

CFMMEU

CONSTRUCTION WORKER

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Winter 2018 Issue 2

**KILL
A WORKER
GO TO
JAIL!**



**Inside: Industrial Manslaughter. Salini Tunnel Accident.
First ever CFMMEU National Conference. EBA Update.
Labour Hire Update. BGC Right of Entry Win.
Resources Training Levy Win and more...**



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MAY DAY 2018

SEE THE PICS ON
PAGES 28 & 29

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MEMBERS LETTERS TO THE EDITOR Email : editor@cfmeuwa.com

KILL A WORKER. GO TO JAIL!

We have launched a strong campaign to introduce Industrial Manslaughter laws in WA. These laws are already in other states but not WA. Are WA lives worth less than other states? We don't think so!

For far too long in this state there have been too many deaths and not enough action, from successive state governments. It's time to change the rules and initiate laws to frame a new mind set around safety by employers who continue to place workers at risk.

The deaths of 2 workers on a Jaxon site is a case in point. What a disgrace Jaxon's haven't been charged. It seems everyone else has been, except for those who are responsible for ensuring a safe workplace!

We will not give up on this campaign until we have similar laws in WA.



WELL DONE MICH-ELLE – A WIN FOR WORKERS

I would like to congratulate Mich-Elle Myers on winning the position of Junior Vice President on the ALP National Executive.

For once, we will have a true rank file worker to represent the issues of all working people. I can think of no better person to take up the fight, both industrially and politically, as we set about changing the rules. A magnificent victory. Well Done Mich-Elle and those who supported her in the campaign for her election.

LABOUR HIRE CHANGES

Your union, with support from the membership, has been fighting long and hard to change the rules around Labour Hire. WA State Minister for Industrial Relations, Bill Johnson, has given a strong commitment to the ALP State Executive that he will introduce Labour Hire Licensing laws in Western Australia. (See story this issue)

RICH RESOURCE COMPANIES MADE TO PAY!

Resource companies will now have to make a contribution to the WA Construction Training Fund, to help pay for training to develop skills and local job opportunities WA needs in the future.

Announced in the last State budget, WA resource companies (amongst the richest in the world), are no longer exempt from making any contributions to training.

This is a massive win for our industry, led by your union with a strong campaign starting in 2011. We never gave up. It's just one aspect of inequality we have put right.

The rules are changing!

PROCUREMENT – Ending the race to the bottom

Various State Governments in WA have undertaken an approach to procurement for government projects with an emphasis on the "cheapest tender" model. This has resulted in a race to the bottom, where no one wins. We are seeking a commitment from the government that it legislates a Procurement Code, and they have agreed to look at procurement in more detail.

FIRST NATIONAL CFMMEU CONFERENCE

In June we had our first ever National CFMMEU Conference since the merger of all our great unions into one powerful force for workers in this country. It was 4 days of hard work to shape the future plans of our union in order to secure better outcomes for our members and their families.

We have set a new course, which includes changing the rules and getting rid of the most arrogant and draconian federal government we have ever had to endure. (See report this issue)

Our first ever State CFMMEU Conference will be held next year, and we want all our members to be a part of it.

Stay tuned for more details.

MAY DAY

Thanks to everyone who turned out for May Day and helped to make it one of the best turnouts in recent years.

It was sensational to have Sally MacManus there on the day, supporting our union and the entire movement as we get behind the Change the Rules campaign.

Stay paid up, proud and strong.

Mick Buchan

State Secretary, CFMEU WA

WEAR YOUR NEW HARD HAT STICKERS WITH PRIDE!

Tunnel worker almost dies as WA Government fails to listen

A worker was left fighting for his life in the wake of numerous union warnings being ignored by the WA State Government about safety and conditions on the Perth Railway Tunnel.



Salini Impregilo's Perth Airport tunnel project has been beset with problems since the start.

We are sick to the guts of State Government projects being handed out to cowboys like Salini, at bottom feeder prices, where safety is cut and lives are put at risk. Workers endure poor conditions and face the sack if they raise issues.

A 26 year old underground labourer, Joshua Butterworth, suffered serious facial injuries when a high pressure air pipe exploded and hit him in the face. He was 50 metres underground at the time, triggering a delicate operation to get him out of the work site. He was lifted out of the rail tunnel by a crane with a rescue cage and rushed to Royal Perth Hospital for an emergency operation and put in ICU listed as critical. Josh was lucky to survive.

Concerns had been raised previously about the safety of the brackets connected to the high pressure pipes.

This comes after a worker was electrocuted on the project and other serious incidents which have occurred.



SALINI: ATROCIOUS TREATMENT OF WORKERS



The Barnett government may have appointed Salini Impregilo but the McGowan government is letting them get away with atrocious treatment and conditions of workers on the project.

Our union has written several times to the State Government, the PTA and Worksafe WA warning them of serious safety breaches, and the draconian treatment of workers who raise their concerns. We have presented evidence of Salini's poor safety record, which has fallen on deaf ears. The State government has all but turned a blind eye to Salini's safety failings and poor attitude towards providing a safe workplace.

In the light of this incident, workers on the project were warned by senior supervisors to NOT talk the union. Salini continue to hinder and obstruct the union from doing its job on behalf of the workers. What are they trying to hide?

It obvious this company has a shocking corporate culture in the way it treats its workforce

Do we really want companies like Salini and others working on major WA Government projects such as METRONET in the future?. NO!

We call on the State government to act now, and warn them not to appoint anti-worker builders to future government projects. Enough is enough.



ENOUGH IS ENOUGH!



Axedale Holdings was fined in relation to the deaths of two labourers. They were one of three parties charged over the death of Joseph McDermott and Gerard Bradley.

On the 25th November 2015 a number of workers from the site entered an area on the footpath under the gantry, which the workers used to make phone calls and have meal breaks. The area had not been set up as an exclusion zone to prevent entry, even though it was adjacent to the area that precast concrete panels were being lifted from trucks and installed on the building.

The panels on the trailer, each weighing in excess of three tonnes, had not been individually restrained. As the third panel was lifted by the crane, the remaining unsecured panels on the trailer slipped and crashed into the area the workers were sitting causing the death of Joseph McDermott and Gerard Bradley.

You may well ask why Jaxon Construction have escaped being charged. WorkSafe have stated that they are not prosecuting Jaxon Construction because they did not do anything wrong. BULLSHIT!

Why are JAXON's

Given that Jaxon Construction engaged the subcontractors for the job, have control of the site, and are responsible for the planning, scheduling and coordination of works on site, how can it be that they escaped any responsibility in ensuring the safety of all workers on that site?

As the builder they have a responsibility under the Occupational Safety and Health Act 1984 which states;

19. Duties of employers

(1) An employer shall, so far as is practicable, provide and maintain a working environment in which the employees of the employer (the employees) are not exposed to hazards, and in particular, but without limiting the generality of the foregoing, an employer shall –

(a) provide and maintain workplaces, plant, and systems of work such that, so far as is practicable, the employees are not exposed to hazards; and

(b) provide such information, instruction, and training to, and supervision of, the employees as is necessary to enable them to perform their work in such a manner that they are not exposed to hazards.

Unfortunately the race-to-the-bottom mentality that builders and subcontractors are currently persisting with, which basically means undercut every other builder tendering the job, then the builder who wins the job has to employ subcontractors to perform the work based on price and reduced time frames, which forces the subcontractors to undercut each other, and on it goes.

The race-to-the-bottom has come about due to the greed of wealthy developers (including the government) who put their

own profits above all else. They want jobs built quicker and cheaper without any regard for the effects it may have on the community, workers, the builders and subcontractors involved, or the consumers who buy their product. This bloody minded attitude to greed has had a catastrophic effect on the industry, the cost of living and the social welfare of the wider community.

When it comes to building the job, everyone needs to cut costs to try and make a meagre profit out of the mess they all got themselves into. They cut costs by cutting corners, whether that be buying inferior products, materials, tools and equipment and to save the most money, they engage cheap labour. They take short cuts on safety by expecting workers to take risks because the builder or subcontractor can't allow the time or don't have the budget to provide the required safety controls necessary to comply with their legal obligations and to do the job safely.

They have become risk takers not risk managers and injuring workers is just a cost of doing business.

Unfortunately the lack of effort by WorkSafe (the regulator) to enforce compliance of these responsibilities by builders has enabled self regulation by builders and the result is the tragic death of two innocent workers and the grief their families, friends and workmates suffer?

As can be seen by recent political events, regulators are being exposed as toothless, in allowing big business to profit at the expense of the public and workers. WorkSafe are, in the union's view, no different. They must enforce compliance to safety legislation with out fear or favour.

It is time the government stepped in and introduced Industrial Manslaughter laws as in

getting away with this?



Time for Minister Johnston to walk the talk! Are WA Lives worth less?

the ACT, where directors of Multiplex are facing charges for the death of a worker. It is also time they replace the leadership of WorkSafe with a proactive team that will enforce safety compliance by builders. Only when builders are forced to provide a safe workplace by a genuinely tough cop on the beat, and with the prospect of a jail term over their heads if a worker dies on their job, will safety standards drastically improve and the carnage in our workplaces stop.

We were promised the new Labor government would lead to better Workplace safety. The early signs are not good.

The government must also look at the tendering process with respect to the way builders are winning jobs. Governments must start looking at quality and value, not just price.

Developers must allow builders to tender jobs where they can realistically price a job to cover the cost of adequate compliant safety measures and complete the job in a realistic time frame. Only then will the best builders and subcontractors be able to produce safely built and quality products for consumers and the wider community.

Workers these days do as they are told, even if it puts them at risk, because they need to pay the bills, put food on the table and provide a quality lifestyle for their families. Because of the scourge of Labour Hire, and casualisation of core building tasks, if you complain you haven't got a job the next day. Safety standards in jobs with higher union densities are higher because workers are more informed, organised and supported (by their union) and employers actually have no choice but to take notice of workers' concerns. Think about why bosses are anti union. It's because they understand that workers stick together and work collectively

for safer outcomes, because they have the support of their union. The end result is safer, better quality jobs where everyone takes pride in what they are part of, enjoy going to work, share in the profits and the customer gets a quality product.

The government may improve workplace conditions, WorkSafe may start enforcing safety standards, the developers may decide to share their profits and the employers may stop undercutting each other, but somehow I doubt this is going to happen in a hurry unless they are encouraged to.

Workers can make the changes required to make a difference by being organised and supported in re-establishing better safety standards, securing better workplace conditions, and enjoyment from going to work knowing you will go home safely at the end of each day.

Everyone benefits when workers are well organised, involved and respected for their contribution.

**KILL A WORKER.
GO TO JAIL!**



TOO MANY DEATHS, IN

VICTORIA HAS INDUSTRIAL MANSLAUGHTER LAWS – WHY NOT WA?

International Workers Memorial Day this year highlighted the urgent need for this state to introduce Industrial manslaughter laws.

We heard from the mother of Jarrod Hampton, 22, working for pearling company Paspaley, who tragically drowned on his second day of work. Her story recounted what he must have been thinking in the last few seconds of his life. Alone in the depths. It was heart breaking to hear.

The company was charged for failing to prove a safe working environment and fined a measly \$60,000. What a disgrace!

No fine will bring Jarrod back. What would help to save other workers and parents from going through the same harrowing experience, is to Introduce Industrial manslaughter laws. This year in WA there has been a workplace death every 20 days. Enough is enough.



The ball is firmly in the WA Government's court!

ARE WA LIVES WORTH LESS THAN THOSE OVER EAST?

We are calling on the WA State government to follow the lead of Victoria and introduce Industrial manslaughter legislation. NOW.

CFMEU WA State Secretary Mick Buchan is calling on the WA state government to introduce Industrial manslaughter laws as a matter of absolute urgency.

"We have seen decisive action from Premier Daniel Andrews and his Victorian state government who recognise that the rate of workplace deaths cannot continue and that current deterrents such as fines have no effect in providing safer workplaces or the prevention of unnecessary accidents.

In WA we have a workplace death every 20 days, things need to change swiftly."Buchan said.

