union mates doing us and their sites proud. Who do you recognise? Be paid up and proud.



**A Big shout out to the Probuild crew in Stirling Street for helping donate warm clothes for the homeless this past Winter.**



# TRAPS



**BE PAID UP AND PROUD!**



# Joe hangs up his braces



What can we say about Joe McDonald that hasn't already been said? If Joe was asked to say one word that described his time in the union it would undoubtedly be 'Militant'.

As a young boy from Ayrshire in Scotland, Joe arrived on these shores as a 14 year old. Who would have thought that the one time boy from Auld Dreghorn Primary School would end his career as National President of the CFMEU.

As a union member, Secretary of the CMEU WA and Assistant Secretary of the CFMEU WA through to National President, Joe has devoted 33 years his life to core union and social values. Along the way there have been plenty of blues on and outside the picket line. He has taken on the big end of town, their representatives and conservative politicians, never apologising for his actions or the consequences. His aim was always true: To win better wages and conditions for workers and to save lives out there on the job.

His actions to spark better workplace safety often ended up in the judicial system, but Joe would be the first to say he'd rather spend time in the courts than at Funerals. He

was often the first point of contact in the union for bereaved family members who lost a loved in the course of doing their job.

He is passionate about safety standards being met, so workers can go home to their loved ones at the end of every day. If that means ruffling a few feathers then so be it. Better to try, than to see someone die.

***No one more than Joe knows how many people have died during this reign as a union official. However what we can never know is how many people are still alive because of the various actions he took.***

As Joe prepares to hang up his braces as a union official for the last time, he can be proud of the many social issues he has championed.

He has in his own words taken on the 'war in the kitchen' against domestic violence. Shining a light into the dark corners of a national problem. No one should live their life walking on egg shells within their own home. He is especially proud of the work he has done to support Women's Refuges. His

speech on the issues around Domestic Violence received a standing ovation at the National Labor Party Conference.

He has helped to raise funds to put food in the belly of the poor, warm clothes on the homeless and toys under the Christmas tree for underprivileged kids. Not to mention organising countless whip rounds for workers and families who have done it tough.

Joe's efforts to highlight the plight of our indigenous brothers and sisters culminated in the establishment of the Vincent Lingiari Room at Trades Hall. As did his support for the opening of the May Holman Room, as a place to honour the role of women in the union and labor movement.

To paraphrase Steinbeck's Grapes of Wrath: *'Wherever you find the little guy being beaten down, injustice, unscrupulous employers and workers needlessly dying on the job, there will always be a Joe McDonald.'*

**When Joe retires on October 13th he doesn't need to be sad that it's over rather be proud that it happened.**

# The rules are broken...

# CHANGE THE RULES!

***We have all seen how 'too cheap' tenders can impact on major civil projects. Just look at the new Perth Children's Hospital.***

The Forrestfield Airport Tunnel Link was budgeted at 1.96 billion dollars yet the tender was awarded to Salini-Impregilo, an Italian conglomerate, by the Barnett Government for just 1.3 billion, a massive reduction based on the initial budget.

What's worse, it appears workers on the project are paying the price due to the site agreement that was voted up by only 3 workers, and then applied to hundreds of workers, right across the entire project.

The workers are being paid less than half the rate which applied to a similar project in NSW last year.

***This is where the rules applied by the Fair Work Commission are broken and need to be changed.*** There was no 'Good Faith' bargaining in consultation with key stakeholders including the company, unions and all workers, to arrive at a truly fair Enterprise Agreement.

**How can 3 workers decide what is right and fair for an entire workforce of several hundred?**

Workers are complaining that their fortnightly pay is being paid late, some suppliers are also waiting for overdue payments to be paid. Morale is low and there has already been a high turnover of labour on the project – all sure-fire warning signs that things aren't right.



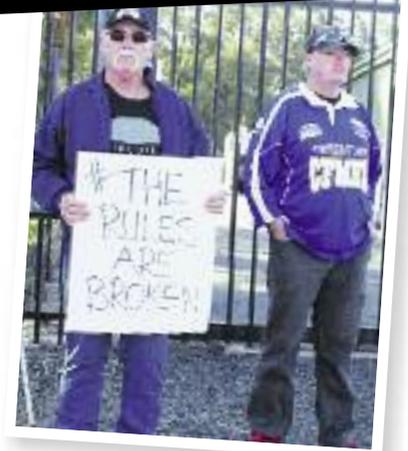
**STAND UP & SUPPORT YOUR WORKMATES!**

***All of this has a familiar smell about it where tenders have been awarded to the lowest bidder (bids which sound too good to be true) creating a race to the bottom and it's the workers and the WA Taxpayer who end up footing the bill.***

***Now, more than ever, there is an imbalance of power between employees and employers that must be addressed.***

Foreign workers on the project are also being denied fair rights and conditions by not being allowed to go home to visit their families on a frequent basis. This isolates them and opens them up to further exploitation.

***CFMEU WA State Secretary Mick Buchan says: "It wasn't that long ago the CFMEU came out and said 'we told you so' over the Children's Hospital disaster.*** In light of how the Barnett Government awarded major



project tenders with dire consequences, we believe the McGowan Government needs to keep a close eye on the development of this project. Questions need to be asked now to avoid another major civil project debacle, and workers should be allowed to have access to union representation to protect their rights and to be involved in a fair collective bargaining process.

# ONE DOWN 599 TO GO!

The CFMEU and MUA have worked harder than anyone to bring national attention to the fact that around 600 BIG companies pay no tax in Australia. Chevron was one of the worst offenders. The MUA has been instrumental in highlighting the injustices of Chevron and other multinationals on a whole range of issues including massive tax avoidance and minimization. Who can forget that our State Secretary Mick Buchan flew to the USA and attended Chevron's AGM to 'take it up to them on their own turf in front of all their international backers, highlighting their treatment of workers in the North-West, the unfair rosters resulting in suicides. All this has coincided with a Federal Senate enquiry on tax avoidance in Australia with further heat applied to Chevron.

Fairfax has reported the federal government is expected to score a \$10 billion windfall over the next decade after multinational oil giant Chevron abandoned an appeal against the Australian Tax Office in the High Court. In a settlement believed to be worth more than \$1 billion, the US Company's case hands Australian authorities a precedent that will shape all future tax arrangements for multinational resources companies.

The fossil fuel giant paid no company tax in five of the past seven financial years.

A Senate inquiry into corporate tax avoidance was told in June that the total amount of tax Chevron had in dispute with the Tax Office was more than \$1 billion.

Chevron is the first major company to roll over as the Tax Office looks to recoup up to



**600 companies pay NO TAX:**  
You pay your tax, why shouldn't the big end of town?

\$4 billion from resources companies known for their aggressive approach to tax minimisation.

The CFMEU and MUA will continue to highlight the inequality associated with Multi-nationals paying little or no tax. Chevron is just the beginning.

**Malcolm Turnbull**  
MEMBER FOR CHEVRON  
"It's legal" – Malcolm Turnbull

**INCOME:**  
\$3,031,734,021

**TAX:**  
**ZERO**

**DONATIONS TO LIBERAL PARTY:**  
\$47,300

**Part of the CFMEU campaign putting heat on Chevron – if the rules are broken – Change the rules!**



# CFMEU fights for its members on back pay

A landmark case was recently heard at the Federal Court which could potentially result in back pay to around 20,000 workers of \$100 million dollars.

It's become common practice that employers are making workers serve part of their notice whilst they should be on R&R.

This deprives the worker of a week's wages at site rates during the time they need it most. We are firmly of the opinion that this is daylight robbery by the employer. Many of these affected workers have spent years away from their families building Australia's future in some of the harshest conditions imaginable, to be robbed of a week's wages at the end is a disgrace.

This denies the worker either the benefit of the R&R leave or the benefit of their notice

period. Both are entitlements due under an industrial instrument and the Union's clear position is that these dual benefits cannot be served concurrently.

The CFMEU WA has been at the forefront of this case since 2015, filed an application against CBI Constructors Pty Ltd in the Federal Circuit Court in this matter in May of 2016. The Union had court mediation in August of 2016 and failed to reach any agreement with CBI and their lawyers. The matter was heard on 10 August.

In taking CBI and this matter to court, if we are successful it is expected that the authority arising from any such decision will flow on to multiple contractors across several projects Australia wide.

The Union estimates that this could

potentially affect up to 20,000 workers and result in an underpayment by several companies to the tune of \$100 million.

The union is strongly of the view that this is just another instance of employers attempting to undermine conditions that have been hard won by workers.

CFMEU WA State Secretary Mick Buchan says: ***"Our union cannot sit idly by and see workers' wages and conditions undermined to such a detrimental effect. We have taken up this case on behalf of hundreds of union members who quite rightly feel hard done by unnecessarily and we are willing to fight it all the way until justice prevails."***

**YOU EARNED IT.  
IT SHOULD BE PAID UP!**

# CHANGE THE RULES:



## Charges laid over Jaxon deaths

### INDUSTRIAL MANSLAUGHTER LAWS WILL HOPEFULLY ACT AS A DETERRENT FROM THIS HAPPENING TO ANYONE ELSE

The media has reported that a trucking company and a rigger have been charged over an East Perth construction site accident that killed two men. Irishmen Joseph McDermott and Gerard Bradley were crushed by a concrete tilt-up panel that fell on them while they were taking a break at the apartment complex site in 2015.

Axedale Holdings, which operates Shaw's Cartage Contractors and their lead supervisor Benjamin Paul Botica face charges of causing the deaths by failing to ensure the safety of people on the worksite.

In light of the recent announcement about charges relating to the two workers killed working for Jaxon Constructions as well as many other needless deaths in our industry, your union and its Labor party branch members have been working towards introducing new industrial manslaughter laws.

