

STRONG BUILDING **STRONG ECONOMY**

**FEDERAL COURT JUDGEMENTS
& BUILDING UNIONS**
THE FACTS

WWW.MASTERBUILDERS.COM.AU
WWW.STRONGBUILDING.COM.AU



MASTER BUILDERS
A U S T R A L I A

Authorised by Denita Wawn,
Master Builders Australia, Forrest, ACT, 2603

“IF YOU PLAYED BY THE LAWS YOU WILL NEVER WIN”¹

Building unions have a long track record of breaking the law.

There are many documented cases where this history of illegal and unlawful behaviour is worn like a badge of honour – and used to encourage others to also break the law.

Despite the penalties and fines handed down by courts, building unions haven't changed their approach and consider these fines as a “cost of doing business”.

This is why the community needs the ABCC.

Building unions need to play by the rules like everyone else.

Don't let the bullies win.

Keep the ABCC.

Background:

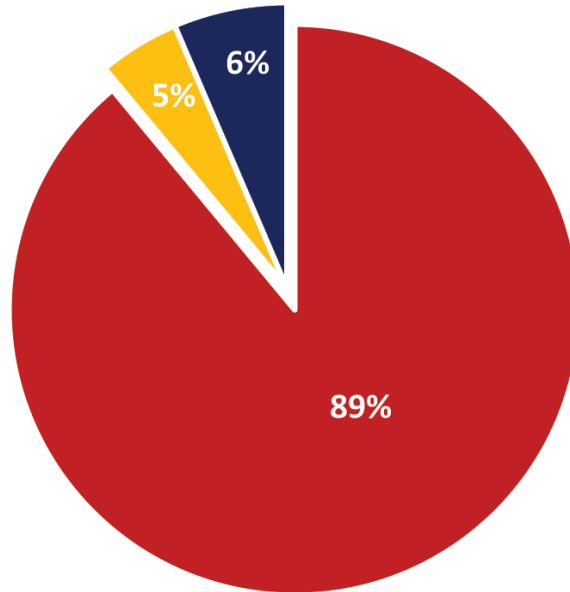
- This document is a snapshot of building unions track record from 2017 to present.
- It is derived from an examination of Federal Court judgements involving breaches of the Fair Work Act 2009 (Cth).
- It looks at the three areas of the law which are important to the building and construction industry - Freedom of Association, Right of Entry and Coercion – and the number of judgements which find breaches of these provisions.

Key findings:

- Building unions break the law more than anyone.
- Of the judgements in which the Court finds breaches of FOA, ROE and Coercion provisions, building unions are responsible for almost 90 per cent.
- There have been 109 judgments from 2017 to present – building unions found guilty in 97 of these.
- No other union has broken FOA laws except building unions – in 12 separate judgements.
- Building unions are 45 times more likely to break ROE rules than any other union.

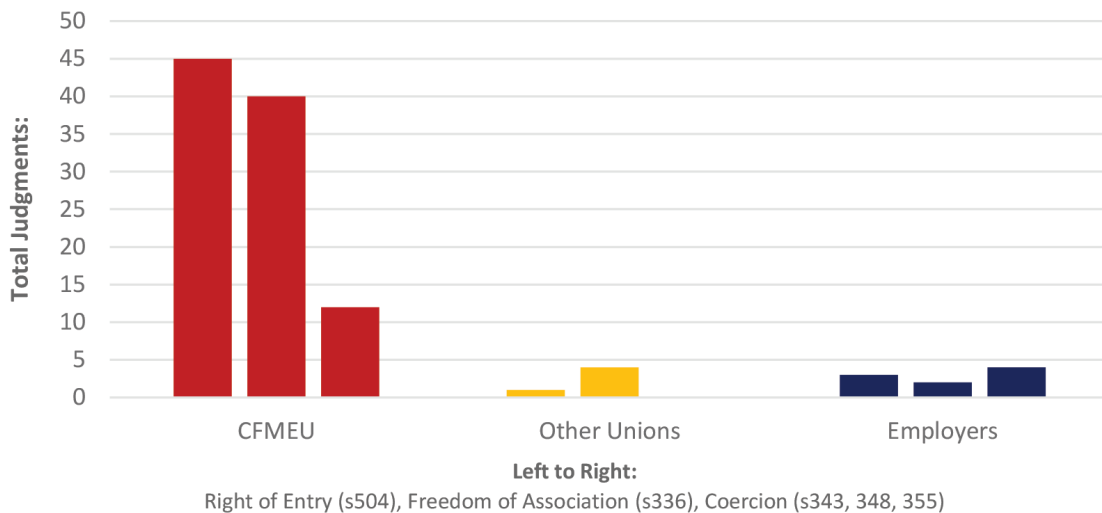
¹ “CFMEU secretary John Setka defends breaking the law after failed blackmail case” – AFR Updated May 17, 2018 – 8.01pm, first published at 12.03pm

Federal Court Judgments - 2017 to Present
 Right of Entry (s500-504), Freedom of Association (s336),
 Coercion (s343, 348, 355)