- Fines do not ensure that the offenders restructure their workplace to comply with OHS standards;
- Fines only have an impact upon the financial returns of the corporation, and not on the motivation and/or behaviour of the responsible managers;
- Fines do not ensure any disciplinary action is ever taken against those who should be held responsible and accountable (especially if the hazards and risks were previously known);
- Fines do not require management to review their systems of operation so that the offence will not reoccur; and
- Fines are easily avoided by changing the corporate structure or identities or by moving the organisations assets to other corporate entities.

Hanssen Pty Ltd: Panel Collapse could've killed



NOT ENOUGH ACTION



INDUSTRIAL MANSLAUGHTER LAWS NOW! KILL A WORKER. GO TO JAIL!

WHAT ABOUT JAXON'S?

The recent case involving the deaths of 2 young Irish backpackers, Gerry Bradley and Joe McDermott, saw the builder get off scott-free. The builder, Jaxon, should be charged. A fine of \$80,000 was handed down for the death of each worker, to the delivery company of the concrete panels, with a case also against the rigger. To this day there are still safety issues across Jaxon sites.

HANSSEN PTY LTD – AN ABSOLUTE DISGRACE!

Hanssen Pty Ltd has had 2 fatalities in recent times, and a concrete panel fall crushing 2 cars in recent weeks. In both incidences, Marianka Heumann falling down a lift shaft and the panel collapse, the company blamed the workers – taking no responsibility themselves. The culture of dangerous safety is rife on Hanssen Pty Ltd sites and others across the Industry.

SIGN THE PETITION

The CFMEU WA, along with the MUA, has launched a petition calling on the McGowan Labor Government to make industrial manslaughter an offence under the Criminal Code. We strongly believe this must be done in their first term of Government, in line with the WA Labor state platform endorsed in 2017. With legislation already in place in other states there is no excuse to put this legislation on the back burner. The CFMEU demands that the WA State government steps up right now to put in place laws that will save lives. What are they waiting for? Are WA Lives worth less?

To sign the petition go to: <https://www.megaphone.org.au/petitions/kill-a-workers-go-to-jail-unions-seeking-justice-1>

THE CFMMEU ONE



If there's one thing 'Big Business' and conservative government's fear more than workers being organised, it is unions themselves being organised.

Organised by having a well thought out plan, underpinned by strategies and tactics to achieve what Big Business really fears: Workers having an a bigger share from the toils of their labour, workers having better safety at the expense of employer cost cutting exercises and workers being educated and informed. The latter in particular is utterly detested by conservative governments.

The Inaugural Conference of our newly amalgamated union, The Construction Forestry Mining Maritime and Energy Union (CFMMEU) set in concrete just such a plan. Hundreds of delegates representing the views and issues which impact on our members across all divisions and branches, worked hard at the historic conference over 4 days on the Gold Coast in Queensland. They bought with them motions developed, with input by the rank and file, to shape the future of our great union.



Alan Luke, Aaron Mackrell, Les Wylie and Nugget

OUR WA DELEGATES HAVE THEIR SAY ON THE CONFERENCE:

Paul Ferreira

It was great to be a part of the inaugural CFMMEU, bringing together all the amalgamated unions to form one Great Union.

Aaron Mackrell

The Conference was as much educational as it was inspiring. Lots of good speakers discussing and debating a wide range of topics that affect both our union and society in general. As a young union member, it is good to see the commitment towards our membership minorities, in particular aboriginal, women and youth. We have a proud past, a strong present and those combined will make an exciting future.

Alan Luke

It was great to see so many younger delegates at the conference. Going forward, the future of the union is in strong hands.

Nugget

Our union has never been more organised or energized to take on those who want to cut us down and the wages and conditions of our members. We have the power to change the imbalance and inequality workers have been suffering for too long. United we stand.

Sharon Keating

The energy at the conference was incredible. We all feel empowered to change the rules and make a huge difference going forward. Join your union!

Rob Pearson

It was great to bring our new union together in one place. One thing is for sure, we have the power to change the rules!

Cam McCullough

I've been through several mergers before and this one will give our members the power to make great changes going forward, to improve their working conditions.

Graham Pallot

My take out from the conference is that there's never been a more exciting time to be a member. Great to see so many young delegates having their voice and sharing their views to take us all forward.

Les Wylie

What I found really interesting is how we can build our International affiliations and strengths and use that to good effect in our own campaigns, to better things for our members.

SUPER UNION!



Our union has changed to adapt to changing times, which are bringing forward new challenges to workers, which must be met head-on. It is not a time for shrinking violets. Chief amongst these challenges is inequality. It's everywhere. Wage theft, Labour Hire, poor safety, immigration and guest visa exploitation, social injustice, gender pay gap, the ABCC, sham contracting...the list goes on.

Our mighty union will use everything at its disposal, including forging international solidarity partnerships, to campaign and achieve better outcomes for all our members and their families.

The role of our union is not just about what goes in the pay packet. We are a union of great social conscience, we believe that by promoting positive change for a better society everyone benefits.

All of this leads this to one conclusion. The rules are broken.



There is a powerful movement in this country to change the rules and we are going to be part of making that happen. Of course, it will also require changing those who made the rules and bad laws, which have placed working people in the most disadvantaged position since the great depression. The likes of Malcolm Turnbull and Michaelia Cash should be worried. No wonder they tried so hard in vain to stop the amalgamation of our unions coming together as one.

Make no mistake, history is on our side. The time-line of our combined union goes back to the Cabinetmakers Union established in 1833, and that more than anything else tells us that we have been in the right fight, doing the right thing long before the conservatives arrived on the scene. Our union is here to stay and will continue to grow.



MEMBERS MAKE IT HAPPEN

Our union is a modern, relevant force and will continue to grow by making great advances. Everything that we have won has been fought for by our members. We have set a new path, we have the power and it's time to use it.

It's time to change the rules!

What are we fighting for?

We need to Change the Rules so people can have **MORE SECURE JOBS**



Casual workers deserve the right to permanent work



End sham contracts



Same job – same pay for labour hire workers



Stop exploiting temporary visa workers. Ensure that locals are trained and offered jobs first



Rebuild TAFE and properly fund schools and universities



Trade agreements should defend and improve jobs



Use government spending power to promote secure jobs



Allow all workers time to care for loved ones



Give workers a genuine voice in change

We need to Change the Rules so **WORKERS' RIGHTS CAN BE ENFORCED**



We need a strong independent umpire that will resolve disputes and create new rights for workers



We need to end wage and superannuation theft

**Change
THE
RULES**



We need to Change the Rules so people can **WIN FAIR PAY RISES**



Lift restriction of who can be covered and what can be included

yes

The right to negotiate with the people who have the power to say "yes"



Workers' representatives must be involved



Stop employers terminating existing agreements



The Fair Work Commission must be independent and have the power to settle disputes



The 2.3 million award workers need a pay rise and fair conditions



Restore penalty rates



A living wage for all workers



Deliver equal pay for women



Paid family violence leave for all

We need to Change the Rules so **WORKING PEOPLE ARE PUT FIRST, NOT BIG BUSINESS**



Workers need access to their representative



Workplace representatives and delegates must be respected and supported



Stop employers from preventing working people being active in their union



Abolish the ABCC & ROC
Re-establish a tribunal for safe rates



Stop employers gaming the system



Align workers' rights to international standards

CFMEU

WESTERN AUSTRALIA

WA.CFMEU.ORG.AU/JOIN

EBA UPDATE:

WE ARE

In 2015, there were just 5 subcontractors in Western Australia with a CFMEU EBA. Not one builder had a Union Agreement (other than Mirvac's site specific Greenfield Agreement). Along with most other industries in WA, the building and construction industry had fallen into a de-regulated clusterf***.

Employers had actively carved each other up in a bid to undercut each other in a race to the bottom. Once again, it's been the workers doing the hard yards who have been hardest hit.

Most subcontractors in 2015 were operating under non-union Enterprise Agreements that had been drafted by dodgy employer advocacy outfits such as the Chamber of Commerce and Industry, Master Builders Association and Strategic Human Resources. These "base-line" EBAs, in the majority of cases, were less than the rates and conditions prescribed by the Building and Construction Industry General On-Site Award.

LYING, CHEATING, THIEVING BOSSES & THEIR NON-UNION EBA'S

To get approval by the Fair Work Commission for a below-Award Standard Enterprise Agreement, the bosses have had to effectively lie, cheat and steal. They have all

put in false Statutory Declarations to the Fair Work Commission in their application for approval of the non-union EBAs.

Over the past few years, the following companies (amongst hundreds of others) have submitted false Stat Decs when they made application to the Fair Work Commission for approval of their dodgy non-union Enterprise Agreements:

- **National Re-inforcing Group Pty Ltd** (steel fixing subcontractor);
- **West Coast Re-inforcing Pty Ltd** (steel fixing subcontractor);
- **WA Ceilings and Fitout Pty Ltd** (ceiling fixing subcontractor);
- **Duct-Up Industries Pty Ltd** (Duct Installation subcontractor);
- **BLD Group Pty Ltd** (Formwork subcontractor);
- **GD Concrete & Construction Pty Ltd** (Formwork subcontractor);
- **Career Boss Commercial Pty Ltd** (scabby arsed labour hire contractor);
- **Shamrock Civil Pty Ltd**;
- **Concrete Constructions Pty Ltd**

HOLDING THE BOSSES TO ACCOUNT

Part of re-regulating the building and construction industry requires the CFMEU to fix the bottom end, which drags down standards for all workers. In the last 12

months, the CFMEU has successfully appealed the decision of the Fair Work Commission to approve 8 Enterprise Agreements which don't meet minimum Award standards. We have stopped numerous other below Award EBA's being signed off and approved, through these and other actions.

Apart from dealing with the grubs who have put in place dodgy non-union Enterprise Agreements, the CFMEU intends to ramp up its attack on the worst cases of Sham Contracting arrangements. This includes proposed Federal Court Action involving a notorious builder with a track record of killing workers and a well-known crane/rigging subcontractor. More will be said on this later.

CFMEU 2016-2020 EBA'S

The CFMEU now has 50 registered Enterprise Agreements in the WA commercial construction sector and are actively negotiating a number of other EBA's across the industry. Whilst 50 EBA's is a positive improvement from where we were 3 years ago, we need a lot more Agreements signed off before getting to the point of having a level playing field of wages and conditions.

This is important if we are going to achieve improvements in our wages and conditions of employment. WA construction workers are a long, long way behind their counterparts in Victoria. It's a big fall from a decade ago when we were the best paid workers in the country. Any builder with half a brain will realise that the winds of change are upon us. We won't be forgetting or forgiving those builders and subcontractors who actively stand in our way of ensuring workers get properly paid and have a safe working environment.

“ In 2015, there were just 5 subcontractors in Western Australia with a CFMEU EBA. Today the CFMEU has 50 in the commercial construction sector, and we are actively negotiating a number across the industry. But we need a lot more. ”

STRONGER! GET ON BOARD

WHAT DOES A 2016-2020 CFMEU EBA MEAN FOR WORKERS?

A CFMEU EBA delivers outcomes that are well in front of non-union Enterprise Agreements. Whilst there is no walking away from the fact that our rates and conditions have gone backwards since the construction of the Fiona Stanley Hospital project, the CFMEU EBA is the only pathway to getting back what we've lost.

If you're not on a union EBA, speak to your organiser and take the first steps to ensuring you and your workmates get a fair deal.

We have two choices. Do nothing, get screwed and continue to see wages and conditions go backwards or collectively stand up and fight side by side with your mates for a union EBA.

