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CFMEU

WORKER
EXPRESS

**EBA
NO
MORE
EXCUSES**



ABCC chief Nigel Hadgkiss broke Fair Work Act

Companies who previously used uncertainty around Turnbull's anti-worker Building Code to justify refusing a new EBA have run out of excuses.

Most companies are not exposed to the code and now this is clear can begin the process of negotiating an agreement, just as most of the industry has done for 2016-18.

For companies who, without a code-compliant agreement, would genuinely have employees losing work, there is now the option of an amended agreement that has been certified by the Fair Work Commission and confirmed code compliant by the ABCC.

Malcolm Turnbull's Liberal Government has tried to cut wages and strip conditions from construction workers. Union amendments to EBAs that allow them to achieve code compliance have important disincentives for employers who attempt to undermine hard-won conditions such as RDOs, lockdown weekends, Christmas and Easter breaks and limits on the use of casuals.

The Turnbull Government has been dealt a major blow in the Federal Court after the head of its anti-worker ABCC Nigel Hadgkiss admitted breaching the very law he is meant to enforce.

Hadgkiss admitted to a reckless contravention of the Fair Work Act in relation to the ABCC's publication of incorrect information about right of entry rules. "Nigel Hadgkiss has admitted that his conduct was reckless. We believe the result of that recklessness is that the industry was misled on a key issue affecting workers' rights," CFMEU National Construction Secretary Dave Noonan said.

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

Nigel Hadgkiss resigned after his admission was revealed in the media, but the naked political agenda of Turnbull's ABCC remains exposed.

UNDER ABBOTT-TURNBULL GOVERNMENT: MORE LIVES LOST FOR LESS

Construction industry workplace deaths have spiked in 2017, with 19 lives lost in the first half of the year. It is one of the worst outcomes on record.

The rate at which construction workers were killed increased alarmingly straight after Tony Abbott became prime minister. It now appears that rate is accelerating under Malcolm Turnbull.

Construction activity has increased only slightly compared to the same period last year, still well below the level for the first six months of all previous years since 2010.

The 19 fatalities to June 30 this year represent more than 44 deaths per 100,000 chain volume units of construction. That is up from 35.8 for all of 2016, 31.3 for 2015, 25.5 for 2014 and getting close to doubling the 24.7 average for Labor's last three years.

Here are the full figures:

Period	Construction fatalities	Construction activity (chain volume units)	Deaths per 100,000 chain volume units
2011 full year	41	106,703,687	38.42
2012 full year	30	136,011,950	22.06
2013 full year	22	134,631,344	16.34
three years [2011-13]	93 total	377,346,981	24.65
2014 full year	31	121,831,475	25.45
2015 full year	33	105,479,039	31.29
2016 full year	30	83,835,032	35.78
three years [2014-16]	94 total	311,145,546	30.21
2017 half year	19 (half year)	44,971,742 (half year)	42.25

Federal responsibility

The Abbott-Turnbull Governments have made construction their area of responsibility when claiming credit – so they must also cop the blame. Tony Abbott said: "I hope that in a few years' time people can say of Tony Abbott, he was an infrastructure prime minister."

In opposition, Liberal MPs made political mileage out of the tragic deaths of four young insulation workers. Tony Abbott blamed Kevin Rudd and his environment minister Peter Garrett personally for those fatalities.

Abbott insisted that if Garrett had been a New South Wales company director, "he would be charged with industrial manslaughter".

Liberal MPs promised to expand the construction sector by relaxing regulations that made life tough for construction bosses.

Tony Abbott said: "They [Labor] want to put on new regulations and build new bureaucracies, we want to take the regulations off."

Malcolm Turnbull has followed suit: "Deregulation, enabling businesses and individuals to pursue their own dreams, their own freedom, is the way to deliver the prosperity upon which all depends."

It seems construction companies have acted on this signal and relaxed their compliance with regulations.

What was 19 tragedies this year is now 20. There is no effort from the Turnbull government to address this accelerating tragedy.

Instead, they continue to attack unions and support companies with some of the worst safety records like Element Five/Vcon.



CASH WANTS TO DECIDE WHO CAN RUN YOUR UNION

Michaelia Cash and Malcolm Turnbull are joining with North Korea, Iran, Turkey and China with new anti-union laws.

The only people who should decide who leads a union is the Members.

New anti-democratic laws are designed to prevent union mergers, allow union officials to be disqualified from office and open up deregistration of unions.

Whenever the job of unions is made harder, it hurts all working people.

The laws likely breach International Labour Organisation conventions which protect workers rights to organise and will be fought by the whole movement.