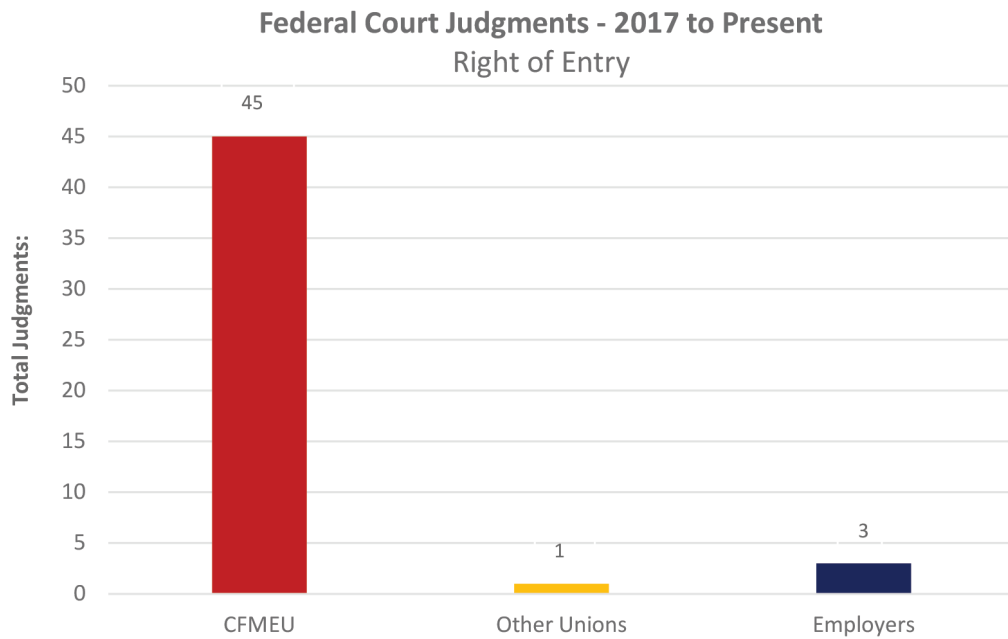
Judgments involving: ■ CFMEU ■ Other Unions ■ Employers

Federal Court Judgments - 2017 to Present
 Right of Entry (s500-504), Freedom of Association (s336),
 Coercion (s343, 348, 355)



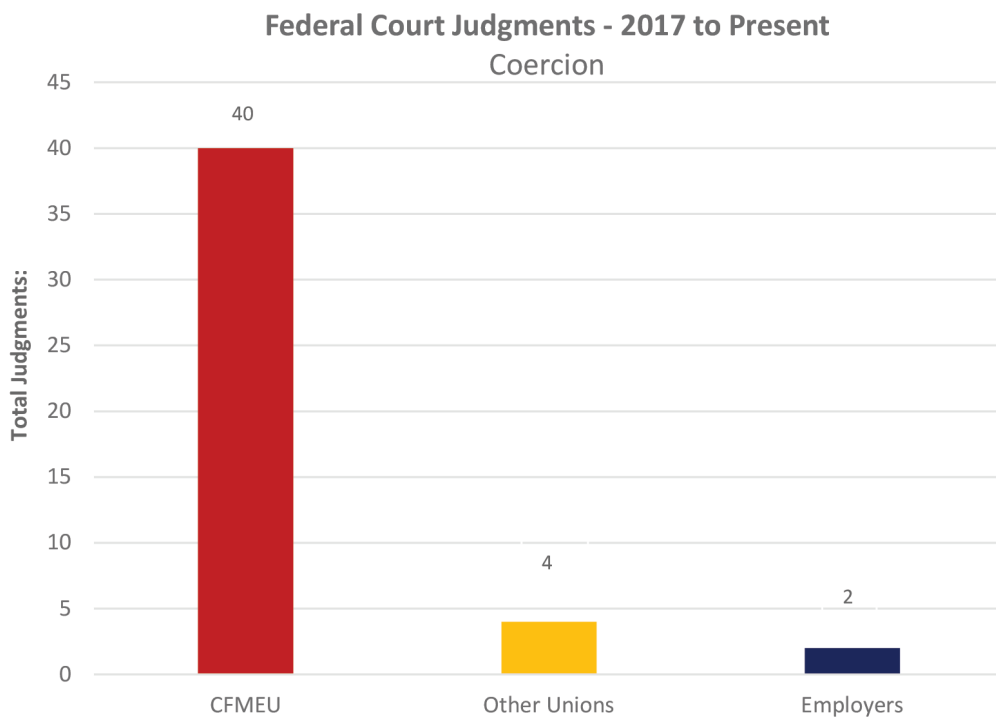
RIGHT OF ENTRY LAWS

Building unions are 45 times more likely to break Right of Entry laws than any other union.



COERCION

Building unions are 10 times more likely to break Coercion laws than any other union.



FREEDOM OF ASSOCIATION

Building unions are responsible for every breach of Freedom of Association laws since the start of 2017.