CFMEU (WA) SUBCONTRACTOR EBA

\$200M+ PROJECTS

	Permanent Base Hourly Rate*	Casual Base Hourly Rate*
CW1	\$39.59	\$45.59
CW2	\$40.52	\$46.77
CW3 (NT)	\$41.56	\$48.07
CW3 (T)	\$42.60	\$49.37
CW7	\$46.76	\$54.55

\$60M - \$90M PROJECTS

	Permanent Base Hourly Rate*	Casual Base Hourly Rate*
CW1	\$30.24	\$36.23
CW2	31.17	\$37.41
CW3 (NT)	\$32.21	\$38.71
CW3 (T)	\$33.06	\$40.01
CW7	\$37.40	\$45.19

\$90M - \$200M PROJECTS

	Permanent Base Hourly Rate*	Casual Base Hourly Rate*
CW1	\$34.39	\$40.39
CW2	\$35.33	\$41.57
CW3 (NT)	\$36.36	\$42.87
CW3 (T)	\$37.22	\$44.17
CW7	\$41.56	\$49.35

\$20M - \$60M PROJECTS

	Permanent Base Hourly Rate*	Casual Base Hourly Rate*
CW1	\$26.14	\$32.08
CW2	\$26.74	\$33.26
CW3 (NT)	\$28.05	\$34.56
CW3 (T)	\$29.10	\$35.86
CW7	\$33.25	\$41.04



Who would want to buy

Congratulations to BGC who have done it again, going Back to Back as winners of the CFMEU Construction Worker Magazine's Most Dodgy Builder Award.

After realising they had achieved the lofty heights of the Dodgy Builder Award in the last edition, they called us to voice their displeasure. They tried to say that is an example of why BGC won't work with the CFMEU, which we all know is a load of bullshit.

They were built on a model of union bashing and worker exploitation. The only thing that has changed is they have strengthened their relationship with the likes of Michaela Cash and the extremist ideals of the Liberal government.

It's no good BGC getting angry at the union because they get caught out putting workers at risk. If BGC don't change their attitude it will only be a matter of time before they seriously injure or kill someone.

BGC won't work with the CFMEU because they want to continue to stand over workers, who think they have a right to raise safety concerns, continue to use labour hire, and continue to take risks with workers lives so they can increase their profit margins.

Evidence of their poor safety record is that since the hollow core floor panel fell in February, there have been 6 more Serious Potential Incidents (SPI's) on their jobs.

- 1. A tower crane block fell onto a generator on ground level after the crane rope snapped during the commissioning process on the Element 27 job;*
- 2. A hose blew out on the concrete pump on the top level of the PBSA building blowing concrete down into public areas below damaging some cars;*
- 3. A piece of concrete fell off the building to ground level below on the PBSA building. Luckily no one was in the area at the time;*
- 4. A window shattered and fell out of the tower crane cab 115 metres above ground and fell into the street and footpath below on the PBSA building;*
- 5. A length of approximately 20mm diameter reo bar approximately, 4-5 metres in length, fell from above level 12 to the bottom of the lift shaft on the PBSA building. The workers in the lift shaft had just gone to smoko; and*
- 6. On Sunday 10th of June 2018 during a period of stormy weather conditions, a form ply sheet 2400mm x 1200mm on the Crest Apartment site blew off the edge of the 18th level of the building, narrowly missing 2 Budget Car & Truck Rental workers in the yard below. Approximately 15 form ply sheets blew off the building causing damage to approximately 12 cars that were parked in the rental yard below. The form ply sheets had not been strapped down or secured as a precautionary measure for the forecast weather conditions.*

These are the incidents we hear about, who knows how many unreported incidents occur on BGC jobs.

The CFMEU are continually being informed by workers of safety concerns on BGC jobs and when we follow up we are hindered and obstructed from representing the safety concerns of workers on their jobs. When workers ask for better controls they are often ignored, told it's not going to happen or BGC implement less effective controls which expose workers to greater risk.

We advised WorkSafe of our concerns that this is BGC's 7th SPI since February and the odds are that BGC will suffer a catastrophic event if they don't start taking workers' concerns seriously and start genuinely consulting with workers and addressing their safety concerns.

Why should BGC care when WorkSafe do absolutely nothing to improve safety standards in the construction sector, and builders appear to escape prosecution or they receive small fines when a worker is killed on the job?

WorkSafe must take a more assertive approach with builders like BGC before we have another fatality. The government also needs to legislate industrial manslaughter laws.

If your job has dodgy safety call the CFMEU on 9228 6900 or email photos of dodgy safety practices and safety complaints to safety@cfmeuwa.com or message to our Facebook page @ CFMEUWA

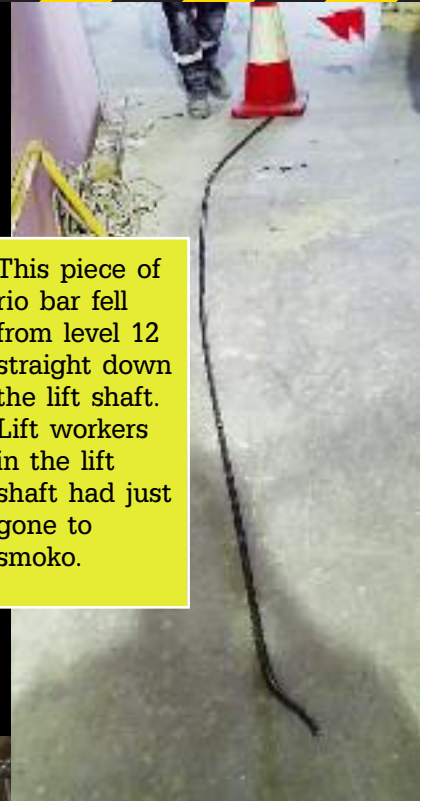
this Cowboy outfit?

Window fell out of this crane landing in the road and footpath on Stirling Street in Perth. Luckily no one was injured.



The crane block assembly which fell off the crane.

This piece of rio bar fell from level 12 straight down the lift shaft. Lift workers in the lift shaft had just gone to smoko.



Unsecured building materials blew off the 18th level of the building to the car rental yard below narrowly missing two car rental workers and damaging a building and about 12 cars.



Hollow core concrete floor panel fell from the second level roof to the floor level. Luckily no one was in the area.



WA Riggers are being Universally Screwed

Most riggers working in the commercial construction sector in Perth haven't had a pay rise in over 5 years. The vast majority have gone backwards. The Universal Rigging crew have copped a significant cut in their pay packets during this time. Their sub-standard non-union EBA is driving down wages and conditions for all riggers working on the major projects in and around Perth. In a competitive tendering environment, the sub-standard wages and conditions of one rigging company affects the pay packets of all riggers working in the industry in Perth.

**WA Universal Rigging:
Driving Down Wages & Conditions
37% decrease in pay since 2014**

The Bosses:

Driving around in BMW's



The CFMEU is pushing for all of the major rigging subcontractors in Perth to sign on to the CFMEU Rigging Sector EBA. A union EBA will be superior to every current rigging subcontractor EBA in Perth. It brings back basic entitlements such as:

- Wage increases;
- Travel Allowances;
- ReddiFund payments;
- 24/7 cover;
- Inclement Weather;
- RDO's; and
- Pay-out of untaken sick leave on termination

Rates & Conditions	CFMEU WA Universal Rigging EBA 2013	WA Universal Rigging Non-Union EBA 2014	WA Universal Rigging & Crane Non-Union EBA 2018
Hourly Rate	\$36.43 per hour	\$32 per hour RB \$34 per hour RI \$36 per hour RA	\$30 per hour RB \$32 per hour RI \$34 per hour RA
Site Allowance + Structural Frame + Productivity Allowance	\$8.24 per hour	\$3.00 Per hour	nil*
Multi Storey Allowance	\$0.57 - \$1.68 per hour	nil	nil
Fares & Travel	\$35.18 per day	nil	nil
Redundancy (ReddiFund)	\$96 per week	\$69 per week	nil
Meals (1.5 hours OT)	\$19.15 per day	nil	nil
Wage & Allowance Increases	5% per annum	3.2%	nil
Overtime	All OT @ double time	x 1.5 first 2 hours & double time thereafter	x 1.5 first 2 hours & double time thereafter
Sick Leave (payout of untaken sick leave on termination)	Yes	No	No
24/7 Income Protection	\$2150 per week cover 7 day waiting period	Paid \$29 per week to 'self-insure'	nil
Superannuation	\$168 CBUS	9.5% of OTE	9.5% of OTE
Inclement Weather	37.5° Max Temp + Rain Offs	No Inclement Weather	No Inclement Weather
RDO's	26	26	13
Delegates Rights	Yes	No	No
Paid Training	Yes	No	No

Inflation (CPI) has been 12% for the period 2013-2018. When the increases in living costs have been factored into the mix, Universal Rigging workers are more than 48% worse off under a non-union EBA than what they were under the 2013 CFMEU Enterprise Agreement.

Universal Rigging's Response to the CFMEU EBA Claim

Universal Rigging have made it clear to the CFMEU that they want wages to keep going down, although they reckon that anyone who is any good currently gets paid \$40 per hour. This is just bullshit as there are plenty of good riggers working for Universal Rigging who are getting paid \$34 per hour, \$3 site allowances and no travel, no ReddiFund, no inclement weather or other key conditions. Union EBA's are not about looking after a select few and f***ing over everyone else. The rates and conditions of all construction workers in Perth need to improve and Universal Rigging are front and centre of the problems in the rigging sector.

Universal Rigging want to further reduce the wages of WA riggers and have proposed an EBA (in writing to the CFMEU) that allows them to pay riggers just \$29 per hour inclusive of allowances. This would set construction workers back 20 years if we copped these outcomes on major projects.

Dare to Struggle, Dare to Win

The CFMEU will not be backing away from its EBA claims for riggers in WA. The likes of Universal Rigging may be more interested in maintaining their fleet of BMW's than paying workers union standard wages and conditions, but this won't be stopping the CFMEU.

**IF YOU DON'T FIGHT, YOU LOSE:
JOIN YOUR UNION!**

Death should shock Government into action

On Friday 20/04/2018 a CIVMEC Supervisor was fatality injured on the WP 180 Water Treatment Plant Project Woodman's Point Munster.

If the time was taken to ensure the original process was followed the fatal incident would not have been possible.

A work crew were involved in the pressure testing of the 900mm diameter spiral steel aerator pipes on the Sector Batch Reactor (SBR).

According to management the system was under isolation conditions and an Isolation Permit and a Hot Work Permit were in place.

According to workers there was an agreed process in place, however when it was established that the spade bit would not fit, an alternative approach was taken without going through the change management process and reassessing the new process.

The work crew had removed a section of pipe of approximately 1500mm so they could install a spade bit to blank off the pipe end on the Western section of pipe in preparation for pressure testing.

At the Eastern end there was an uncapped open ended section of pipe.

The supervisor of the work crew was standing in the gap between the two sections of pipe.

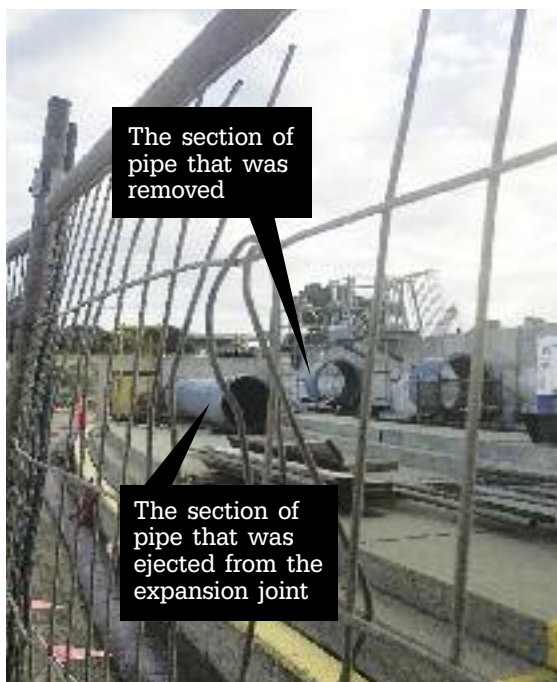
The system was energised which caused the expansion joint to fail releasing the capped section of pipe which propelled into the supervisor trapping him between both sections of pipe.

The open ended section of pipe caused fatal lacerations to the supervisor as the ejected section of pipe crushed him into the open ended section of pipe.

Pressure to complete the job was a definite contributing factor, and when a change in the process was identified, the pressure to reassess and complete the job increased.

If the time was taken to ensure the original process was followed, the possibility of a fatal incident would not have been possible.

This tragedy should shock the government into action. Industrial Manslaughter Laws need to be enacted and unions need unhindered right of entry to police and improve safety procedures, every day on every site.