At the recent State WA Labor Conference your union and its WA Labor branch members worked hard to put up various motions to improve the construction industry. One such motion, which will now form part of WA Labor's policy platform, is for Industrial Manslaughter laws to be implemented.

We can only get these resolutions and motions carried by fighting on both fronts. Politically and Industrially.

### MAKE CHANGE HAPPEN FOR THE GOOD...

and for that to be effective we need people to join our union AND our construction branch of the WA Labor Party – from only \$25 per year.

If the laws are broken help us change them.

Want to take on the fight to save lives? Call Steve Catania, CFMEU Organiser on 9228 6900 or email Steve at [scatania@cfmeuwa.com](mailto:scatania@cfmeuwa.com)

### HERE IS THE MOTION THAT WAS SUCCESSFULLY CARRIED:

*The WA State Labor Government will develop and implement a system of responsibility based on the "hierarchical chain of command of an employer organisation within the Occupational Health and Safety legislative framework.*

*This will establish a system of accountability to ensure the liability for workplace safety and health breaches are not "shifted" from one party to another and that the responsibility for safety compliance is lead from the highest level of the organisations management.*

*221 A WA Labor Government will improve our occupational health and safety laws in the following areas:*

- a. Consultation on WHS representative rights;*
- b. Industrial manslaughter;*
- c. Third party ability to prosecute for breaches of Work Health and Safety Laws;*
- d. Onus of proof on employers;*
- e. Minimum standards for work accommodation facilities & camps;*
- f. Tripartism; and*
- g. Right of entry permit holders; and*
- h. Implement a system of responsibility based on the "hierarchical" chain of command of an employer organisation.*

# ABCC BOSS NIGEL HADGKISS HAS RESIGNED



## HADGKISS RESIGNS: BREACHES THE FAIR WORK ACT

Nigel Hadgkiss, Head of the ABCC, has been forced to resign in absolute shame after contravening the Fair Work Act. The very act he is supposed to represent. Every DOG has his day! For the Turnbull Government and Michaelia Cash to put so much faith in someone like him, just goes to show how out of touch they are.

### CFMEU WA LED THE WAY.

It was good day for workers Australia wide with the news that Nigel Hadgkiss had resigned as the head of the ABCC. It's even better news for the WA Branch of the CFMEU as it was our in-house legal department that identified and raised the breach, and two of our officials who gave the evidence that cost Nigel his job! This Branch was refused right of entry to jobs and forced to prosecute a builder because of Nigel's breaches of the Fair Work Act, and it's only right that it has cost him his job.

This is a man who has caused untold misery to many good honest construction workers and it's a good day when we see the back of him. Now for the Coalition Government that put him there and the organisation that he led with such incompetence.

Hadgkiss, the Head of the Australian Building and Construction Commission, admitted to a reckless contravention of Section 503 of the Fair Work Act in relation to the ABCC's publication of incorrect information about right of entry rules. The admission was made in an Agreed Statement of Facts handed to the Federal Court in Sydney.

"Nigel Hadgkiss admitted his conduct was reckless. We believe the result of that recklessness is that the industry was misled on a key issue affecting workers' rights," CFMEU National Construction Secretary Dave Noonan said.

"He has taken great care to bring multiple prosecutions against unions and workers over right of entry breaches, but has failed to conduct himself with reasonable care in relation to these same laws, and in particular those parts of the laws which extend some benefit or protection to workers.

Under current right of entry rules in the Fair Work Act, there is a provision that lunch rooms are to be the default location for union officials to conduct meetings with workers, should the employer and union official not agree to a suitable location.

The laws are important as workers could be intimidated by being forced to hold discussions with their union representative in clear view of their employer. The current law has been in place since January 2014.

For over two years, from 2014 until the CFMEU complained to the ABCC in 2016, multiple ABCC publications on right of entry laws did not accurately describe this provision, and incorrectly asserted that union officials had to comply with the employer's wishes on the location of meetings.

While the ABCC had ensured the correct legal position was known internally to its own staff, it disseminated incorrect information to the public and across the industry.

### CASH HAS NO MORE CREDIT

Michaelia Cash knew about Hadgkiss's contravention since October 2016 – almost a year – meanwhile she pushed through legislation to reintroduce the ABCC and its building code with Hadgkiss at the helm. This is an absolute disgrace and once again proves the 'Rules are Broken.' She should resign in shame.

# Your CFMEU legal team is working hard for you!

## ENTERPRISE AGREEMENTS

The union's lawyers recently won three appeals in the Fair Work Commission against the approval of a number of enterprise agreements. The Commission found that two enterprise agreements, the *Levent Painting Enterprise Agreement 2017* and the *Concrete Constructions Enterprise Agreement 2017* were not better overall than the *Building and Construction General On-Site Award 2010*. The agreements did not provide any of the essential benefits that the workers would have been entitled to under the Award and would have left workers short-changed by more than \$93.00 a week. The Agreements also tried to exclude some workers from redundancy pay, which they would have been entitled to under the Award.

In defeating the approval of the Agreement, the Commission accepted the Union's submissions that a 50 hour work week is a common work pattern in the construction industry. This is a huge win as it recognises the long hours and conditions in the construction industry.

The Commission was highly critical of the employers and the CCI and found that the employers had acted unacceptably when they put forward the Agreement which was clearly worse than the Award.

These decisions highlighted the systematic failures in the approval process for Enterprise Agreements. The Agreements, if they had been left to stand, would have left workers thousands of dollars worse off than if they had been covered by the Award.

The union keeps a careful eye on any Agreements that tried to be approved and



will fight where an Agreement will not make workers better off.

## PRE-SHIFT ENTRY

The Union recently took a case to the Federal Court over an argument with BHP about whether union organisers can exercise their right of entry to hold discussion with workers before the beginning of their shift. The union argued that the site that the union organisers were attempting to enter was a 24-hour site and that the time before the start of shift was a break for the purposes of the right of entry provisions in the Fair Work Act. The union also relied on the explanatory memorandum of the Act which says that "other breaks" includes "holding discussions before or after an employee's shift, providing the discussions are held within the working hours of the premises." Therefore, the union argued that it could meet with members

before the start of their shift.

But the Federal Court rejected the union's argument saying that organisers could not enter site before the start of their shift because they were not on break.

This decision severely restricts the ability for organisers to meet with members at a time that is convenient for workers before the start of their shift. But this will not be the end of the matter – we cannot allow this decision to stand and will be appealing this decision to the Full Court of the Federal Court.

## NOTICE ON TERMINATION

On 10 August, the union lawyers were in the Federal Circuit Court for the hearing on the Notice on Termination (NOT) dispute. The lawyers put forward a strong case. We are now waiting on the decision from the Court and will keep members updated on the outcome – watch this space!

# Getting Rid of Unjust Workplace Laws

Whilst we can't do a great deal about the incompetence of the previous Barnett Government (other than voting the bastards out) or the end of the resources boom, we can get behind the ACTU campaign to rip up the Fair Work Act and put in place fair workplace laws which protect workers.

The CFMEU will be front and centre of the **'Change the Rules'** campaign to ensure we have legislation that reigns in the scourge of labour hire, ends the practice of dodgy non-union Enterprise Agreements, gives union organisers greater access to sites to organise workers and restores the right to strike. The Australian public are becoming increasingly



aware of growing inequality in society and an imbalance between the interests of big business and workers.

Between now and the next Federal election, Western Australian construction workers have a clear choice. We can either continue the race to the bottom and be stood over by grubby

outfits like BGC, John Holland and Multiplex or get behind the union campaign to restore workplace rights. The choice is ours. Let's aim up and end the race to the bottom.

## MAKE CHANGE HAPPEN

Finally I ask all members to help us change bad laws and introduce new laws where they are needed to improve things for our industry and all construction workers. We need to fight on both an industrial and political front. So, please join our construction branch of WA Labor. It's easy and costs from just \$25 per year – call our CFMEU Political Organiser Steve Catania on 9228 6900 or email Steve [scatania@cmfeuwa.com](mailto:scatania@cmfeuwa.com)

# Taking the CFMEU WA to the World



On 1 July this year I was lucky enough to be one of two people chosen to represent the Construction and General Division of the CFMEU at the Building and Woodworkers International (BWI) Summer School Program held in Eastbourne, United Kingdom.

The BWI are a global union with around 330 affiliates from 130 countries and representing approximately 12 million members. The BWI aim is to foster the growth of construction trade unions around the world and promote and enforce workers' rights at a global level.

The Summer School program consisted of our brothers and sisters from Argentina, Brazil, Nigeria, Namibia, Kenya, Ukraine,

Switzerland, Sweden, Croatia, Belgium, the Netherlands, the Philippines and many others. All participants were members of their construction industry unions in their respective countries.

Over the five days of the program we discussed the history of trade unions, challenges to organising, unions and political parties and the role of youth in the global trade union movement. It was a very educational and rewarding experience to meet like-minded people and talk about the issues that they face in their countries.

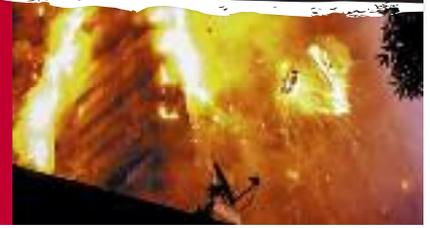
Whilst we all came from different parts of the world with different cultures and different languages, the one thing that remained



constant was the struggle. The struggle to maintain and grow union membership and density. The struggle to win and hold on to hard fought wages and conditions and the struggle against right wing governments that have an unfounded hatred for working men and women. It's good to know that we don't struggle alone.

We'll keep fighting the good fight. One day longer, one day stronger!

