



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**PROOF**

**PRIVATE MEMBERS' BUSINESS**

**Australian Building and  
Construction Commission**

**SPEECH**

**Monday, 20 June 2011**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

**Date** Monday, 20 June 2011  
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**Questioner**  
**Speaker** Ms RISHWORTH

**Source** House  
**Proof** Yes  
**Responder**  
**Question No.**

(Kingston) (NaN.NaN pm)

Ms RISHWORTH (Kingston) (21:11): I am very pleased to second this motion. I would like to thank the member for Wakefield for bringing it to the House tonight. This motion rightly points out that the Howard government's Australian Building and Construction Commission has unfairly targeted building and construction unions and their individual workers. It is clear from the comparison of the total number of successful prosecutions made by the ABCC. We have five for employers—

Mr Briggs interjecting—

Ms RISHWORTH: The member for Mayo has just walked in. I am sure he was critical, just as he was with Work Choices, in the back room, in coming up with the best plan about how to target unions and their rank and file members—because we know he has some runs on the board there. However, we saw five successful prosecutions of employer groups and 86 of employee organisations. The previous speaker suggested—and I find it very hard to believe—that there were no other issues, that employers in the building and construction industry never do anything wrong; they never have issues where they underpay their workers or do not hold high health and safety standards. Those numbers I think clearly state that this organisation was there to target unions and their rank and file members. This is a very important point because we do need to make sure both employees and employers are held accountable. It is important that employers do uphold health and safety standards as well as their employees and ensure that there are decent conditions for workers on building sites and workplaces right around this country.

It is not surprising that this was created by the Howard government, because they created so many things, including their first wave of industrial relations changes in 1998 and then their second wave, through Work Choices, where they got a little giddy with their Senate majority and decided to really rip away the wages and conditions of ordinary Australians that deserved—

Mr Briggs interjecting—

The DEPUTY SPEAKER ( Ms AE Burke ): Order! The member for Mayo can tell us when he gets his chance.

Ms RISHWORTH: good health and safety standards and good conditions at work. There are many who believe that, as a result of the culture of fear and intimidation that occurred as a result of the ABCC, workers could not feel they could voice their concerns about their workplace. They did not feel that they could raise health and safety issues or their entitlements, that under the ABCC if they did raise these issues or took action to address these issues they would be compulsorily interrogated and not be provided the appropriate protections and safeguards, including the fundamental right to legal representation. So it is no wonder that there are many that believe that there were reduced safety standards on building sites, increased injury rates and reduced access to employee advocates and unions for workers. And, as a result of the climate of fear and intimidation, there are many who felt they could no longer put their tools down to ensure that safety was there on the worksite. One particular story was related to me about how this affected a construction site. There was a site on which water supplies were turned off by management despite the fact that temperatures were topping about 45 degrees on some days. When water supplies were turned on again, black sludge then flowed from the taps, so workers determined that the lack of water constituted a significant safety risk and walked off the job until water supplies were fixed. However, some months later, the workers who walked off the job, as well as their friends and colleagues at the construction site, were subject to what they felt was threatening and unwarranted interrogation to determine whether a safety risk was sufficiently immediate to warrant walking off the job. I am not sure about you, Madam Deputy Speaker, but I think black sludge and no access to water are an evident safety risk, and it is no wonder that in this example—and I am sure there are many others—workers felt that they were unfairly targeted by the ABCC.

It seems that with the previous government there was an obsession with targeting workers, an obsession with reducing their pay and conditions, an obsession with ensuring that people did not get a fair day's pay for a fair day's work. It has been this Labor government that has taken action to create Fair Work Australia, to restore the safety net that was destroyed by the previous

government. On that point, I commend the motion to the House.

(Kingston) (NaN.NaN pm)

(Chisholm) (NaN.NaN pm)

(Kingston) (NaN.NaN pm)