Labour Hire: A Cancer

Through the efforts of your union fighting both politically and industrially we are starting to see some real traction around changing labour hire.

Labour hire is an insidious system which practically keeps workers in their place, hoping for an extra shift here or there, but with no real hope of a future they can plan on. There is no doubt that labour hire has got out of complete control. In fact there is no control at all. It has become a money making machine, treating workers like commodities to be traded. Flat rates, under award wages, no job security, little or no conditions have become the norm.

CFMEU welcomes a commitment to Labour Hire Licensing in WA

In Western Australia, the CFMEU has led the campaign to introduce the licensing of labour hire firms so we can drive non-compliant bottom feeders out of the industry.

Construction workers are well aware that the rules are broken and need to be changed. Some of these 'broken rules' are dependent on State laws changing and others require a change to Federal laws.

It was welcome news when the WA State Minister for Industrial Relations, Bill Johnson gave a commitment to the ALP State Executive that he would introduce labour hire licencing laws in Western Australia. Whilst these laws won't fix the scourge of labour hire, it is a positive step in the right direction.

In summary, Labour Hire licensing will result in the following outcomes:

- The requirement for all labour hire firms based in Western Australia to be licensed;



- Significant financial penalties for labour hire firms who operate without a licence and employers who engage unlicensed labour hire companies;
- The cancellation of licenses for labour hire firms who underpay workers or fail to comply with workplace laws; and
- Reporting obligations for all licensed labour hire firms.

Whilst the primary focus of unions must be the involvement of rank and file members in industrial struggle, the support for the CFMEU's campaign for labour hire licensing justifies the time and resources being put into to changing the rules.

Labour Hire licensing laws won't happen overnight as there is still considerable work involved in drafting the legislation and getting support of the other parties who hold

the balance of power in the WA Upper House. But we are making headway.

The CFMEU campaign against corrupt labour hire practices doesn't end here. The CFMEU is backing the ACTU campaign to restrict the use and end the abuse of labour hire workers.

Job security, permanent and well paid jobs is front and centre of this campaign. Along with an end to base line agreements and the exploitation of temporary visa workers.

Fighting on both fronts is working. Keep up the good work!

Members who want to get involved with the CFMEU WA ALP Construction Branch to help change the rules can contact Steve Catania on 9228 6900 or scatania@cfmeuwa.com

BGC **GUILTY** Breaching Workplace Laws

Most WA construction workers would have BGC well and truly in their top 3 for the most despised builders in Perth. This has been the case for well over 30 years. They are notoriously anti-union and have a murky history of having unsafe sites, dodgy employment standards and sub-standard wages. Not to mention the use and abuse of illegal workers on their jobs.

BGC, MICHAELIA CASH & THE BPI PROJECT

In 2015, Michaelia Cash and BGC Director Julian Ambrose (stepson of the deceased Len Buckridge), fronted up to the media outside the Westin Hotel site between Hay and Murray Street, Perth to talk about unlawful industrial behaviour on building and construction sites in Western Australia.

It is absolutely ironic that since the Ambrose/Cash media stunt, BGC and their HSE Boss Brian Carlton have been found guilty of the very conduct which Ambrose and Cash were complaining about. Even more ironic is that BGC and Carlton's unlawful conduct took place on the same project used by Cash and Ambrose to promote the ABCC.

CFMEU PROSECUTE BGC FOR HINDERING & OBSTRUCTING UNION ORGANISERS

It is no secret that BGC bosses hate the CFMEU and froth about the idea that CFMEU Organisers can enter sites to talk to workers about unsafe work practices, sub-standard working conditions and underpayments. In 2016, the CFMEU prosecuted BGC for hindering and obstructing myself and former union Organiser Peter Joshua (PJ) from entering site to hold discussions with workers on the Westin Hotel project.

THE EVIDENCE

The Federal Circuit Court Judge found PJ and me to be **"entirely credible witnesses"**. The Judge also found that PJ and I answered the questions **"directly and logically"**.

By contrast, BGC's HSE Manager Brian Carlton's evidence was described by the Judge in the following terms:

"Observing Mr Carlton in the witness box, the Court was struck by his, at times, stand-offish demeanour. By his own admission, he does not participate in social niceties (like shaking hands on greeting others). While giving oral evidence, Mr Carlton appeared to avoid questions posed by counsel that supported the CFMEU's case, often responding that he simply could not recall things when they were put to him. While the Court is willing to accept that Mr Carlton's inability to remember might be attributed to the passage of time, his affidavit was affirmed less than a month before the hearing. Mr Carlton appeared to have no difficulty remembering certain facts relating to a particular topic but great difficulty remembering other facts relating to the same



topic. His subjective memory is of concern to the Court.

His evidence gave the impression that Mr Carlton, at best, had trouble recollecting what occurred at the Site on 22 October 2015 as well as the contents of his affidavit.

At worst, his responses can be seen as evasive."

THE VERDICT

Both BGC and Brian Carlton have been found **GUILTY, GUILTY, GUILTY**. The Federal Circuit Court found both Brian Carlton and BGC guilty of breaching S.502 of the Fair Work Act and guilty of intentionally hindering or obstructing CFMEU Organisers from exercising their right to enter the BGC site to hold discussion with members.

WHAT'S COMES NEXT?

Predictably, BGC haven't copped the umpire's decision and at the time of writing, are seeking leave of appeal in the Federal Court. The CFMEU is confident that BGC's appeal won't get up. If this is the case, BGC and Brian Carlton will have to face the Federal Circuit Court once again and cop a penalty. We'll keep you posted on developments in this regard.

DODGY BUILDERS SHOULD NOT GET TAXPAYER MONEY

The CFMEU have been very clear with both the ALP Federal Opposition and WA State Government that dodgy builders should not be allowed to tender for Government work.

Every decent and honest West Australian would be asking the question 'why should builders found guilty of breaching workplace laws be given government contracts funded by ordinary West Australians?' The unambiguous answer is that they shouldn't.

The actions of BGC and Brian Carlton are nothing short of disgraceful and the CFMEU will continue to hold both BGC and Carlton to account.

PS: Well done to PJ for fronting up to the Federal Circuit Court during his work break to give evidence on behalf of the union. Good effort PJ!

Our campaign leads to resource companies paying their fair share!



It took a while, but a **dare to struggle, dare to win** attitude has resulted in a fantastic win for our industry going forward, which will ensure we don't suffer future skill's shortages at the expense of rich resource companies. During the resources boom, we had resource companies taking all the skilled and semi-skilled workers, then crying about a skills shortage and using that as excuse to import more foreign workers to take local jobs. Resource companies did this without contributing one cent to training of our young people.

Once again your union has achieved a great outcome by working both politically and industrially through our **fighting on both fronts** campaign.

We put forward a motion at the last WA ALP

State Conference that resource companies need to contribute to training in this state.

In the last WA state budget it was announced that resource companies would no longer be exempt from paying a levy into the Construction Industry Training Fund.

In 2011, you may remember your union ran a strong campaign on this issue at the height of the resources boom, against a draconian Barnett government and resource moguls such as Gina Rinehart, who were crying for Enterprise Migration Agreements as a way to provided future skills and jobs on local projects.

It's worth remembering that all builders pay a levy of 0.2% on the value of projects to the WA Government Construction Training Fund. (CTF) The training levy goes towards training

our kids in trades and semi- skilled vocations. Mining and resource companies paid absolutely nothing. Zero, zilch, buckleys! Not a cent.

Mining and resource projects are the biggest users of trades and skilled workers, it can take up to 20 times more workers to build a resource project than it does to maintain one when completed. Resource companies were taking skilled workers trained by the construction industry and creating a skills shortages elsewhere, without contributing anything to training. Not any more.

This is a massive win for our industry, led by your union. We never gave up. It's just one aspect of inequality we have put right.

THE RULES ARE CHANGING!

Is there ever a right time?

Australia is experiencing the longest period of falling living standards in more than 25 years, coupled with record low wages growth.

When is it ever the right time for workers to win improvements in wages and conditions? It doesn't seem to matter what stage of the economic cycle workers are in. From boom to bust, it seems there's never a 'right time' for workers to win.

Workers and their families around the kitchen table try and decipher how they are going to pay their bills. The bills always go up, but wages remain stagnant.

Some families or individuals geared themselves on boom wages. That boom has gone. Others just try to make ends meet. Those who complain about their rate of pay are labelled as whingers or ungrateful.

A record 94% of companies reporting to the ASX this year, have recorded a profit, yet wage growth in this country remains at record lows of just 2% a year.

CEO's continue to get well rewarded, sales of luxury vehicles are on the increase, dividends are being passed on to shareholders to keep them happy (after all, they are the ones who vote for or against massive CEO bonuses), but workers whose labour contribute to profit and growth, are being left behind.

Worst still, workers are being abused and used. Every day we hear stories of wage theft, in a workforce that has now become one of the most casualised in the western world.

On top of that, we have seen penalty rates abolished with conditions and entitlements traded off against flat rates, many of which don't even meet the award. With little or no extra money in the pockets of working families, we are seeing businesses go broke with jobs being lost.

Amidst all this, the Turnbull federal government and their business cohorts are screaming that wages need to be kept under control.

What they really mean is that workers need to be kept under control and their mechanisms for achieving that are Labour Hire, attacking the right of unions to provide fair representation in the workplace and last, but not least, creating an atmosphere of fear and uncertainty amongst workers.

The Treasurer, Scott Morrison acknowledges Australia's **wage growth** has flat lined for too long but when unions attempt to negotiate a pay rise they are demonised, prosecuted and fined?

So, the question needs to be asked, "when is it the right time to seek better wages and conditions?"



THE ANSWER IS SIMPLE. NOW!

If history tells us anything it is this; Workers have never been awarded wage rises and good conditions by putting their hand out and asking for more. Unions have always lead the fight. The collective has the power. And that means YOU!

Pay rates, better safety, and community standards such as paid leave, leave loading, holiday pay, sick leave, workers compensation and superannuation were ALL won by unions **supported by active members.**

Workers are no fools. They sense that the pendulum, to be fairly represented in their workplace, has swung too far in favour of employers and draconian governments.

Bad laws need to change. The rules are broken.

For all that has been put in place to hinder unions doing their job, the fact is unions are here to stay.

Going forward it's worth remembering that while employers and politicians rabble on about a unions right to organise, you need to ask yourself this question; "What about my right to be represented?"

It's time to start discussing wages in your workplace and to involve your union.

At the end of day, when push comes to shove, the union is the only entity on the side of the worker. Do you know anyone else that will support you through thick and thin – 100%? The power is in your hands. The rules need to be changed. And we'll all have to stay strong and fight to make it happen.

Join your union. See wa.cfmeu.org.au

THE TIME IS NOW!

From the gates of Maine Road.



Micky Brennan (circled) in the Manchester City squad



Mick Brennan on the ball as the gateman at Perth Museum

Manchester City
Golden gifts
1880-1980

In this World Cup year we celebrate the extraordinary footballing life of CFMEU member Mick Brennan.

Mick, or 'Micky' to his mates, is the gateman at Multiplex's Perth Museum Project. Like a lot of young lads he had dreams to play at the elite level of football.

In the 1960's that meant the English First Division, the highest level and forerunner to today's EPL (English Premier League).

So, as a 16 year old Mick, approached another set of gates at the famous Maine Road ground, home of Manchester City FC.

Ironically, Mick had grown up as a Manchester United supporter in Salford. But having completed his 'O' levels, opportunity knocked and Mick started a 2 year apprenticeship with Man

City, which was then the top team in England. It was 1968, during the reign of the legendary Joe Mercer as Manager, and City had just won the First division title. (It would be 40 years before they won it again)

Given a contract, Mick had 2 years to prove his worth as a striker. As an apprentice, he had to clean the boots of the first team squad, and remembers how he used to paint out the PUMA insignia on boots, and then paint on the 3 stripes of ADIDAS, as they were the major sponsor. We wonder if that still happens today!

Mick played with the great Stan Bowles in the reserve team, as he was plying his trade. Mick made his first team debut for City coming off the subs bench as a 17 year old, and at 20 he was a fully-fledged member of the first team squad. He made the bench for what was then known as the European Cup Winners Cup competition. However, in between, regular appearances were hard to come by in a squad of star studded players including Francis Lee and Mike Summerbee.