## CFMEU WA appointed to Cladding Audit Group



The CFMEU WA has been included as part of an Audit Stakeholder Group to provide information on the use of non-conforming cladding products on WA Buildings – under the auspices of the WA Building Commission. The union and its members are on the coalface every day with major building projects in WA and is in a unique position to impart knowledge and information on products such as those used in the Grenfell Tower fire disaster in London.

We look forward to providing any assistance we can to ensure similar products, which may exist in the WA marketplace, are identified and to help ensure their use does not spread throughout the WA Building Industry.

The Minister for Commerce and Industrial Relations, Mr Bill Johnston MLA, announced in Parliament that the Building Commission and the Department of Fire and Emergency Services (DFES) will work together to assess the circumstances of the Grenfell Tower fire and develop a coordinated response aimed at prevention of such fire events in this State.

This was to include identifying high risk buildings, including older refurbished high rise apartment buildings. The CFMEU will remain vigilant on this issue and will provide updates of any developments going forward. The CFMEU supports national cladding Inquiry recommendations to regulate for safety.

The Construction, Forestry Mining and Energy Union has welcomed the call for a total Australian ban on dangerous cladding by a Senate Committee Inquiry into the highly flammable and life-threatening polyethylene core aluminium cladding.

"We welcome the report's recommendation for a total ban on the import and use of the dangerous cladding in Australia, a ban we called for in June after a two year campaign for a national audit," CFMEU National Secretary Michael O'Connor said.

"The CFMEU has been blowing the whistle on unsafe cladding for two years, urging action, that was largely ignored.

"We welcome this report and support all of its recommendations, particularly the

immediate and total ban on the import and use of the dangerous cladding.

"We've said it before and we'll say it again: there is no point having an Australian Standard if it is not enforced.

"This lethal product is now widespread in Australian buildings. The Federal Government has known for at least two years that it is potentially fatal, but they've failed to act. It shows what happens when a free market ideology takes over – everyone cuts corners and lives are put at risk. If fully implemented, these recommendations will go a long way toward restoring accountability, safety and integrity to the Australian building products industry."

### CONCERNED IN WA?

If anyone has any suspicions or information in relation to non-conforming cladding products in WA, please contact the union Occupational Health and Safety Officer Bob Benkesser on (08) 9228 6900 or email [safety@cfmeuwa.com](mailto:safety@cfmeuwa.com)

## Eureka strikes Worker's Comp Outcome

Eureka Lawyers help our members on a range of issues including worker's compensation. A recent matter involved CFMEU member Geoff who was employed by Hays as a Construction Labourer. He was working on the Capital Square Tower construction site, run by Multiplex.

On the day of his accident, he was carrying a large steel door frame with another worker. Geoff was at the back and the other worker at the front. Geoff missed his footing and fell to the ground and sustained an injury to his left knee. His co-workers witnessed the accident. He didn't report the accident until the next day when he reported it to the Multiplex site nurse.

When he made a workers' compensation claim, it was declined by Allianz Insurance. Allianz claimed that:

- There was no link between his duties and his knee injury
- The knee injury was pre-existing and not related to his employment
- He had an injury to his other knee which he had 'failed' to declare

Allianz, and their lawyers, also forced one of his co-workers to give a statement, saying he didn't 'witness the accident' since he technically didn't see Geoff fall but only saw him after he had already fallen onto the ground.

We commenced proceedings at WorkCover WA for liability to be accepted for the workers' compensation claim.

We negotiated an outcome for Geoff which he is happy with. He is now able to have the treatment that he needs and recover so that he can get back into work.

Our advice to any member injured at work is:

1. Report any accident or injury on the same day
2. Keep copies of incident reports
3. Get advice from the Union

**If you need help from Eureka Lawyers call the CFMEU office for a referral on 92286900**

# Cbus is making your super work as hard as you do



## A TOP RETURN FOR CBUS MEMBERS

While you're on the tools working hard, so is your super. And there's some good news: Cbus' Growth (Cbus MySuper) option has delivered a great return for members of 11.85 per cent, after taxes and fees, for the 2016-17 financial year.

This takes the average yearly return over the past 33 years to 9.24%.<sup>1</sup>

While generating the best possible retirement outcomes for their members should be what super funds do for their members, Cbus achieves that as well as going the extra mile, by investing back into the construction industry.

Cbus, through its wholly owned property arm Cbus Property, are a leading provider of high quality commercial and residential developments that have so far created more than 75,000 direct jobs<sup>2</sup>. It's a key point of difference for the fund.

And Cbus Property has delivered outstanding returns boosting members' retirement balances. Over the past year Cbus Property achieved a return of 24.3% net of fees.

According to Kristian Fok, CBUS Chief Investment Officer, 2016-17 has been a much better year for member returns.

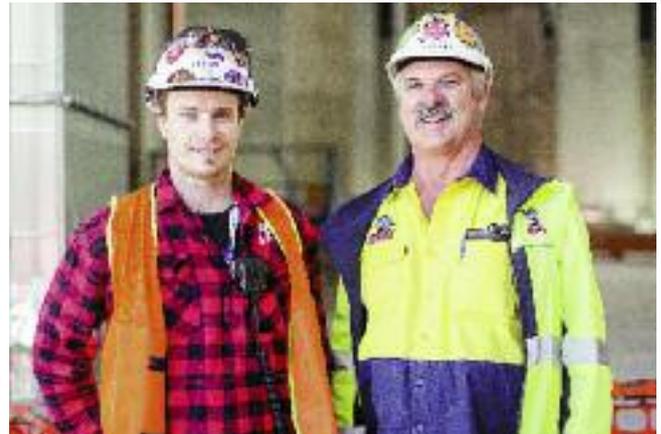
"It proves our investment strategy delivers dividends for members today and into the future. An important differentiator for Cbus is our strategy of long term innovative investment especially in the real economy and built environment."

Mr Fok said Cbus Property's competitive advantage as an arm of a \$40 billion super fund enables it to be one of the few property sector participants with capacity to develop large-scale quality projects that align with property market cycles, and in the case of commercial office buildings, be able to retain these as long term investments.

"Cbus members build our nation so there is a natural symmetry with their superannuation being invested into their industry that creates jobs today and strong returns for a secure retirement into the future."

Cbus is uniquely positioned to deliver value from property and infrastructure because we can leverage the development expertise of Cbus Property into infrastructure investments such as affordable housing, schools and hospitals.

Cbus already has more than 10 per cent of the funds we manage invested in infrastructure such as airports, seaports, toll roads and energy infrastructure.



**SEAN AND MALCOLM PETERS – PROUD CBUS MEMBERS**

Our future investment strategy will focus on the development of quality greenfield infrastructure in Australia ensuring assets are sustainable through a longer-term investment lens.

"While we've had a great year and the overall global outlook is more positive than a year ago, it does change when you look at specific countries or regions. It will be a bit of 'wait and see' for what the next year holds, but we're expecting it to be a more challenging year to generate returns" said Mr Fok.

Trish Donohue, Group Executive Investment Services & Solutions said that Cbus' funds under management have grown significantly from \$34 to close to \$40 billion over the year. This strong growth has reinforced the strategic decision made to bring greater investment expertise in-house to better manage investment decisions and the long-term performance of the Fund's investments.

"During the next year we will increase the allocation of funds being managed in-house by our investment team. This will help keep downward pressure on investment fees for members and open up even more investment opportunities," Ms Donohue said.

It's yet another initiative aimed at improving the super balances of Cbus members.

**If you have any questions about your super, contact Cbus workplace coordinator Phil Milne on 0412 406 348 or ring 1300 361 784**

<sup>1</sup> Based on the crediting rate. Since inception to 30 June 2017, the crediting rate is the return minus investment costs and taxes, the Trustee Operating Cost and reserves. Excludes administration fees. Past performance is not a reliable indicator of future performance.

<sup>2</sup> Estimated jobs since 2006 to June 2017 based on inductions for completed and committed developments.

# Farewell Jimmy Reid. We'll never forget you my son!

By now you will all know the devastating news of the passing of Jimmy Reid. I wish to pass on my respects to Jim and my condolences to Jimmy's family.

Both Jimmy Reid and Bob Olsen worked with a young Kevin Reynolds to shape this Union into the strong organisation it is today.

In the days just prior to his passing I was fortunate to spend valuable time with Jimmy talking about the old days. He said he wanted to be remembered for his deeds at the BLF warrior. While Jim supported the CFMEU, his heart was as a BLF warrior, that's how I will remember him. Jimmy was and will remain in my memoirs as an exceptional organiser with the BLF union for 20 years and about another 10 years with the CFMEU.

Jimmy devoted his life to the working class when times were very tough – shocking conditions, no amenities, and low wages as well as very poor safety standards.

When Jimmy started as an organiser, the Union was so financially poor they had to wait until workers paid their dues to receive their wages. Underemployment was rife, but the BLF crew started to organise for workers interests over employers interests, dignity and respect for each other, no freeloaders.

Jimmy, like so many others went without, so workers could one day have a plentiful future.

Jimmy asked; "What you can do for your workmates, not for yourself? How can we stand up for each other?" He realised workers can't win alone, they can't fight for better wages by standing outside the ring!

Jimmy had a heart of gold. He was a great comrade, a gutsy fighter for construction workers. Jimmy proudly flew the Eureka Flag at the beach front side of his home near the Ocean Reef Marina.

Old times – Jimmy at a function with Kevin Reynolds, Mark Binstead, Kim Young and Bob Olsen amongst others – he was a True Blue BL.



A proud moment when Jimmy received his Life membership from Mick Buchan

To me, Jimmy was a close workmate, a friend, one of the great BLF legends. Like myself, everyone who knew Jimmy, knew him as Loyal. His loyalty to the Rank and File could never be questioned.

