

# 6 REASONS WHY THE AUSTRALIAN BUILDING AND CONSTRUCTION COMMISSION MUST GO IN 2011



There were emotional scenes in Adelaide last November when rigger Ark Tribe was found not guilty of refusing to attend an ABCC interrogation. While it was a triumph for the CFMEU's legal team and a great day for the workers, the ABCC and the unjust building industry laws remain in place.

## 1. THE POWERS OF THE ABCC ARE UNWORKABLE

The not-guilty verdict against CFMEU member Ark Tribe demonstrated that the ABCC has been acting illegally – in breach of its own laws. Even they don't fully understand them.

'I didn't set out to test these laws. I'm just an ordinary bloke who went to work one day on a construction site in Adelaide.

'The last two years have been shocking, it's been a nightmare, I'm glad it's over. We got 'em...you can't do this to us.'

**Ark Tribe**

## 2. THE ABCC IS BIASED

Of 115 court cases all but two or three have been against unions.

'I've heard of the ABCC prosecuting construction workers, threatening to take their houses away by fining them. I've never heard of them sticking up for a worker.'

**Rohan Tobler, Carpenter**

## 3. THE POWERS OF THE ABCC ARE UNJUSTIFIABLE

The ABCC has extreme powers that strip legal rights from construction workers.

'It has powers that not even police agencies have. It has the ability to force people to give evidence against themselves, to give evidence against their families, to give evidence against their workers.'

**Professor George Williams, Constitutional Law Expert UNSW**

## 4. THESE LAWS ARE MADE FOR BIG COMPANIES

In 2010 the ABCC fined one employer \$12,000 for denying union access to a construction site for a safety check. In an industry where a worker dies on average each week, this is a slap on the wrist. Unions are being fined hundreds of thousands of dollars for representing workers and holding meetings.

## 5. A WASTE OF TAXPAYERS' MONEY

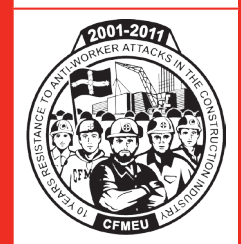
The ABCC wasted a million taxpayer dollars in its failed attempt to prosecute Ark Tribe. Each year the ABCC costs us \$30 million to run. The director is paid \$475,000 a year.

## 6. AUSTRALIA IS IN BREACH OF ILO CONVENTIONS

In 2010 the International Labor Organisation – part of the UN – slammed the building and construction laws for the seventh time for undermining workers' rights to participate in collective action and to be represented by their union.

'The ILO has been very clear that the ABCC does not comply with Australia's international obligations. It has powers that cannot be justified and it has powers that are not appropriate in a fair and democratic nation.'

**Professor George Williams**



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