.. to the Perth Museum.



Left: Captain of the WA state team against Nottingham Forrest

Below: Micky Brennan played with the best – George Best.



Mick became frustrated looking for regular playing time and City loaned him out to Stockport County in the Fourth Division. Manchester City then released him from his contract and he was transferred to Rochdale in 1974, for the sum of 5000 pounds.

2 years and 40 games later, Mick joined Macclesfield Town in the non-league competition, earning money as a part time player and working a full time job.

In 1982, Mick headed Down Under and joined West Adelaide in the Phillips National League, Australia's first national football competition. During his time at West Adelaide he played with the legendary George Best, who had come to Australia to play a couple of Guest games.

He was still fleet of foot and quick of mind says Micky. Mick and George both scored a goal in a game against Adelaide City. It was really was the Best of times.

He played two seasons before heading for Perth to sign for Floreat Athena, linking up with Alan Vest who had been his coach in Adelaide. He captained the State side in a

friendly against Nottingham Forest in 1984.

As player-coach in the WA State League, Mick took Floreat Athena to Top Four Cup title and D'Orsogna Cup final. He coached Stirling Macedonia to the State League title. He continued to combine playing with coaching and was active on the field with Perth, Tricolore and Sorrento.

Mick enjoyed many coaching successes in the 1980's – you could say he had a golden touch winning titles. He is considered to be the only person to have coached the winners of both the State League title and the State Amateur League championship

In 1993 he teamed up with Gary Marocchi to coach the WA State side which had success against the likes of Werder Bremen, Iraklis and Adelaide City.

Marocchi and Brennan were the dream coaching team in 1994, when they were appointed to lead the Perth Kangaroos to the

Singapore League title.

Micky who was by this stage in his 40s, actually played three full games, all away in Singapore. Not bad for a bloke who initially retired due to a double broken leg.

He linked up with Marocchi again to become the inaugural Assistant Coach of Perth Glory for two seasons.

For his efforts and contribution to football, Mick has had the honour of being inducted into the WA Football Hall of Fame.

Well done Mick. Keep going for Glory and the CFMEU!

THIS IS UNION!



Not that long ago, these workers were dodging bullets, bombs, drones and heavens knows what else. Avoiding death, bloodshed and trauma was a daily occurrence.

Think about that. Think of waking up every day and wondering whether or not you'll be alive at the end of the day!

Luckily, some made it to the so called 'lucky country', but that doesn't mean because they came from a position of vulnerability that they should be taken advantage of. They decided to call Australia home and work hard for a fair days pay.

So, It was a wonderful day for our Afghan-Aussie brothers, all union members, from tiling firm Vercon who voted up their first ever EBA. There were genuine smiles all round, as they appreciated how far they have all come from a war ravaged country and landed here as hard working True-Blue Aussies.

They are so proud to be helping to build their new country, and prouder still of the Eureka flag. They all know what it represents.



Everyone wanted to be photographed with it. Makes you proud to be union.

We know they are. 100%!

Most of all, they are proud to be a part of bringing credibility to the tiling industry.

Let's face it, in recent times the tiling industry has been abused and workers have taken the brunt of unfair wages and conditions, with little job security.

These workers have voted up a Union Agreement that will get them good wages and statutory entitlements, out of which they can start to forge a decent future.

Just like immigrants from Europe after World War 2, all they want to do is to put down strong roots as Aussies, work hard, build a home for their family and get a fair working deal.

The tiling industry, like many others has to

get out of the race to the bottom, and a Union Agreement is the place to start.

We aim at industry regulation, and soon we hope other tiling suppliers and subcontractors will be part of the solution, by signing the Tiling Industry EBA.

As we move forward, Tilers and other industry classifications need to realise that better outcomes can only be achieved by workers sticking together with their union, as these members have shown us.

I want to hear from any workers who want to better their own outcomes via a union agreement.

We can start right now.

Give me, Vinnie Molina, a call on 0419 812 872 or send me an email at vmolina@cfmeuwa.com

Compensation changes for families of workers killed on the job

On 14 June 2018, the Legislative Council passed a number of significant amendments to the *Workers' Compensation and Injury Management Act*. These amendments will provide significant and substantial improvements for Western Australian workers. One of the most important amendments is the change in the definition of what a de facto partner is.

Many of you will remember the tragic day when two young workers died on the Jaxon job in East Perth. They were both crushed to death by an unsecured concrete panel falling off a truck. One of the young lads had been in a long term relationship, however when it came time for his partner to access the lump sum compensation, she was advised that her relationship was not recognised under the Act, and therefore she was not entitled to the lump sum compo that other partners receive on the death of their loved one. This was a repugnant and perverse outcome, which could only have worsened the already tragic circumstances she was dealing with. Now under the amended Act a person in her circumstances will get the same access to compensation as a married person.

The McGowan Government's amendments will also ensure dependent family members of workers killed on the job, receive reasonable compensation in other areas as well. The amendments significantly increase the lump sum payable to dependants and more than doubles the child's allowance payable to each dependent child. Lump sum payments, where there is a fatal injury, will increase by 54% from \$308,339 to \$570,767. This amount will be indexed annually so that it keeps up with the cost of living. The child's allowance will also increase by over 43%



from \$58.90 a week to \$135 a week, again indexed annually to keep up with the cost of living. The changes came into operation on 1 July 2018.

I am proud to be a part of a Labor government that has been able to make such an important change for the benefit of workers in Western Australia. While the McGowan Labor Government deserves some credit, credit also needs to be given to those unions, including the CFMEU, that have been advocating for these changes for so long.

In other news, our Federal Labor candidates continue to work hard on their election campaigns. As many of you know, a change of government federally promises to deliver better outcomes for working people. Federal Labor has already committed to a number of key changes that are critically important to construction workers, including its promise to abolish the ABCC. One of those capable candidates is Melita Markey. Melita is running for the federal seat of Stirling, where many CFMEU members live and work. Melita comes from a background of supporting workers and has a long time association with

the Asbestos Diseases Society of Australia, where she is currently the CEO. I encourage any members who want to see Turnbull and his kind kicked out at the next election, to get behind candidates like Melita. If you want to volunteer for any of our Federal Labor candidates, please contact Steve Catania at the union office and he will get you in contact with one of the campaign teams.

Finally, I would like to extend my thanks to all those members, who are also members of the Labor Party, that voted for me to be their delegate to the Labor Party's 2018 National Conference.

The National Conference was set down for late July, however it has now had to be moved owing to the Federal by-elections for amongst other, Perth and Fremantle being scheduled for the same weekend. I intend to work with the CFMEU delegates to ensure that the Federal Labor Party platform continues to reflect a progressive and pro-worker agenda.

If you have any issues you would like to raise with me, please feel free to contact my office on 9452 8311 or email me at Swinbourn.Emetro@mp.wa.gov.au.

MAY DAY

See all the May Day photos on our Facebook Page @cfmeuwa



2018



Meet your new CFMEU Organisers

We have recently welcomed on board some new members to our organising team. You may know some of them from on site. They look forward to hearing from you and catching up as they do their rounds. Your union is committed to advancing our great union, as we meet new challenges and set about the changing the rules.

IAN GILL

A qualified electrician since 1982, Ian has worked all over WA on large resource projects onshore and offshore, as well as many projects in and around Perth. He has been a delegate for the ETU on and off since 1984, then becoming an organiser for them in 2003, for 4 years. Ian took a break from the industry and pursued other interests overseas. He is married and has a beautiful 5 year old daughter.

Now firmly back in the construction industry, with the CFMEU in the city block, he believes there is much work to do; "Labor Hire is a cancer on all industries, and we are fighting hard to control and hopefully eradicate the job insecurity, casualisation and poor wages and conditions that often come with this business model.

Contact Ian on 0427 244 141.



JOHN BARTON

John Barton, or JB as he is known, started his working life as a mechanical apprentice in Perth. The majority of his work was construction focused, Ute, 4x4, skid steers and the like. JB worked at Boddington Gold Mine as both Mechanic and T/A. After talking to workers on site, he joined the CFMEU. He has worked for Civmec and most recently in the pre-cast yard as part of Salini's Airport Tunnel Project. It was here he learned the pointy end of all that is wrong in the treatment of workers, and he became determined to play a role in changing things for the better. He is looking forward to doing that as a CFMEU organiser. It is his chief mission to see the back of Labour Hire and the way it treats workers as third rate citizens with little or no entitlements, poor pay and no job security. Need help? Call JB on 0407 817 413.



CHRIS DA SILVA

Chris joins our team after working as a Ceiling Fixer in the Construction Industry. He has been a member of the union since working on the Fiona Stanley Hospital project. Chris has worked for Cubic and Ceilcon amongst others.

As a young bloke, Chris says other generations fought hard for conditions we have today, and he doesn't want to see it slip away. He is absolutely determined to meet and organise the current young generation and win back what has been lost in the war against workers. Chris can be reached on 0499 900 570.



CHRIS FRAWLEY

Chris has been a staunch member of the CFMEU for 14 years. His first job was on the Leighton Waroona Water Treatment Plant. As a form worker carpenter he has seen the eradication of standards since the time of John Howard. Chris says it's time for the new generation to have a voice and to speak up and be counted. With the coming together of all our unions, there's never been a better time to join the union and start winning more rights across the board for all members. Call Chris on 0419 812 874.



JAMES MASSEY

James joins our team as an experienced Crane Operator and Rigger. James, 32, has a unique first hand insight into the crane industry having worked for Freo Group, Booms and Kwik amongst others. He has worked extensively in the North West doing shut downs for BHP and



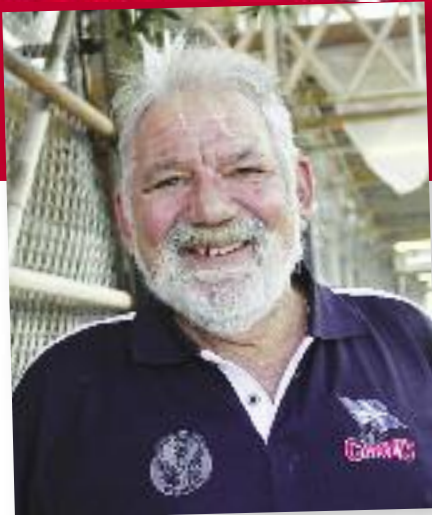
Rio and also in Perth, most recently on the Scarborough Beach Foreshore redevelopment.

James will be getting around to all the Crane yards. His Mission is to bring credibility back to the industry and in the process improve wages, conditions and safety. Most of all he wants the industry to be great again for the future of our kids. You can help him by sticking fat and joining the union. Contact James on 0419 812 866.

HOW YOUR ORGANISER CAN HELP YOU

- Help you to join the union
- Unpaid Superannuation
- Unfair Dismissal
- Protected Action – if needed
- Recovering any unpaid wages
- Unpaid Long Service Leave
- EBA negotiations and information
- Accessing union benefits
- Redundancy information
- Mediate Disputes
- Current industry wage rates
- Site Allowance information
- Worker's Comp support
- Legal advice
- Tax guide information
- MATES Counselling Services – Help in times of stress
- Industrial Advocacy Advice
- Occupational health and safety issues
- Skills Training Centre courses (Discounts for members)
- Jobs/work current sites and upcoming projects
- Double check information given to you by the Boss
- Union work gear

For a complete list of CFMEU WA Organisers see our website wa.cfmeu.org.au



No ordinary Joe

Joe Trenka is what we call a rock solid member. He has now retired and looking forward to enjoying life after years of hard shifts on numerous Perth sites.

A ceiling fixer for most of his working life, Joe has been a proud unionist for over 33 years, since the days of the BWIU and BLF.

We recently caught up with Joe to get his recollections on a union life.

He has seen a lot of changes, and recognises the need to change the rules again.

"I remember blokes used to help each other a lot more. At a meeting on the Airport Control Tower job, we had a whip round to help fund workers in a dispute. I think it was about \$20 a week. One bloke said "I can't afford that. I've got a tribe of kids in need at the moment." Another worker piped up and

said, "I'll pay your share brother, you can fix me back up when you're OK". That's how we got what we got, because blokes stuck together."