Jim was one of the last true blue old school working class heroes. Jimmy was staunch BLF though and though. He never ratted on his mates. As an official, who always stepped up to the plate, he was one of the best recruiters of members that I have ever known. Jimmy understood that holding a financial card of the union is much more than paying your way – it's about proudly showing to your workmates a commitment that you are not alone. It says 'I stand beside you, we are one.'

I must say in closing "thank you Jimmy, for the benefits that construction workers enjoy today". You and your colleagues achieved benefits such as superannuation, redundancy, long service leave, annual leave, RDOs and decent site amenities. I will always remember people like Jimmy, he will be sadly missed.

Someone once said, upon meeting Jimmy for the first time, that he could make them feel as though he had known them all his life. Perhaps it was Jimmy's friendly trademark greeting: "Hello my son".

Well my son, you've done us proud.

**Rest in Peace my friend. A true blue BL.**

# FIGHTING ON BOTH FRONTS

**These days we have to fight on both a Political and Industrial front to achieve real results for the Construction Industry and CFMEU members.**

The WA Labor State Conference 2017 was held over 2 days on 26 and 27 August 2017. This was WA Labor's first State Conference in Government, in over ten years and was a significant moment for WA Labor members and affiliated unions such as the CFMEU.

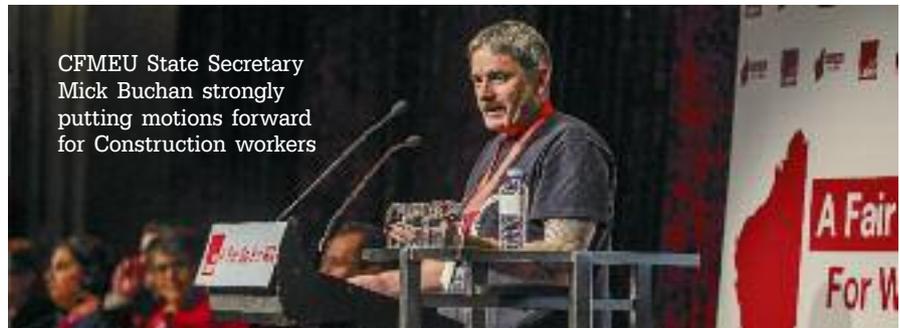
By way of background, State Conference is the dominant governing body of the WA Labor Party, with the decisions of State Conference binding all sections of the party. State Conference is an opportunity for the CFMEU to shape policy for the future of its members, to showcase the CFMEU's priorities for the future and to set WA Labor's platform and rules for 2017/2018.

Importantly, State Conference 2017 was the CFMEU's first conference as part of the Progressive Labor team. Progressive Labor is a newly formed group of like-minded unions and rank and file members of WA Labor which seeks to reinforce and refocus WA Labor's commitment to working people and their rights at work.

The CFMEU sent a large delegation of our members to the State Conference 2017. Our delegation had a single objective – to prosecute our members' case for better wages and working conditions for construction workers. In that regard, the CFMEU was highly successful.

The CFMEU put forward an extensive agenda, proposing structural and legislative reform in the areas of State Government procurement, occupational health & safety, industrial relations, trade regulation and compliance, labour hire compliance, the restriction of products from overseas and workers compensation (among other things). All of the CFMEU's proposed changes to the WA Labor party platform were accepted unanimously. A resounding success.

Further, the CFMEU set the industrial



CFMEU State Secretary Mick Buchan strongly putting motions forward for Construction workers

relations agenda at the conference and cemented its position as the principal union representing construction workers and their industrial interests in Western Australia.

Our State Secretary Mick Buchan made it abundantly clear to the WA Labor party and the State Government that the CFMEU makes it a key priority to scrutinise industrial practices, workplaces and conditions as a part of representing our members' interests and to ensure our members and the broader construction workforce are protected, and will not stop until we see real change for its members.

In addition, the CFMEU highlighted WorkSafe's appalling record on occupational health and safety, the scourge of unscrupulous labour hire firms in the construction industry which exploit and underpay our members, the risks associated with the rise of the FIFO workforce and other long distance commuting, the prevalence of unskilled and unqualified workers in the construction industry and principal contractors who fail to comply with occupational health and safety standards and breach other statutory obligations.

I must take this opportunity to thank all those delegates who attended over the State Conference weekend. I hope you feel proud of your achievement in ensuring that the CFMEU grows its influence in the WA Labor Party and the CFMEU continues to demand structural change in the industrial relations landscape. I must also extend a special thanks to our State Secretary Mick Buchan,

Trista Saville and Kelly Karolak. Your dedication and unwavering commitment to the union was instrumental to our success over the weekend.

Having regard to all of the above, now we have set the agenda, we need to build. You might say that the real work starts now. I will lobby the State Government relentlessly to ensure that the structural changes within the Western Australian construction industry proposed at the State Conference are implemented. In saying this however, I need your help.

A common complaint I receive from our members is that the Labor Party has lost its roots, lost its grounding in the labour movement. For those of you who are of that view, I would say one thing – join the Labor Party.

Join the CFMEU's Construction & FIFO branch.

Together we must change the party from within, together we must fight on both fronts. If our members are not involved, we are unable to organise and change the course of policy to the betterment of our members.

We have a real opportunity and we are relying on you to help make real changes.

**To join the fight on both fronts, join our Construction & FIFO Branch. Fill out and return the form inside this journal. Please do not hesitate to contact me, Steve Catania at our office on 9228 6900 or email me at [scatania@cfmeuwa.com](mailto:scatania@cfmeuwa.com) for any assistance. WE NEED YOU!**

SEE OVER FOR A SUMMARY MOTIONS SUCCESSFULLY CARRIED ▶

# Our members get a v

## SUMMARY OF MOTIONS PASSED AT STATE WA ALP CONFERENCE – FOR CONSTRUCTION

### ABCC/FWBC

The CFMEU moved a resolution to condemn the anti-worker Australian Building and Construction Commission (ABCC) for prosecuting approximately 530 construction workers in Western Australia for supporting their industry to ensure better pay, improved safety and the creation of local employment opportunities.

### ABCC

The CFMEU moved a resolution to ensure WA Labor recognises the ABCC is undemocratic and unnecessary, given there are existing industrial laws that encompass all industries and working people across Australia. Construction workers should not be isolated and subject to oppressive laws.

The CFMEU further congratulated the Federal Parliamentary Labor Party on its commitment to abolish the ABCC upon gaining government

### Worksafe

The CFMEU moved a resolution supporting the announcement that the WA Labor Government had commenced an Inquiry into WorkSafe, however outlined a number of required that as a result of the Inquiry, the WA Labor State Government will institute a legislative regime to:

1. Ensure WorkSafe inspectors regularly undertake random, unannounced and targeted inspections of workplaces;
2. Assess the competency of WorkSafe inspectors to ensure the highest quality inspectors are employed within WorkSafe;
3. Assess the remuneration of WorkSafe inspectors to ensure WorkSafe inspectors receive wages commensurate to the

industry they are working in;

4. Establish the right for unions to prosecute employers for breaches that affect the workers that they represent;
5. Incorporate a system of "on the spot fines" to motivate the creation of a more effective safety framework by principal contractors and employers;
6. Promote a "self-funding" model for the WorkSafe system, including the review and implementation of 'on the spot' fines;
7. Increase and broaden the scope of penalties under the legislation to encompass the hierarchical chain of command of employer organisations; and
8. Ensure that penalties for employers are reflective of the seriousness of the harmful act.

### Worksafe

The CFMEU moved a motion condemning the previous Liberal Government's cuts to WorkSafe. WA Labor recognises that these cuts have had the effect of:

1. Abolishing WorkSafe inspector positions;
2. Reducing support positions for WorkSafe inspectors, causing WorkSafe inspectors to spend more time at their desk instead of at workplaces; and
3. Reducing WorkSafe's ability to perform its functions in regional and remote areas of WA.

### Workcover

The CFMEU moved a motion for the WA State Labor Government to develop and implement the structural changes to the Workers' Compensation and Injury Management Act 1981 ("the Act") so that in broad terms, workers injured by negligence

of their employer are not worse off than other West Australians.

### Subcontractor Compliance

The CFMEU noted concern at the high number of companies operating in the construction industry that use phoenix contract arrangements, sham contracting and other non-compliant contractual arrangements to avoid their lawful industrial employment obligations.

Having regard to the above the CFMEU called upon the WA Labor State Government to:

- a) Hold principal contractors to account for the actions of their subcontractors;
- b) Analyse the benefit of implementing a statutory requirement for a trust scheme on State Government jobs to protect payments to contractors and their employees;
- c) Implement effective government sanctions on principal contractors that use companies who engage in pyramid subcontracting and sham contracting arrangements; and
- d) Apply a vigorous auditing process to hold principal contractors and employers to account.

### Imported Products

The CFMEU understands Western Australian Consumers have the right to know that imported products meet Australian Standards for safety and quality.

Having regard to the above, the CFMEU moved a motion calling upon the WA State Labor Government to support an intelligence led risk based approach to standards compliance on imported products with a particular focus on cladding, glass, insulation and plumbing. This approach will include:

# voice on their issues:

1. New and invigorated processes for sampling;
2. Testing;
3. Labelling;
4. Penalties for false and misleading conduct regarding claims for failure to adhere to regulation and standards;
5. Appropriate governance and regulatory mechanisms will be formed through consultation with governments, unions, industry and other stakeholders.

## Procurement Policy

The CFMEU moved a motion calling upon the WA Labor State Government to, within its first term of Government, rescind the *Western Australian Building and Construction Industry Code of Conduct 2016* and introduce a procurement policy which considers a new building code prohibiting principal contractors and or sub-contractors who breach employment law, fail to comply with occupational health and safety standards or breach other statutory obligations from tendering for State Government projects.

