



CFMEU

Construction Worker **UPDATE**

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Unions Step up Campaign Against Howard's Building Laws

The campaign against the Australian Building and Construction Commission (ABCC) gained a welcome injection of support this week when a meeting of every Building and Construction union in Australia resolved to unite and campaign together with the aim of abolishing the ABCC.

The meeting included senior representatives from the Australian Workers Union (AWU), Australian Manufacturing Workers Union (AMWU), Electrical Trades Union (ETU), Plumbing Trade Employees Union (PTEU), Construction Forestry, Mining and Energy Union (CFMEU), Queensland Council of Unions (QCU), Unions NSW, Victorian Trades Hall Council (VTHC) and the Australian Council of Trade Unions (ACTU).

Unions unite against ABCC

The Building and Construction Unions have united because of the existence and activity of the ABCC threatens every building workers fundamental right to organise, to protect and improve their conditions of employment including the right to a safe workplace. The meeting agreed that the original creation of the Building Industry Taskforce (BIT), the Building Improvement Act, and the ABCC was based on the beat up, politically motivated activities of the Cole Royal

Commission, set up by the now defunct Howard Government. The meeting determined that all building unions would unite and co-operate across the country, in order to mount a political and industrial campaign to see a permanent end to the ABCC's anti democratic interference in the industry.

The meeting determined to conduct specific defence campaigns around individual officials, delegates or rank and filers singled out by the ABCC for legal victimisation.

The meeting finally determined this campaign would be disciplined and seek the support of the wider Trade Union Movement and the community at large to ensure that building construction and related industries are treated equally under the law.

ABCC Powers

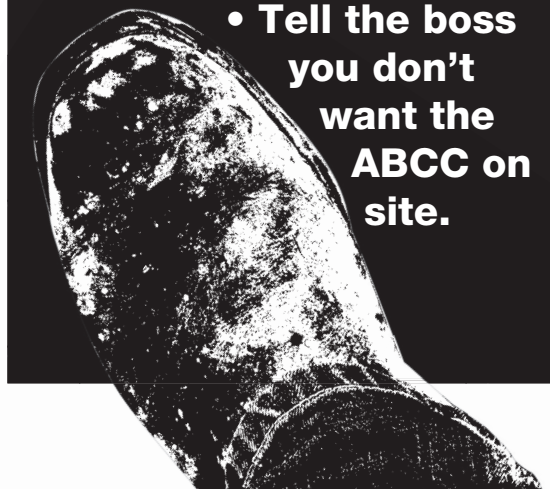
Under the Building and Construction Improvement Act (BCIA) the ABCC has the power

to require anyone to attend a compulsory interview. There is no right to silence and refusal to attend carries a six-month jail term.

Four Victorian construction workers were last month required to undergo such an ordeal for simply working on a site that stopped work in accordance with normal industry procedures over a safety issue. A Victorian Building Union Official has recently refused their demands for him to attend a compulsory interview. The Matter has now been referred to the Director of Public Prosecutions (DPP).

What to do if you are approached by the ABCC

- **Say nothing.**
- **Call your Union.**
- **Tell your workmates.**
- **Tell the boss you don't want the ABCC on site.**



Continued over

One (unfair) law for building workers and another law for all other workers

As a building and construction worker you need to question why you are subjected to a special set of unfair, discriminatory and draconian laws which no other Australian worker is subjected to.

If the ABCC in their wisdom decide they want to subpoena you to a compulsory interrogation they can. This applies to every one working in the industry, union member, non union member, boss, supervisor, apprentice, office staff in fact anyone the ABCC deems connected to the industry. Unlike the State Police, the Australian Competition and Consumer Commission (ACCC) and Australian Securities and Investments Commission (ASIC) or even the Federal Police, the ABCC has a free hand in how they use their power.

National Campaign

The ABCC is a legacy of the defunct Howard government and its anti-union campaign in its last term of government.

There is absolutely no credible justification for the Rudd government in maintaining the ABCC.

Dave Noonan, the National Secretary of the C&G Division of the CFMEU who is the official spokesman for the campaign said 'that as long the law remained, the era of WorkChoices would continue. In Australia today there are special I.R Laws that only cover building workers. Workers in the construction industry should have the same rights as every other Australian worker'.

We fought for 'your rights at work', in Rudd's new Australia that means no civil rights for construction workers...

Construction workers and their families fought hard to remove the Howard Government and its extreme laws. However more needs to be done for a fair workplace relations system for our own industry. Right across Australia construction workers are under attack from the legacy of Howard's IR laws, as the *Australian Building and Construction Commissioner* (ABCC) continues to use its draconian powers.



CFMEU
DARE to struggle. DARE to win!

Jail risk to union leader

John Masanauskas

A VICTORIAN building union official could become the first person jailed under the former Howard government's industrial laws.

The official has defied the powerful construction industry watchdog — an offence that carries a penalty of up to six months in jail.

The matter is in the hands of the Commonwealth Director of Public Prosecutions.

Labor angered unions when it reversed policy before the election and agreed to retain John Howard's watchdog, the Australian Building and Construction Commission.

The prospect of a unionist being jailed in defiance of the ABCC would embarrass Prime Minister Kevin Rudd and Workplace Relations Minister Julia Gillard.

Among the body's sweeping powers is the ability to summon people to attend compulsory inquiries into alleged breaches of industrial law.

The *Herald Sun* can reveal that an executive member of the state branch of the Con-

struction, Forestry, Mining and Energy Union has become the first person to defy such an order.

CFMEU assistant state secretary Bill Oliver yesterday confirmed the situation, but said the official had not been accused of illegal behaviour.

"He has been summoned to give evidence on what was said at a union meeting last year, and decided not to attend on conscience grounds," he said.

More than 50 people have been called in for questioning since the watchdog was launched in 2005 and, until now, all have complied.

The ABCC sees the examinations as a last resort, but believes they uncover valuable information.

It has launched dozens of prosecutions for illegal behaviour on building sites, mainly against the CFMEU.

An ABCC spokeswoman confirmed a person had failed to attend an interview, and said the matter had been referred to the DPP.

IS THIS A FAIR GO?

What most Australian don't know.

- No-one called for interrogation by the ABCC has the right to silence
- Refusal to attend may result in 6 months jail
- The interrogations are secret
- You can talk to no-one, except a lawyer about what happened to you - you can't even discuss it with your partner, best mate, Brother and Sister, Mum or Dad. No-one!
- You may not be able to choose your own Lawyer