Joe laughs about the time workers went on strike at the Orchard Hotel project over jackets and boots. It took 3 days but we won the day he says.

He sees Labour Hire as a scourge in the industry. He has seen workers who knock back a Sunday shift from a labour hire company, due to family commitments, not seen on the job again. "This has to change, it can't go its destroying lives and families" says Joe.

Joe put it bluntly. **"If it wasn't for the union I'd have Fuck all!"**

"There were times you'd never do up the house, you'd be afraid to spend money putting in new carpets and then not having the money to pay for it. The union got us super, redundancy, long service. My advice is to stick with the union, if you don't you'll end up with sweet FA!"

Joe's first union job was at Charlie Gardiner Hospital and his last before retiring was the

new Perth Stadium.

Joe would like to thank the union, especially Mick Buchan, for all the help and support he has received.

We'll always be here for our members like Joe, through thick and thin. We are honoured to have someone like Joe in our union. A proud union member who has sacrificed, fought hard, and shown great comradeship to his workmates.

Joe looks forward to receiving his Honorary Membership now that he has completely retired.

It was with great pleasure that we recently welcomed more retired members to our Life Membership Club. At a morning tea at Trades Hall they were awarded their special certificates and medallions. It was terrific to see everyone come in, catch up with old workmates and enjoy the morning.

Thanks to Phil Milne from CBUS who was on hand to answer any enquiries about SUPER and changes to pension laws. We look forward to our next morning tea presentation and hope to see everyone eligible for Life membership attend.

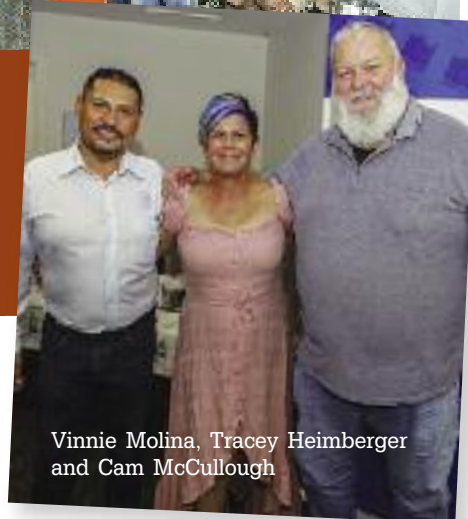


Welcome to our latest intake of Honorary Life Members. They built this city! Stronger forever!

Dare to Dream Dare to Win



A small group of Western Australian delegates travelled to attend the inaugural Aboriginal and Torres Strait Islander (ATSI) Conference held in Cairns. (Held on the lands of the Gimuy Walubara Yidinji people)



One of the main aims of the conference was to obtain ideas and gain direction from delegates, to create a formal structure for ATSI people, within the union movement.

At present there is no specific ATSI branch. Each union has their own focus on their ATSI members, but there is not a single program to manage issues, provide direction on ATSI matters – to each union (nationally) and provide support where needed; especially in relation to promotion of membership, being consistent with messaging.

The conference delegates agreed to 7 resolutions, one of which, was support for the Uluru Statement from the Heart, and the formation of a Makarrata Commission. These resolutions will be presented to the next Executive Meeting of the ACTU for endorsement.

A major key to unlocking the idea and notion, of the term Makarrata, is understanding that

Australia is one of a few Commonwealth nations not to currently have a treaty or treaties with ATSI people, despite ongoing calls for a settlement.

It is important to understand the concept of Makarrata. It is much more than just a synonym for treaty. It is a complex Yolngu word describing a process of conflict resolution, peacemaking and justice.

It is a philosophy that helped develop and maintain lasting peace among the Yolngu people of northeast Arnhem Land.

The term Makarrata is not new and has long been proposed as an alternative name for the treaty process in this country. However, many people have only become familiar with it since the Uluru Statement from the Heart was released in May 2017. That statement, and a final report to government, came after the Referendum Council held 13 regional forums to discuss constitutional change and try to reach a consensus.

These two documents rejected the idea of minimalist or symbolic changes to the constitution.

Instead, they called for a constitutionally enshrined First Nations voice to parliament, along with a Makarrata Commission "to supervise a process of agreement-making between governments and First Nations and truth-telling about our history".

Makarrata was also the theme for this year's Garma Festival, and part of its tagline, "Go! Bukulundhun Makarrata wu," which translates to: "Come! Let's gather together for Makarrata".

It will be good to see positive results from the resolutions made and the hard work which was invested into it, by all who attended.

One of the main aims of the conference was to obtain ideas and gain direction from delegates, to create a formal structure for ATSI people, within the union movement.

VALE Tony Cooke and Ark Tribe

Since our last issue we have sadly farewell 2 giants of the union movement.



TONY COOKE

Around 750 people were present at Pinnaroo Valley cemetery to farewell former Unions WA secretary Tony Cooke who passed away in late March after a brave battle with cancer.

Tony Cooke dedicated his life to the greater union movement and the working class struggle for most of his adult life. He stepped down after serving two terms as Secretary of the TLC/Unions WA in 2001. A career spanning 25 years at the forefront of the Western Australian Union movement;

Tony is perhaps best remembered and admired for his innovative leadership and involvement in the three 'Waves of Industrial Relations Legislation' in Western Australia throughout the 1990's, culminating in the final 3rd wave in 1997.

The second wave was attacked heavily in the media; Tony Cooke was invited to a face-to-face meeting with Kierath and Court, which he was happy to attend. Cooke then informed Court that he had been in contact with members from the South African Maritime Union and they would refuse entry to a ship full of Western Australian Bauxite thus causing an International Incident.

This was the first time the unions had worked with members from another country as a tactic against proposed legislation. The federal opposition, looking to win the election in 1996, advised their State counter-parts to withdraw the un-popular legislation due to the possibility of jeopardising the federal election. The second wave was defeated outright.

Tony's record at the TLCWA / Unions WA can be in part characterised by a strong development of a union movement with broader reference to member's lives.

He always looked at the broad needs of union members in society not just at work, and always looked to the future and the changes needed to service and stay relevant to members.

His efforts helped to establish what we now know as Solidarity Park.

The 3rd wave culminated in perhaps the largest union rally of recent times – a public rally on the 29th of April 1997 where an estimated 35,000 people, mostly families, marched from the city to Parliament House to protest the laws.

The events during this time gave birth to the WA Building Taskforce which was a template and forerunner of the insidious ABCC. A putrid organisation whose ideological vindictiveness almost certainly played its role in the death of another much loved and respected unionist – Ark Tribe – a man with principal and guts who sadly passed away in May.

ARK TRIBE

No one more than Ark personified the barbarous and oppressive attacks of the Australian Building and Construction Commission. Ark Tribe was a hero, a legend and a victim.

He was a person just like you who went to work. A safety meeting is called. Safety on Ark's site was pretty awful with concerns all round. It's so atrocious that WorkSafe SA closed down the site. In the process, a safety meeting was held on site amongst the workers with their Union.

After the meeting Ark Tribe was singled out to tell all that was discussed at that meeting. He refuses. He takes the view that it's none of the business of the ABCC (Australian Building and Construction Commission).

After all, the ABCC doesn't investigate unsafe sites. That's WorkSafe's job – and they said it was bad enough to close the site down. So, what happens? Ark Tribe gets called up to explain what went on! Because he refused to say what was discussed at the Union safety meeting he is charged with an offence. He was dragged through court several times facing jail time of up to 6 months.

Ark was eventually found not guilty. It should never have gone to court. It took its toll and if anything can be done to honour his decency and memory it would be the total dismantling once and for all of the ABCC – who have contributed nothing but a dark stain on Australia's history.

Both will be sadly missed and our hearts go out to their families.



Broken Rules in the North West

I would like to highlight a timely and good example from the North West, on why The Rules are Broken.

SODEXO are an international company who provide a wide range of services, including facilities maintenance for large multi-million dollar companies like Rio Tinto & Woodside. In March 2016, SODEXO got one of their employees to vote up a Baseline Agreement called IFM Services Pty Ltd Enterprise Agreement. This occurred prior to them winning the Rio Tinto facilities maintenance contract (for a term of 10 years).

Sodexo, replaced the services provided by Spotless – whose employees were on a Union negotiated EBA. The base rate for the trade workers range from \$45.00 to \$65.00 per hour. Their rate of pay was dependent on the length of service with Spotless.

SODEXO then introduced a Baseline Agreement which barely meets the award of around \$22.00 per hour. This legally meets the BOOT (Better Off Overall Test) using the Hospitality Award, as over 80% of the workers covered by this agreement are from that sector, when they register their Agreements with Fair Work Australia.

SODEXO initially offers an overall package of \$95,000 to \$105,000 per year, dependent on the type of trade. This is then used to screw the workers on other entitlements. For example, Superannuation is paid at the base rate of pay i.e., 9.5%.

When taking Sick Leave the worker is paid for this, at the base rate of pay. Overtime worked is paid penalty rates; but calculated at the base rate of pay.

You can now see how SODEXO were able to submit a tender price to provide facilities maintenance and win the contract from Spotless.

WE NEED TO CHANGE THE RULES



Rio Tinto cost saves a few \$\$\$ – but SODEXO workers, cop the pineapple in the cost saving exercise.

Superannuation – there is a significant difference of \$7,000 between Spotless and SODEXO. SODEXO workers will have to work till there are 90 years old, before they are able to retire. How can one person determine the livelihood of hundreds of workers, for the next four years? Another reason why the rules are broken and need to be changed.

Another kicker for SODEXO trade workers is that around 80% are Hospitality workers. This agreement uses the Hospitality Award as the BOOT test, meaning for the purposes of Long Service Leave trades workers cannot have their long service paid into My Leave.

WORK INJURIES

Sodexo workers are instructed by the Emergency Services Officers (ESO's) on Rio Tinto sites, to report to the local hospital with an injury. Sodexo Supervisors then instruct the worker to go back to the office, so a video hook up with one of their doctors can be arranged. Sometimes these can take up to one hour to arrange. One worker described it to me as being on the phone to a Vodafone Help Desk. I will leave that to your imagination on how loved the worker feels, with the methods used by the employer, to alter the outcome of a medical assessment and prevent a lost time injury being reported.

PUBLIC PERCEPTION AND BRAND IMAGING

On the matter of SODEXO and the warm and fuzzy Motherhood Statements on their website, on how well they work with Unions internationally...let me just say I have experienced the exact opposite. In fact, I have been abused by Managers who have tried to hinder and obstruct my right of entry. Interestingly enough, one Manager decided it would be a good idea to send me a text message at midnight to introduce himself. You can imagine how impressed I was, and how much I looked forward to meeting him in person!

RIO TINTO COST SAVINGS

Rio Tinto aren't exactly crying poor – they're cost cutting and saving themselves a few \$\$\$ – increasing their enormous profits for the past 2 years (since I've been here in the North West).

They have slashed their services to the bone and then happily, publicly report a record Net Profit for the 2017 Financial Year – USD8.76 Billion (AUD11.13 Billion), up 90 per cent from USD4.61 Billion in 2016.

They continue to make workers redundant, engage labour hire companies – who engage casuals, sack contractors or put contracts to tender, as a means of cost savings.

The cost cutting and savings, hand in glove with automation is having a real and dramatic negative impact on the workers.

But, as if that's not enough, Rio Tinto are members of the powerful mining lobby that is putting in submissions on behalf of all the big miners to cut the corporate tax rate from 30% to 25%, on the basis of being able to invest in infrastructure that will create jobs.

Continued overleaf

Continued from previous

Automating trains, haul trucks, drilling rigs and soon to be...Gatehouses for site entry, does not create jobs, it makes these jobs redundant. Driverless heavy haul or freight trains have been trialled for short trips (from Tom Price to Paraburdoo). At present, the autonomous trains are supervised. It won't be long until they are completely autonomous. If you're not a member of your Union, please sign up. It only takes a few easy steps to join up online and all union dues are 100% tax deductible. You can also sign up using direct debit form \$20 per week <https://wa.cfmeu.org.au/join>.