This will include principal contractors who engage sub-contractors (whether or not on State Government funded projects) who breach employment laws, occupational health and safety standards or don't comply with their statutory obligations from tendering for State Government projects.

## Licensing of Labour Hire Firms

The CFMEU moved a motion for the WA State Labor Government to review the QLD Labour Hire Licensing Bill 2017.

The CFMEU supports the adoption and implementation of similar legislation in Western Australia to provide the legislative framework for the licensing and regulation of labour hire services and related matters in

the Western Australian construction industry. Once this legislation is enacted, it will combat the exploitation and underpayments in the labour hire sector.

## Portable Long Service Leave

The CFMEU called upon the WA State Labor Government to develop and implement amendments to the *Construction Industry Portable Paid Long Service Leave Act 1985* to include the following:

1. Long Service Leave payments to workers be based on their ordinary time earnings including any allowances or loadings paid to workers during ordinary hours of work;
2. Long Service Leave contributions by employers to be based on the ordinary time earnings of their employees including any allowances or loadings paid to workers during ordinary hours of work;
3. Construction work performed on ships, on Offshore Vessels, Off-shore Platforms, Rigs, Barges, FPSO's to be included in the scope of the Construction Industry Portable Paid Long Service Leave Act 1985;
4. The period in which accrued Long Service Leave will be forfeited be extended from 2 years to 5 years; and
5. The time for which employees can access their Long Service Leave be reduced from 15 years to 10 years.

## Industrial Manslaughter – Civil Penalty Regime

The CFMEU moved an amendment to the WA Labor platform to implement significant civil penalties for employers which cause a person's death during work.

## Fair Work Act Amendment

The CFMEU noted with serious concern the most recent developments in federal

industrial legislation being pursued by the Turnbull Coalition Government.

In particular, the CFMEU notes the terms of the *Fair Work Amendment (Corrupting Benefits) Bill 2017* and the *Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2017*.

This seriously flawed legislation represents the latest concerted attack by the Turnbull Government on organised labour and the most fundamental labour rights such as freedom of association.

Moreover, the Government's stated intention with these Bills of improving union governance and protecting the public interest is completely disingenuous. In truth, these laws are designed to provide a thin cover for their attacks on outspoken trade union critics, the longstanding connection between the ALP and the Australian trade union movement and to help generate criticism of parliamentary colleagues who have a trade union background.

## Trade Licensing

The CFMEU moved a motion for the WA State Labor Government to develop and implement a licensing and registration requirement for tradespersons working in the commercial construction sector engaged on projects over \$5 million.

## Apprenticeships

The CFMEU moved a motion calling upon the WA Labor Government to implement an amendment of the Priority Start Building Programme to ensure any sub-contractors tendering for contracts which involve trade work on State Government projects, have at least 5% of their total workforce including all other related entities engaged as apprentices (or through group apprenticeship arrangements).

# The CFMEU is delivering for our industry and its members.

## WE CAN DO MORE WITH YOUR SUPPORT.

The more CFMEU members we have in our own Construction / FIFO WA ALP branch – the more we can achieve for workers and our industry.

Leading up to and at the recent WA State Labor Conference we worked extremely hard to develop motions and to have them all successfully carried to become part of the WA ALP policy platform. We ask all CFMEU WA members to join our WA ALP Construction FIFO branch – we need to fight and win both politically and industrially, to change bad and unfair laws where they exist and to bring in new laws where they are most needed, we can best do that with more members in our WA ALP branch.

*Join us now. Please fill out the enclosed membership form in this issue of the journal and return it in the reply paid envelope.*



# A lifetime building our future

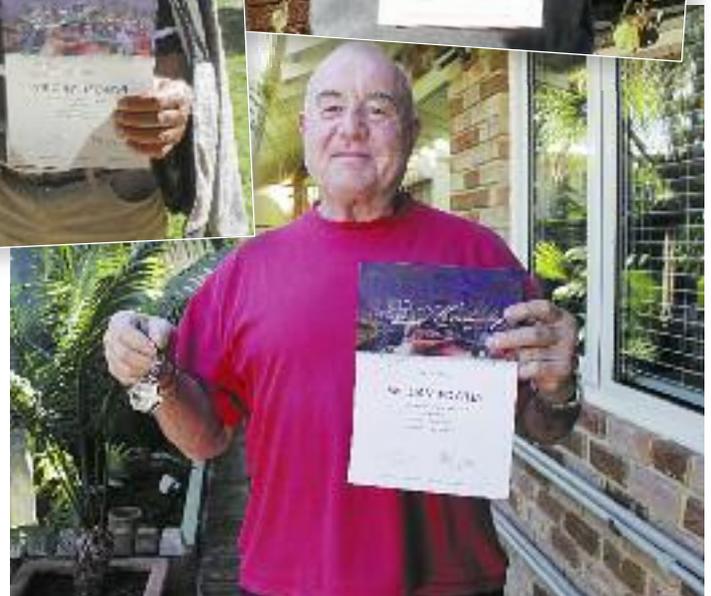
What an absolute pleasure it is for our Executive to award Life Memberships to those members who have achieved at least 25 years continuing membership and in the process built our great city and state.

Each one that welcomes us into their home for presentations is as proud as punch to receive their Life Membership Certificate and Medallion. More importantly, these workers stood up for what they believed in over many years, to fight for the conditions we have today. That struggle still continues and the onus is on all of us going forward to keep standing up for our rights. We need to continue building for the future.

Dare to struggle. Dare to win.

## DON'T FORGET – YOU'VE EARNED IT...

We look forward to seeing all our Life Members at the end of year Christmas Cruise. Keep an eye out in your letterbox for details and RSVP as soon as you can.



**BE PAID UP AND PROUD. JOIN THE CFMEU WA ON-LINE AT [WWW.CFMEUWA.COM](http://WWW.CFMEUWA.COM) OR CALL 9228 6900**

# Roebourne Art Group Opening



The Roebourne Art Group (RAG) was officially opened on Friday 20 July 2017. Several CFMEU construction representatives attended, including Graham Pallot. The CFMEU construction division played an instrumental role in supporting the indigenous art group in Roebourne to open their new premises after being evicted from a workshop they had resided in for many years. The old workshop was condemned under the Public Health Act and the RAG had to act swiftly to seek alternative accommodation. After searching for some time, the group were provided with a 3 year lease on the old Roebourne Jail. This historic site may not have good memories for the local traditional owners, however senior Ngarluma elder Violet Samson said "We are going to turn the bad memories into good ones, by painting

from here. We want to encourage young ones to come and join us, too. So we are teaching them about history, culture and getting them into jobs". The artists at the art group paint full-time and that is their main income source.

The old jail facilities were in a very poor state before the group moved in. CFMEU North West Organiser Paul Ferreira was invited by the elders to conduct a walk around the building and inspect it for any potential work which would have been needed to be carried out before the artists began painting from there.

Many faults were found. The major one was a toilet which had not worked in years. The owner had never maintained it. The CFMEU volunteered to assess the damage/fault with the toilet. A tree was found to be growing

under the pipes; the roots went into and blocked them. It took several weekends of work, to remove the tree. The toilet is not in working condition. Inside the Jail, CWC Ceiling fixers mounted a ceiling frame so lighting could be hung. Peak Electrical provided the electrical trades people to wire up the lighting and installed extra RCD as a safety measure.

RAG presented the CFMEU and other trades with pieces of canvas art in appreciation for the time and effort getting the Roebourne Art Group back up and running.

The art work has been donated for our Trades Hall building.



## Bike Ride against domestic violence

A big thank you to all our members who backed the CFMEU Team that recently rode the Ride Against Domestic Violence, to raise some much needed funds for women's refuges.

In particular the boys and girls out at the new Stadium who dug deep and contributed hard. CFMEU members raised over \$10,000, and once again showed us to be leading the way socially as well as industrially. Well done!

Andy Otter, Zvonimir Mikulic and Kevin Sneddon from the CFMEU, along with politicians, business leaders and comrades from the MUA, SDA and Unions WA, rode 300 kms over two days from Busselton to Perth to raise both funds and awareness. It was a great ride and the CFMEU crew did a fair amount of work out the front with Zvon in particular hauling the rest of us along.

The CFMEU will be supporting the Ride Against Domestic Violence again in 2018 so, if you've got a bicycle and a Union ticket and you want to spend a couple of days riding for a great cause, then please get in touch with Kevin Sneddon at the Union office and he'll give you the details.

### UNION RIDE FROM TRADES HALL

Whilst the CFMEU boys were racking up the kilometres in the Ride Against Domestic Violence there was a suggestion that we should do a regular Union ride from Trades Hall. Blame Andy Otter, I'm pretty sure it was his idea. Anyway, the idea would be for us to meet up, knock out a 50/60 kms ride and then have coffee/beer and talk up how good we were.

At this stage we'll look to do the first one in October and we'll put up a few posters around the jobs beforehand to give you some notice. If anyone has any ideas they'd like considered, then get in touch with Kevin Sneddon at the Union office.

This is a good opportunity to get out there with like-minded people and get a bit of exercise. It'll be a social ride and, as to be expected, we'll leave nobody behind. So get in the shed, pump up the tyres and come join us.

# CFMEU WA RDO John Cummins Golf Day Fundraiser

It was a wild and blustery day on the golf course to raise funds for the John Cummins Memorial Fund, which was established to honour the legacy of John Cummins who died in August 2006 as the result of a brain tumour.

This year there was lightning, hard rain and wind. But even though the day was cut short to 12 holes, everyone braved the conditions for a good cause.

Funds raised go to support the wellbeing of cancer patients diagnosed with a brain tumour and also social inclusion of young people experiencing financial disadvantage through funding our Dare to Dream Scholarship Program and targeted team sporting activities.