Please feel free to call me on my mobile 0419 812 864 or email PFerreira@cfmeuwa.com.

BULLYING AND HARASSMENT

Rio Tinto Management need to adhere to their own policies and procedures regarding bullying and harassment in the workplace. Apparently it's not OK for a worker to tell a Supervisor a few home truths, but it's ok for a Supervisor to refer to a Crane Operator (with a crane ticket) as a Labourer, as a means of belittling them, and continually making snide remarks in an attempt to intimidate. Just a suggestion Rio Tinto – treat your workers with some respect and you will get the same back from your workforce, it's not hard.

▶ CFMEU : UNION NEWS

Here to Stay!

A VICTORY FOR ONE IS A VICTORY FOR ALL

In this case we had two victors. What happened to John Setka and Shaun Reardon was an absolute disgrace.

In a major victory for Australian workers, charges against two CFMEU Victorian Construction officials were dramatically dropped at the Melbourne Magistrate's Court. The CFMEU welcomed the decision by the Director of Public Prosecutions to withdraw blackmail charges against Victorian Branch officials Shaun Reardon and John Setka.

John and Shaun commented; "This decision is a major victory for all workers in this country."

It is difficult to see this case as anything other than a conspiracy among those with vested interests in ensuring workers in this country are not adequately represented.

This case was the culmination of a political witch-hunt against unions driven by Liberal Governments for over four years.

The court case has nothing to do with workers safety or rights, it's always been about

criminalising unions in this country, and this matter should never have made it to court. We are grateful the DPP recognised that.

These charges were laid on the basis of a complaint to the Heydon Royal Commission. It's extraordinary that the original complainants were never interviewed before the decision to press charges.

It has emerged during this committal hearing that the witness statements to the Royal Commission, that these charges were based on, had been changed 41 times in one case and 18 in another.

The CFMEU's campaign was about saving lives. And our penalty for that is to be targeted, prosecuted and fined by government agencies and the regulators."

On the steps of the court lawyer Peter Gordon stated; "What we do know is that



gross and unlawful distortion took place....and that's the only way these charges could be brought.

What we do know is that after three years of prosecution and harassment, the only question of criminal conduct raised here is in various aspects of the concoction of this case against these innocent men....the destruction of evidence and the distortion of evidence.

If there is to be fairness and impartiality to our justice system, the same sort of scrutiny that has been applied to John Setka and Sean Reardon over the past three years, should now be focused on Boral, the Trade Union Royal Commission and those responsible for the distortion of evidence that made these charges possible in the first place."

THE RULES ARE BROKEN – CHANGE THE RULES

Progress taking shape with Agreements



Programmed Painters – staying strong!

In the Offsite Area it's currently all about Agreements, and as always, we aim to improve the working lives of all our members.

The glaziers over at O'Brien Glass in Malaga have finally had their Agreement approved by the Fair Work Commission, after waiting almost five months for them to pull their fingers out. The Agreement runs for two years, and will see increases of 2% each year, as well as improvements to redundancy and weekend piece rates.

It's also been busy in the Local Government sector with agreements finalised with the Perth and Rockingham City Councils, and a variation going through the approval process with the City of Mandurah. The variation at Mandurah will see the CityBuild team finally have a proper classification structure, providing the workers with clear steps for career progression. Enterprise Agreements are still in the negotiation stages at Stirling and Swan with Fremantle due to start shortly.

Over at Crown Casino our members in the Property Services team are also negotiating their Agreement. This is a joint agreement that also involves the ETU and PTEU, and all three unions are working closely together to get the best outcomes for our members. Whilst negotiations are ongoing we've successfully lobbied Crown to have our members vaccinated for infections that can arise from working in the various and numerous wet areas in and around the complex. This is a great win for our members, it reminds Crown and other employers out there that we never compromise on safety.

Programmed Property Services are also in the process of negotiating a new agreement and so far the company have gone against the advice of Don Corleone and presented an offer that can only be refused. The painters are a staunch bunch so watch this space and see what outcomes are achieved.

FORESTRY AND FURNISHING

And finally, in the Forestry and Furnishing Products Division of our Union we continue to see slow but steady growth with the area showing lots of potential for expansion. We are due to commence

negotiations with Corinthian Doors in Canning Vale very soon, and later in the year agreements will be re-negotiated with Laminex Distribution in Welshpool, Bibra Lake and Balcatta and Wesbeam in Neerabup.

As always, if I can assist you in any way please don't hesitate to contact me on 0403 432 221 or via email amackrell@cfmeuwa.com.

Stay strong brothers and sisters. 100% In 100 % Win



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Financial Union members can make an appointment by contacting the union office on 92286900 for a referral.

It feels like not long ago I wrote a similar article. However, since the last report more has been happening in this area.

At the moment I am sharing the area with a new young Organiser, John Barton, or JB as his mates call him.

The Forrestfield Airport Link, FAL Project, is still moving along with the Tunnel Boring Machines reaching the Airport Central site. That is about 1.5km from the Forrestfield entry dive and it will continue toward the Belmont site in Redcliffe and Bayswater.

Construction continues on all of the Salini sites with lots of work currently underway in Bayswater in preparation for the boring machines to breakthrough in the next 6 to 8 months.

The issues faced by workers on site do not go away. Issues such as the ongoing struggle for a collective agreement against the current sham contract.

Access to the underground tunnel by our CFMEU officials to conduct OHS is restricted. We do have access to other parts of the site but we have the right to enter any part of the project.

Membership at this project is high and workers expect that they will have a union agreement on the rest of Metronet. We all expect a Union Metronet Agreement that will protect wages and conditions for tunnel workers in WA. The State Labor government has to make a commitment to defend the conditions of those who helped them win the state elections.

Some other jobs, such as the Midland Gate Shopping Centre, are well advanced and nearing completion in the next few months. The Scentre Group's Carousel Shopping Centre is almost 90% finished and expected to be open to the public as per schedule or even ahead of it. That shows that union labour and union agreements deliver much better quality and on time projects in Western Australia.



John Barton 'JB' helping members.

The Pedestrian Bridge over the Swan River that was supposed to be up and running a couple of years ago will be, in the words of its builder, "finished someday".

Close to 200 people on the project are pushing hard to get the project back on track. Unfortunately for all, conditions and pay are all over the shop on site. Workers are victims of precarious employment through labour hire or casual hire. Workers doing the same jobs are getting paid differently and the fact it is casual employment brings into question legislative entitlements such as superannuation and 'My Leave' payments. The need to be organised in the union is a must, so do not miss out.

Finally, BGC has 3 jobs in the Rivervale and Burswood areas. The pace at which residential multistorey buildings are going up, begs the question 'who is buying all these units', because these days most workers can't afford to buy what they build. The RiversEdge and The Residence Tribeca North are getting off the ground with subbies, like SVG and White House Constructions, doing concrete and formwork.

At the Crest Burswood, Greenmount Concrete is on the final floors of the multistorey apartment block by developer Norup-Wilson. You will see the CFMEU busy on site these sites, ensuring safety, conditions and pay on the jobs.

As you know, it is just a call to get either myself or JB on your site.

It's time as well to get on board with the ACTU campaign as it is time to change the rules because the rules are broken.

Join the Union.



New Agreements. Are you part of it?

There's an old saying in the crane industry – "they can't lift it without you." What really needs lifting is wages and conditions across the entire industry.

At the moment, the union is negotiating a round of agreements in the crane industry. Are you part of it? If not it's time stand up. Engage your union to fight for you. Let's see better agreements by all working and sticking together. It's the only way it's going to happen.

The boss will always cry poor and say not now or later. The time is now, so let's get it done and take back our industry and standards.

In yards and factories in the city areas and regional areas – from the vast North West to the South West of WA, crane operators are an integral part of our union.

We have to ask ourselves what sort of industry we want? If nothing changes it will only get worse. This where the Change the

Rules campaign your union is supporting comes into play. It will underpin all that is wrong with the treatment of workers and how they go about getting fairer representation and better outcomes than what the current system allows.

Get organized in your workplace and work in tandem with your union. It is unions who has achieved better wages, conditions and safety. The bosses have never willingly given anything. So, join your union. Pay your dues. Stick fat and we'll get better agreements. 100% In 100% Win.

Another serious matter. It was tragic to see the death of a CIVMEC worker at Woody's point. This further highlights the need for Industrial manslaughter laws to be introduced into WA, as they have been in Queensland and Victoria. See our articles on both these issues in this journal.

I am happy to say we are making progress on the issue of Labour Hire, with a commitment

by the State Government to look at overhauling this sick pig of a way to hire workers. Enough is enough.

Your union has worked bloody hard to get this underway. There's still a way to go, but we will be keeping on top of the situation. It just goes to show that these days we need to work both on an industrial and political front to maximize outcomes for workers.

We need to have input into changing the rules and laws which adversely impact on workers and their families.

So, when you are asked to join our Construction FIFO branch of the WA Labor Party, please keep in mind that the more members we have in both the union and our political branch, the more we can achieve.

If you need help on any issues affecting you or your workplace please call me on 0419 812 871 or email tsmart@cfmeuwa.com

If you want to keep up to date with news and views, join our Facebook page at CFMEUWA

Next stop **GOLD** for Caitlyn

CFMEU sponsored Caitlyn Parker did the union and Australia Proud at the recent Commonwealth Games on the Gold Coast, by finishing with a Silver Medal in a highly contested Gold Medal bout against Welsh Boxer Lauren Price.

Caitlyn fought in the 75kg class. On the way through to the Gold Medal Bout she saw off Natasha Gale from England and Millicent Agboegbulem of Nigeria. Many respected judges believe Caitlyn was extremely hard done by in the final, but that has only made her more determined than ever to win Australia's first ever boxing Gold Medal in the future. Bring on the Olympic Games!

Caitlyn is extremely grateful for the CFMEU sponsorship which allowed her to focus on training at the AIS in the lead up to the Games. Caitlyn has a huge future in the sport and counts Danny Green amongst her biggest fans. The 'Green Machine' commented in local media

"When I first saw her, I watched her jump in the ring and they were alternating two men," he said. She was only 16 years old and I was like, 'what's going to happen here', a bit perplexed. She towelled them up. I thought this kid can fight. It didn't matter if she was a girl or a boy – she can fight."

Caitlyn started the sport mainly for fitness, but enjoyed sparring. She also has a Black Belt in Tae Kwon Do.

We congratulate Caitlyn on her efforts and look forward to seeing her progress and win GOLD! Like we say 'If you don't fight, lose!'



The tougher it is, the harder we fight



No matter how tough it is out there, be rest assured we are fighting on all fronts to better our industry and members. Let me tell you, it's not all doom and gloom. We have had some top wins on the policy front.

I'd like to congratulate our union for making good progress in changing the rules around Labour Hire. The time is coming when the shit will be sorted from the mud and dodgy Labour Hire companies will be forced out. We are also keeping up the pressure to bring in Industrial Manslaughter laws in this state, as they have over East. Both these issues have been developed by your union putting forward motions for new policies through our Construction / FIFO branch of the WA ALP. So join our branch and help us to continue fighting on all fronts.

On the jobs front it seems patience is a virtue. Major Shopping Centre projects are happening, just not as fast as we would like. It's a bit like that old Shampoo Ad, it won't happen overnight but it WILL happen. What I can say is that it looks like Karrinyup and Innaloo will start to gather pace later this year.

JOBS ON THE WAY

The Oceans 3 Twin Towers High Rise development in Scarborough has got the go ahead after several submissions through the planning stages. We expect this to be a project offering good union jobs and structures.

Union Built is Quality Built! So stay tuned for news. **Join your Union!**

DO YOU HAVE UNPAID SUPER OR LONG SERVICE LEAVE?

Millions of Dollars are being lost by workers who have been done out of legal entitlements – how much are you owed?

If any members have unpaid Super or Long Service Leave, please contact me and we'll get it sorted. Don't forget it's your money – we can go back 7 year to get it back. Please call me on this matters, or any other issues, on 0488 770 857 Email bupton@cfmeuwa.com

FLOOR STUPID!