This year we raised over \$20,000 and 50% of proceeds from the WA Golf Day will go towards the disadvantaged in WA. Thanks to Di Cummins and all those who participated and contributed. Well done.

Modesty forbids us from telling you the CFMEU team won this year's Cup! After many years of struggling, we finally won. We donated all prizes back to the fund. Congratulations to all the prize winners on the day especially David Bernhadson for a hole in one!

You can see all the pics on our Facebook page CFMEUWA



Left: David Bernhadson had a ball with his Hole in one!

Below: Mick Buchan with Di Cummins, Anne Crowley and Phil Kennedy.



# CSTC Launch new Crane and School Leaver Courses

**BOOK NOW  
PLACES LIMITED**

The CSTC WA recently unveiled its new tower crane which is now fully operational and available for course training. The commissioning was attended by Samantha Rowe (who officially cut the ribbon), Barry Urban, CFMEU WA Assistant Secretaries Graham Pallot and Cam McCullough, among others. The new tower crane is without doubt the finest, most advanced tower training crane in the state if not Australia. So, book yourself a course and get ready to go up in the construction world. Remember financial CFMEU WA members get 25% off courses.

## SCHOOL LEAVER COURSES KIDS IN CONSTRUCTION

The CSTC is also pleased to announce a special range of courses for school leavers this year. Please call us on 9358 6501 for more details if you have lids looking for a career in construction. Watch out soon for our new website, in the meantime go to [www.cstc.com.au](http://www.cstc.com.au) to see a full range of courses on offer.

**SCHOOL LEAVERS SPECIAL** **QUALITY TRAINING**

Are you about to finish year 11 or 12? Unsure of what you want to do as a career?  
Are you looking to get into the Construction Industry?  
CSTC are giving school leavers the opportunity to enrol onto skilled courses as an introduction into the Building and Construction Industry.

**FOR THOSE UNDER THE AGE OF 18**

COURSES	SPECIAL PRICE
CP000HS1001A Work safely in the construction industry (White Card)	\$40
CP000HS1001A Apply for a position and procedures in the construction industry	\$100
RFWHS0202D Work Safely on Scaffolds	\$100
RFWHS0202D Work in confined spaces	\$100
First Aid - HLR010001 Apply First Aid	\$100
MEM110178 Undertake Manual Handling	\$100

**FOR THOSE 18+ YEARS**

COURSES	SPECIAL PRICE
CP000HS1001A Work safely in the construction industry (White Card)	\$40
CP000HS1001A Apply for a position and procedures in the construction industry	\$100
RFWHS0202D Work Safely on Scaffolds	\$100
RFWHS0202D Work in confined spaces	\$100
First Aid - HLR010001 Apply First Aid	\$100
MEM110178 Undertake Manual Handling	\$100
TLLJG2009 Licence to operate a forklift	\$100
TLLJG2009 Licence to operate boom type elevated work platform tower	\$120
CP000HS1001A Licence to operate a motor vehicle	\$170
CP000HS1001A Licence to operate a personal motor vehicle	\$100
MEM110178	\$100

Courses are for a limited time frame and bookings are essential  
Dates will be scheduled for the November 2017 to January 2018 Holiday break  
Please contact CSTC for more details on course dates for this great opportunity

To be eligible for the following conditions apply:  
You must be able to provide proof of all the below conditions:  
- School Leaver & Card  
- Applies only to the year 11-12 School leavers between the ages of 17-24  
- No other subsidy or rebate will apply to these special prices  
\*\* Drive and a valid license to further electronic app.

Contact: [training@cstc.com.au](mailto:training@cstc.com.au) [www.cstc.com.au](http://www.cstc.com.au) [facebook.com/CSTCWA](https://www.facebook.com/CSTCWA)



Like us on Facebook at CSTCWA for updates on course available.



# CFMEU

THE UNION THAT **BENEFITS YOU**

- Free travel Insurance
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- Funeral cover
- Legal advice
- Health and insurance savings
- Savings on optical glasses
- Member benefits discounts
- Free Counselling services MATES in Construction

**PLUS STRONG  
REPRESENTATION  
FOR BETTER  
WAGES AND  
CONDITIONS**

IT PAYS TO BE A MEMBER. **JOIN THE CFMEU WA.**

Membership Fees are 100% Tax Deductible  
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Go to [wa.cfmeu.org.au](http://wa.cfmeu.org.au)

**CFMEU**

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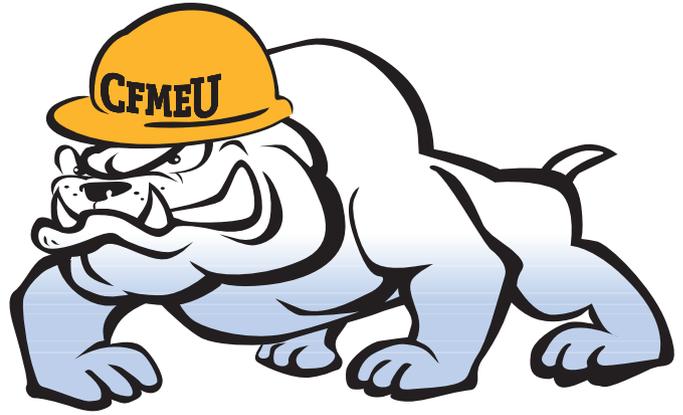
# NO Ticket No Bark!

**Thank you to all our CFMEU members for sending in pics of their pets. Pet dogs ruled the day.**

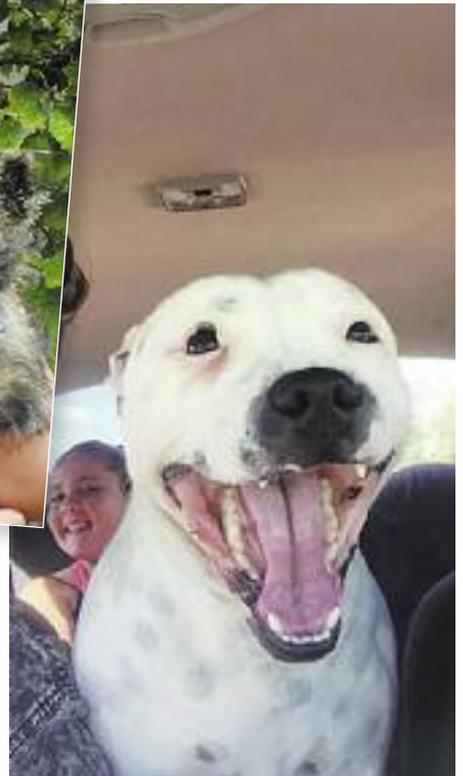
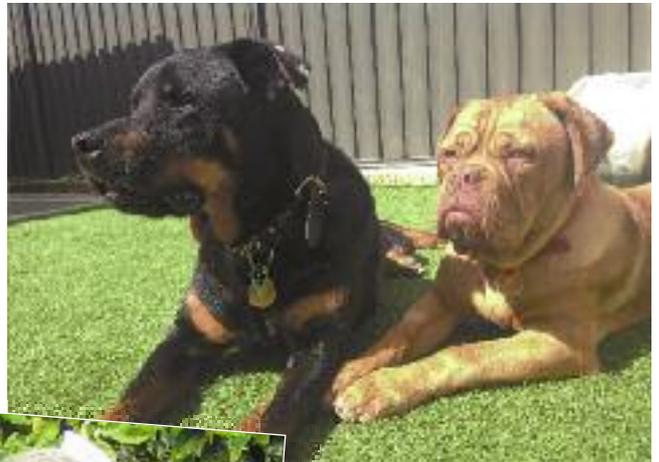
Scaffy the CFMEU wonder dog judged all the contestants and was suitably impressed that all were paid up and proud.

The Winner is TULLY, proud owner Glen Wellington collects a \$50 voucher from Kmart, where there is great selection of pet products. Well done to all who entered.

As Tully says **"If you don't bark, you lose!"**



**Tully the Winner**



# WE BUILT THIS CITY

on time and on budget! Let's continue...

The focus will start to shift back to the city block over the next few months, and I can only say it's a good time to be paid up and proud.

The Perth Museum is kicking along with GMF moving out all the dirt for the basement area and GFWA appointed to do the piling – Formwork hasn't been appointed as yet. Stay tuned for developments with Multiplex as we go forward. Better still, attend the monthly members meetings to get updates on what's going on. Or call me on 0427 244 141.

Down at the Double Tree Hilton site we've had a major issue with labour hire, with GoTo being undercut by Hays, and existing workers suffering loss of jobs and new workers to the site on even less.

As we know labour hire is a scourge on our industry. It's why your union through, our Construction Labor party branch, has moved a motion which was carried successfully at the recent WA Labor State conference to shake up labour hire by forming a policy to have it regulated, and licensed with massive penalties for rogue operators to weed out the cowboys. Watch this space – We ARE fighting back! But we need your support! Join our WA Labor branch!

Pro-Build are doing the NV Apartment job in Murray Street with 'Deano' as the Steward. GFWA have won the piling contract.

Watch out for a company called Capitol Demolition. They're doing a better job of demolishing safety, rates of pay and conditions. Their safety is atrocious with no public protection, No Gantry's etc. We have complained to Worksafe about how they operate but...guess what!!! Any problems or concerns with this mob of cowboys let us



Perth Museum: Union Built would be Quality Built – on time and on budget!

know!

The RITZ Hotel at Elizabeth Quay is powering out of the ground with CASC and GCS down there on the job.

The Raine Square redevelopment with BUILT at the helm has kicked off – if you are financial please call me for a list of subbies. On the subject of BUILT, they introduced a flipper crash protection deck over the top of the elemak at the QT Hotel in Hay Street ensuring there is no potential of objects falling on pedestrians – all credit to BUILT for better safety practices.

Yagan Square continues to run and run and run. Doric might finish it one day! What a disaster at taxpayer's expense. Yet another example of the previous Barnett government being pennywise and pound foolish.

On the contrary, Delta is doing a great job

with the QV1 Hotel refurb.

A big vote of thanks to all those who supported the John Cummins Golf Day held on the August RDO. Over \$20,000 was raised to help worthwhile causes within the John Cummins Memorial Fund and here in WA.

## MAKE CHANGE HAPPEN

Finally I ask all members to help us change bad laws, and introduce new laws where they are needed to improve things for our industry and all construction workers.

We need to fight on both an industrial and political front.

So, please join our construction branch of WA Labor. It's easy and costs from just \$25 per year. Call our CFMEU Political Organiser Steve Catania on 9228 6900 or email Steve [scatania@cmfeuwa.com](mailto:scatania@cmfeuwa.com)



LABOUR HIRE COMPANIES UNDERCUT GOOD WORKERS AND THEIR LIVES - TIME TO STAND UP AND FIGHT BACK!

# Gearing up for more jobs and EBA's...get into the union NOW!

First of all, if any member is interested in current and future projects in the Northern Suburbs area please call Brad Upton on 0488 770 857 or email [bupton@cfmeuwa.com](mailto:bupton@cfmeuwa.com)

Having said that, the Northern Suburbs is expected to have a mini boom over the next 2 or 3 years, compared to what it's been like recently.

Meanwhile down at Claremont Oval work is progressing with EBA formwork company Advance doing a great job with all the workers being paid accordingly. Good to see – join the union! Get an EBA!

Word has it that the massive redevelopment of Karrinyup Shopping Centre will start in January next year – let's hope so as we all look forward to more work after the Christmas period. Innaloo's redevelopment is also due to kick off at the same time. Keep in touch. Be in the union.

I just want to say that Rob Pearson, our delegate on the Lend Lease SAS Barracks, is doing a top job – who dares wins!

Stage One of the Whitfield's City redevelopment by Scentre is all but complete. At the time of writing all the crew have been working their butts off to meet the deadline, so it will be ready ahead of the Christmas shopping period. Union quality – built on time! Well done to our delegate Glen Hawkins for running a tight ship.

There's a massive tower apartment and retail project development at Scarborough Beach being discussed, with the plans at local Council. If it goes ahead it will change the face of Scarborough and deliver plenty of jobs – watch this space.

EBA's are being signed up with Finlay's Advance, Ceilcon, FMA, RAC Windows and



Proposed Oceans 3 high rise for Scarborough Beach

Sword Labour Hire (one of the better ones) coming on board.

## LIFE AFTER GORGON AND WHEATSTONE?

As the major projects wind down in the future – workers will be looking to switch to good jobs down in Perth. My advice is to stay with the union and keep in contact about what's happening. You are always welcome to email me at [bupton@cfmeuwa.com](mailto:bupton@cfmeuwa.com) or call 0488 770 857.

We recently had the State Conference of the WA ALP. We were hugely successful in getting up all of our motions, which are now on the ALP policy platform. (See full report this issue).

For years construction workers have been on the sharp end of shit laws and it's time to change them and also introduce new laws

where workers have had little or no protection.

*Join us in the fight and join our Construction branch of the WA ALP – see me for details or call our CFMEU political organiser Steve Catania on 0438 240 484.*

## MEMBERS MEETINGS

It's critical that all members make an effort to attend our members meeting on the 2nd Wednesday of each month – if you want to know what's going on, or to have your say, be there.

## BE PAID UP AND PROUD, REMEMBER 100% IN 100% WIN.

If anyone wants to join they can contact me or join online at [www.cfmeuwa.com](http://www.cfmeuwa.com) existing members can also renew their dues online.

# Working hard for our members

**Things are still ticking over in the off-site and forestry areas with a steady flow of enterprise agreements starting, continuing or in negotiation and a heap of other goings on in and around the area.**

The glaziers out at O'Brien Glass recently started the renegotiation of their agreement and were offered a two year agreement with a wage increase of 2% each year. The downside for the longer term employees was that the company wanted to take away their recruitment and retention bonus, worth around \$5,000 a year, and as a result of that the agreement was voted down. So we'll be heading back to the table. Our two reps, Liam and John, were not only new to bargaining but also new CFMEU members and they took on the role without hesitation, good job brothers!

We're currently in negotiation with the Cities of Perth and Rockingham. Perth has been going on for a while now and we're getting to the tail end with a few issues around workplace training and the wage increases still being discussed. Down in Rockingham our membership numbers have jumped from 2 to 10 with a couple more still to get. Their new agreement will include a proper classification structure for both the landfill plant operators as well as the building trade's employees. Our delegate Luke and safety rep Seth are both proudly flying the CFMEU flag.

The members out at Acrow Formwork and Scaffold are also negotiating their new agreement and it looks like at this stage it will be a roll-over with increases of around 2% per year for the life of the agreement. We'll also soon be starting negotiations with the maintenance workers at the Department of Defence sites around Perth and the greater metro area.

Over at Crown Casino an issue is brewing for our continuous shift members. CFMEU delegate Mick and his off-sider Gary came across a clause in their agreement that didn't seem to be being followed by Crown. The issue was raised with management and HR to get an understanding of their interpretation, which we believed was wrong, but they insisted was right. The members offered a solution that would have easily fixed the issue but Crown weren't interested which only left us with one option which was to go to mediation at Fair Work. Both the CFMEU and Crown put their arguments forward at mediation.

At this point we are no closer to reaching a solution and it will now be arbitrated for an outcome. The members at Crown have stuck fat and are prepared to go the distance, they don't care if they win or lose but they're making sure they've had the fight.

Things are also going well over in the Forestry Division with membership slowly increasing across the sites. Our members are spread across the metro area with door



**Need help or advice off-site or in Forestry? Call Aaron Mackrell**

makers in Canning Vale and Carlisle, timber workers up in Neerabup, distribution workers in Welshpool and Bibra Lake and also some members based in Albany and Manjimup as well.

As you all know very well we're always recruiting so if you know anyone working in the off-site or forestry areas give them my number and we'll get them signed up. 0403 432 221 or email [amackrell@cmfeuwa.com](mailto:amackrell@cmfeuwa.com)

## MAKE CHANGE HAPPEN

Finally I ask all members to help us change bad laws and introduce new laws where they are needed, to improve things for our industry and all construction workers. We need to fight on both an industrial and political front.

So, please join our construction branch of WA Labor. It's easy and costs from just \$25 per year – call our CFMEU Political Organiser Steve Catania on 9228 6900 or email [Steve Catania](mailto:scatania@cmfeuwa.com)

# It's time to draw a line in the sand



*It seems these days we all know what the problems are. We hear about them every day. But things won't change if everyone is running, jumping, standing still. The only way ahead is through collective strength. That's the majority of all workers in the union. You can't win a footy game with only half a side, it's 100% in for 100% win!*

It's time to draw a line in the sand to stand up and fight for better outcomes across the entire industry. So, if you want real change, join the union, call me if you are financial on 0419 812 871 or sign up on our website at [www.cfmeuwa.com](http://www.cfmeuwa.com)

## PROJECT INFORMATION

There are jobs on the go and projects about to start up including Bitumen Plants in Kwinana, Water Treatment at Henderson, Lithium Plant in Kwinana and the Kwinana Nickel Upgrade, Filtration Plant Alcoa Refinery Pinjarra, various shut downs and Kings Square in Fremantle.

Want more info? Call me or email [tsmart@cfmeuwa.com](mailto:tsmart@cfmeuwa.com)

Keep in mind also that if you want to chat about issues or would like to join the union off-site give me a call to set a time and meeting.

Negotiations now also underway for new EBA's with Freo Cranes and Booms at the Kwinana yards. Stay strong.

AMP Capital Shopping Centres is progressing with plans to redevelop Garden City Shopping Centre. The development of Garden City will increase the size of the centre from 72,000 square metres to approximately 120,000 square metres and, once completed, it will be WA's largest fashion and leisure destination.

## MAKE CHANGE HAPPEN – CHANGE THE RULES

Talking about making change: we need to fight unfair laws and abuse of power by companies on both an industrial and political front. The pendulum has swung too far in favour of employers.

Your union is fighting back and winning through our own WA Labor branch. Already our efforts have seen the bridge to the Footy Stadium brought back from Malaysia to be built in WA. Think about joining our branch from only \$25 per year.

Call CFMEU Political Organiser Steve Catania for more details on 0438 240 484 or email [scatania@cfmeuwa.com](mailto:scatania@cfmeuwa.com)

## SEE YOU THERE

It's about time we saw you at the Members Meeting. It's on the second Wednesday of each month at Trades Hall 80 Beaufort Street Perth at 5pm. Try and make an effort to be there. And bring any workmates if they'd like to sign up. Get info on all new projects and jobs coming up.

**100% in 100% win.**

OCTOBER						NOVEMBER						DECEMBER					
M	30	2	9	16	23	M	6	13	20	27	M	4	11	18	25		
T	31	3	10	17	24	T	7	14	21	28	T	5	12	19	26		
W		4	11	18	25	W	1	8	15	22	29	W	6	13	20	27	
T		5	12	19	26	T	2	9	16	23	30	T	7	14	21	28	
F		6	13	20	27	F	3	10	17	24	F	1	8	15	22	29	
S		7	14	21	28	S	4	11	18	25	S	2	9	16	23	30	
S	1	8	15	22	29	S	5	12	19	26	S	3	10	17	24	31	

# North West not all Gorgon and Wheatstone

As the Wheatstone project starts to wind down and work in the North West is starting to get a bit scarce, other projects are starting to kick off. The Pilgangoora Lithium-Tantalum Project is finally kicking off with the substandard RCR North West Agreement. On the positive, side that agreement expires in October, which will give workers an opportunity to fight for better wages and conditions.