Earlier this year, the CFMEU put a post on its Facebook page exposing the dodgy employment and OSH practices of Floorwise contractors working on the Carousel project. There was nothing Tier 1 about the Floorwise subcontractors and it was pretty clear that Floorwise had failed to carry out due diligence on their subbies.

Damaged RCD's, no or inadequate PPE, dodgy tools, sham contracts, non-payment of superannuation and long service leave breaches were identified by the CFMEU in the Facebook post.

Floorwise's first response wasn't to fix the problems but to call their mates from the ABCC. What a joke. As predicted, the ABCC goon squad jumped in their car and headed straight out to the project to find out what those naughty CFMEU Organisers had been up to. How dare the union identify dodgy employment and safety practices going on under contracts managed by Floorwise.

The next thing Floorwise did, confirmed the common view in the construction industry, that they should change their name to Floorstupid. They made application to the Supreme Court for "injurious falsehood". In layman's terms, they effectively wanted to sue the CFMEU and one of the organisers because of the comments we made in our Facebook post.

3 months on, the Supreme Court has dismissed Floorwise's application. The CFMEU hasn't had to pay this outfit one cent. Floorwise have no doubt coughed up a shitload of money to bring a Supreme Court action against the union. That's money that should have been spent paying their employees a better wage.

The CFMEU won't be silenced by any boss. Particularly outfits like Floorwise. We will continue to use our Facebook site to promote union values and have a crack at dodgy employers caught out doing the wrong thing.

WHAT AN ABSOLUTE JOKE!



AUSTRALIAN
BUILDING AND
CONSTRUCTION
COMMISSION

LOWER THE
COSTS OF
CONSTRUCTION

strongneweconomy.org.au

This is probably the most laughable statement ever from Turnbull. The ABCC only lowers safety, stops workers from having fair representation and has caused workers to suffer low wages in a race to the bottom everywhere. It's time for the ABCC, in all its entirety, to go. Hey Mal! Please tell us again how much the new Perth Children's Hospital was over budget!

CFMMEU Women leading the way

The first ever CFMMEU National Conference saw a strong delegation of women across all branches and divisions. Our unions have always led the way for women to take up leadership roles within our industry, so it was great to see our CFMMEU Women Task Force helping to shape the future of union and ensure equality for all, as we set about 'Changing the Rules' for female workers in this country.

WA Delegate Michelle Sheehy said "It was fantastic to see the role of women recognised in our industry. There's a lot more to do and we have the avenue to make a real difference in what is now a more powerful force with the coming together of all our great unions as one.

Sharon Keating is still floating on air when asked to comment for the Journal with her thoughts about the Conference. "It was an incredible 4 days which energised all of us to get out there and make things better. The keynote speakers were terrific. I am really proud to be a part of a union, which like



Michelle said: Recognises the role of women and gives us a voice to make real change."

Tracey Heimberger said "The conference was a great opportunity to network with other comrades and share information with them. I thoroughly enjoyed hearing from our leaders and updates from each state. I look forward to exciting times with the amalgamation."

All delegates were proud of the motion that went up at Conference:

WOMEN IN OUR UNION

This Conference acknowledges the work of the many women in our industries and sectors. We have seen a growing number of women entering into many of our male dominated sectors that make up a growing percentage of workers in those sectors that is not reflected in our Union in terms of membership. In total, women in our Union as members hovers in single figures. The mergers with the TCFUA and the MUA have improved our profile, however, more needs to be done. A major theme of this Conference is the growth of our Union. We are committed to building the ranks of our female members in all our sectors, to be part of the overall strategy to grow the union, our members and union power.

Are you Project Ready?



There's no doubt more and more large scale civil projects will be starting in the Perth metro area over the next 12 months. Several large projects have also been announced in the North West. So much so, there's talk of another Boom! With that in mind, it's time to book a place at the CSTC to up skill or renew your tickets.

NEW COURSE: CUT AND CORE CONCRETE

We have started a new course – Cut and Core Concrete. We are only one of a handful of training Centres in the metro area offering this course. Please call us for more details – it's just one many courses you can do now, and remember paid up union members get a least a 20% discount.

So, if you're in the CFMEU, MUA, AMWU, TWU, CEPU, ETU, AWU – BOOK now and Save!

Individual or group company/subby bookings welcome

SCHOOL LEAVERS

If you have kids leaving school this year, and they are wanting to get into a career in construction, and you are a paid up member, ask us about how we can help.



Follow us on FACEBOOK:

Like and join our Facebook page @CSTCWA – keep up to date with course information and lots more news.

CONTACT US



CSTC
Construction Skills Training Centre
QUALITY TRAINING

Phone (08) 9358 6501
107 Radium Street, Welshpool
training@cstc.com.au

CHECK OUT OUR FULL COURSE LIST:

1. DG – Dogging (CPCCLDG3001A)
2. RB – Basic Rigging (CPCCLRG3001A)
3. RI – Intermediate Rigging (CPCCLRG3002A)
4. RA – Advanced Rigging (CPCCLRG4001A)
5. SB – Basic Scaffolding (CPCCLSF2001A)
6. SI – Intermediate Scaffolding (CPCCLSF3001A)
7. SA – Advanced Scaffolding (CPCCLSF4001A)
8. CN – None Slewing Crane (TLILIC3006)
9. C6 – Slewing Mobile Crane up to 60 Tonnes (TLILIC4009)
10. CO – Slewing Mobile Crane over 100 Tonnes (TLILIC4011)
11. CT – Tower Crane (CPCCLTC4001A)
12. WP – Elevated Work Platform (TLILIC2005)
13. LF – Forklift (TLILIC2001)
14. HP – Personnel and Materials Hoist (CPCCLHS3001A)
15. HM – Materials Hoist (CPCCLHS3002A)
16. Work safely and follow WHS Policies and Procedures (RIIWH5201D)
17. Basic Worksite Traffic Management (RIIWH5302D & RIICOM201D)
 - (Must have RIIWH5201D pre-requisite requirements)
18. Traffic Control (RIIWH5205D & RIICOM201D)
 - (Must have RIIWH5201D pre-requisite requirements)
19. Work Safely at Heights (RIIWH5204D)
20. Work Safely at Heights Refresher ***
21. Enter and Work in Confined Spaces (RIIWH5202D)
22. Enter and Work in Confined Spaces Refresher***
23. Carry Out Basic Demolition (CPCCCM2009A)
 - (Must have CPCCOHS2001A pre-requisite requirements)
24. Restricted Asbestos (RAL001)
25. Identify requirements for Safe Tilt-up Work (CPCCCM1016A)
26. Cut and Core Concrete (CPCCCO3047A)
 - (Must have CPCCOHS2001A pre-requisite requirements)
27. Conduct Telescopic Material Handler Operations (RIIHAN309E)
28. Undertake Manual Handling (MEM11011B)
29. Construction Induction White Card (CPCCWHS1001)
30. Apply OHS Policies and Procedures in the Construction Industry (CPCCOHS2001A)
31. Introductory Occupational Safety and Health Representatives Course
32. Pendant Gantry Crane Awareness
33. Scissor Lift Awareness
34. Grinder Awareness
35. Hand Held Concrete Cutting Saw
36. Aluminium Mobile Scaffold (up to 4 meters)
37. Royal Life Saving Society - Apply First Aid
 - HLTAID001 – Provide Cardiopulmonary Resuscitation,
 - HLTAID003 – Perform First Aid
 - HLTAID002 – Provide Basic Emergency Life Support

New Technology is no excuse to replace workers

A recent Congress of the Southern Initiative on Globalisation and Trade Union Rights, SIGTUR, was held in Buenos Aires on 3-5 April 2018. SIGTUR is "a network of democratic left-wing trade unions who will not sit back and do nothing when confronted with injustice".

It was founded in Perth in 1991 under the banner of working together for workers' rights in the Global South. From its humble beginnings SIGTUR now embraces 35 countries across 4 continents.

The 11th Congress was held under the slogan of "Another Work is Possible". Discussions were held on topics such as:

- 1) A shorter working week without loss of pay;
- 2) Universal basic income as a right to fight for a decent income for all &
- 3) Industry 4.0

I had the privilege of presenting some thoughts on the challenger topic of Industry 4.0 and what the role of labour and unions is. We can't fight, or even want to fight, the so called Fourth Industrial Revolution and technological advances, but under the current system of exploitation we can anticipate it might not be managed well.

In the hands of corporations who don't value workers, robotics and new technologies will cost jobs and will see workers made redundant, with no plan for their future.

The technology is not the enemy, new technologies are welcome, but Unions and workers must be in control of it. High Tech advances are currently in the bosses' hands and are utilised to make more profit at the expense of workers and their families.

Unions need to fight, as we have always



High Tech advances are currently in the bosses' hands and are utilised to make more profit at the expense of workers and their families.

done in previous industrial revolutions, to have a say and be part of the decision-making process. We must learn more about it by engaging with the people who have the knowledge and expertise, but above all we need to organise the shopfloor so workers are part of overcoming the difficulties. We need to demand more apprenticeships in the new areas that open up, as well as traineeships so workers can upgrade their skills.

This should be done in anticipation not hindsight. Failure to do so will see bosses continue a line and feed the illusion that there are shortages in skilled labour that can't be overcome. Governments then use this to justify the introduction of temporary

visa programs that are often used to undermine local workers. We can and must stand against the misuse of new technologies for the enrichment of the boss that leaves workers poorer.

Workers and their unions must fight for a shorter working week without loss of pay to address unemployment. As well we must demand a liveable wage that allows workers to not only reach their full potential but to have robust families and communities that can do the same. There is only one way this can be done and that is organise, organise and organise!

For more information on SIGTUR visit:
www.sigtur.com

VALE PETER MORRISON

We are sad to report the passing of Pete Morrison "Big Pete" had been a union member for over 40 years and was a union organiser for about 19 years, as well as a delegate. His first job in the industry was as a builder's labourer on the original Floreat Forum Shopping Centre site and one of his last was on the Raine Square job. Pete was well liked and respected as an Organiser teaming up with the likes of Jimmy Reid and others back in the day of the BLF. RIP.



EUREKA FLAG FLIES

Well done to all our CFMEU kids for sending in their terrific drawings of our Eureka flag colouring in competition. We hope you all enjoyed your sticker pack.



\$90,000 RAISED!

Well done to all the CFMEU crew and everyone who took part the Bike Ride Against Domestic Violence from Busselton to Perth. It was into rain and strong winds all way and a total of about \$90,000 was raised!



Here is the historical origins of the black hardhat posted to our Facebook page.

Late 1979, I was a shop steward, working leading hand bricky on the renovation of a four story building on Flinders Street in Melbourne. The construction company was Lewis Constructions. One morning as I was on my way down stairs to water the horse, I came across the Site Supervisor arguing with a lady painter. Yes indeed, a Lady! Now this was a first! A woman on a building site! He, with his white hardhat, and she with her black hardhat, which she had painted because she claimed that the yellow hat was causing her to sweat. A nice young lady named Jennifer. So I stuck my head in! For three days we had members from four Lewis sites around Melbourne out on strike. Of course it was more in the defence of a lady. In those days we had a tribunal that would rule on disputes in construction. If we were deemed to be wrong, no pay. If we were deemed to be right, full pay! As luck would have it a woman was in the chair! Yeah, you guessed it! It was not long after the event that the Victorian Building Union, as it was known then, had black hardhats made for representatives and organisers to wear when going on site! Nowadays the black hardhat is mainly used at deaths at work memorable days, where they are lined up to signify how many were killed that year.

PS. while out on strike, the boys had heaps of fun making their hats black, black texta pens etc. Lewis went out of business! Kind regards to you all."

Ronnie n Jilly, Bendigo Victoria.



FAREWELL PHIL KENNEDY

Phil Kennedy has decided to head back home to Victoria after 10 solid years with us as a CFMEU organiser in the Perth area and the NW. We also thank Phil for establishing the Cummo Cup Golf Day, a major fundraiser which helps disadvantaged young people in WA. See our story next issue.

We wish Phil and his family all the best in the future.

Where's Scaffy?

Scaffy was hiding on page 18 in the last Issue, proudly supporting the Eureka Flag.

See if you can spot him hiding inside this issue.