Right next door to the Pilgangoora site is the Altura Mining Lithium Plant which is being constructed by CIVMEC. This project is well underway.

Another project that has kicked off is the Pilbara Port Authority Control Tower being built by Pindan.

Hopefully 2018 will provide job opportunities in the North West with the Newman hub looking at a couple of major projects kicking off. Rio Tinto Kodiacrie is moving ahead with Worley Parsons being awarded the head contractor to build this mine. BHP South Flank have initially awarded Decmil a package of works to build the camp and Flour the main contractor to build the \$3.2 billion Mine which will provide a much needed jobs boost.

The Balla Balla Project looks to be put back, with final approval expected the second quarter of 2018.

The Karratha Gas Plant has never a dull

moment, with workers being used as an example for the errors of so few. This big stick approach to workers in the downturn of the resources boom seems to be all too common.

On the weekend of the 26th August, I attended the ALP WA State Conference on behalf of the Karratha ALP Sub Branch. The CFMEU moved approximately 30 resolutions. One resolution that I was very proud to move and was seconded by our Union Secretary Mick Buchan was on the Impacts of Mental Health & FIFO workers.

"In recognising that FIFO and other long-distance commuting arrangements have a place in the employment landscape, the State WA Labor Government will implement and legislate all of the recommendations published by the Education Standing Committee of the Legislative Assembly of the Parliament of Western Australia, the impact of FIFO work practices on Mental Health, dated (Report 5 June 2015)".

This motion is the first steps in recognising this issue and allowing government to start putting measures in place to assist FIFO workers who suffer in silence with mental health issues.

As part of the CFMEU commitment to the Pilbara I had the pleasure in assisting the Roebourne Art Group with a small fit out within the Old Roebourne Gaol. See story



Paul Ferreira at State WA ALP Conference

this issue.

As the North West is a very large area, I encourage members to keep me informed with shutdowns and other works that I may not be aware of. This will allow me to try and organise site visits

If you're not a members and are reading this, please sign up. It only takes 6 easy steps to join up online and all union dues are 100% tax deductible. I have also been informed that you can sign up on direct debit <https://wa.cfmeu.org.au/join>

There are a range of Union benefits that members can utilise, just follow this link for further information:

**<https://wa.cfmeu.org.au/member-benefits>**

Finally, Union membership is like a Gym Membership, if you don't show up and participate, you don't get stronger.

If you need any help or advice call me on 0419 812 864

## FIGHTING ON BOTH FRONTS

TAKE UP THE FIGHT INDUSTRIALLY AND POLITICALLY.  
JOIN OUR WA ALP CONSTRUCTION / FIFO BRANCH TODAY!

# We are lucky in Australia



This is perhaps the first time I have addressed the situation of human and workers' rights in Guatemala. There is a long history of struggle over 500 years Guatemalan since colonisation in which indigenous people were "discovered" and robbed of their land by the Spanish conquistadors.

The key issue in Guatemala has always been access to the land, since it was concentrated in just a few hands producing cotton, coffee and bananas for the international markets.

2 million peasants with access to remnant land produce, for their local markets while other work in factories or are part of the 60% unemployed. This situation has created poverty and violence for the majority of the workers and their families.

On 20th October 1944, a people's revolt ended the dictatorship of Jorge Ubico and a democratic revolution took place for a short period of 10 years. During those ten years the revolutionary governments introduced a Labour Code, built infrastructure like roads, rail and took control of the electricity sector. However, the most important decision taken by the government was land reform which gave the land back to the people.

Unfortunately, one of the major landowners, the United Fruit Company, had strong links with the CIA and other powerful forces both inside and outside Guatemala. The

propaganda machine got going, accusing the progressive government of being communist, and together with right-wing sectors and the church a process of destabilisation began. Many of the trade unions and peasant organisations who defended the government took to the streets in defence of the many revolutionary changes and in defence of the government. The US imposed several sanctions against the Guatemalan government and the Organisation of American States calling for the all its members to get rid of the communists in Guatemala. In June 1954, a CIA backed coup overthrew the revolutionary government and a military junta began to repress all those who worked for the government. Thousands were killed and many more sent to prison. It became impossible for workers to freely organise in their unions.

Guatemala lived through 36 years of a dirty war from 1954 until 29 December 1999 when the Peace Accords were signed. For more than 3 decades the US sponsored military dictatorships, who governed the country, committed crimes against the Guatemalan people and in particular the Mayan population.

The people resorted to armed struggle to defend themselves from the military and

formed guerrilla like armies aiming for a military defeat of the Guatemalan army and government. The 80's and 90's were some of the bloodiest years in the country. Guatemala was considered one of the most dangerous places to be a trade unionist or human rights campaigner. Thousands of trade union and popular leaders were murdered or disappeared. The army conducted several massacres killing entire communities.

It is over 20 years since the peace accords and only now the true extent of the atrocities committed against the people is coming to light. Mass graves have been found in former military held areas; some with more than 600 remains. Forensic experts from several countries are using modern techniques to try and identify the victims. The military base in Coban north Guatemala is famous for mass graves as hundreds of people were detained in nearby communities or kidnapped by the government forces, tortured and killed.

The struggle for justice continues, with people getting organised in workplaces and communities, calling on the prosecution of the intellectual and material perpetrators of these atrocities.

***We are so lucky in Australia. But we must always be vigilant and stand up for our rights.***



## FIRST AID COURSES AT TRADES HALL

For your convenience at a central location, First Aid courses are now being held in the city at our Trades Hall office. Get your ticket. For details on upcoming courses please contact the CSTC on 9358 6501

## LABOUR DAY PUBLIC HOLIDAY

### Why not have Labour Day on Labour Day?

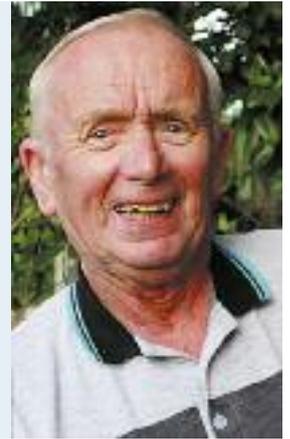
A motion we put at the State ALP Conference. Labour Day (or May Day) is an annual public holiday which is held to celebrate the achievements of workers not only in Australia, but throughout the world.

Traditionally, Labour Day falls internationally on May 1st in each calendar year, however in Western Australia Labour Day falls on the first Monday of March each calendar year. The CFMEU recognises the historical importance of this public holiday, and calls upon the WA Labor Government to review the relevant legislation to ensure that Labour Day is held on 1st May of each calendar year. *GOOD IDEA!*

## VALE JOHN NOWLAN

Jimmy Reid isn't the only legend we have lost recently. Sadly Life Member John Nowlan has passed away. John was a former carpenter and member since 1964. John always enjoyed the Life Member Christmas functions. We thank him for his devotion to the union and for helping to stand up for workers' rights over many years. We'll miss his smile, but will always smile when thinking of him.

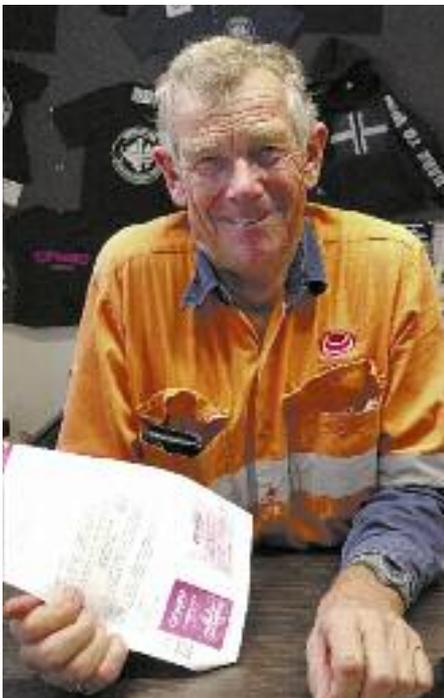
*Our sincere condolences to the Nowlan family.*



## 43 YEARS STRONG

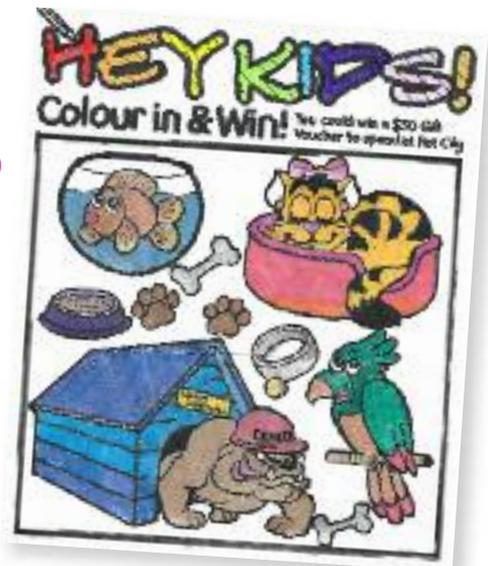
Well done to David Watson who recently came into the office to pay his dues for the 43rd year in a row.

*We can all take a ticket out of David's book!*



## CFMEU KIDS CLUB WINNER

From nearly 200 entries we are happy to announce Madison Loreto as the winner of our CFMEU Kids Club colouring in competition from the last journal. Madison wins a \$50 K-Mart voucher, which we are told she will share with her little sister Brooklyn, who also put in a fantastic effort. Thank you to all who participated.



## Where's Scaffy?

Scaffy was hiding in our last issue on page 1, proudly marching on May Day. Can you find him in this one?

**Look Closely!**

