

STRONG BUILDING **STRONG ECONOMY**

**10 FACTS ABOUT
30 WORDS OF FICTION**

**EXPOSING THE TRUTH
ABOUT BUILDING UNIONS
ANTI-ABCC ADVERTISMENT**

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

10 FACTS ABOUT 30 WORDS OF FICTION

Here are 10 Facts about the 30 words contained in the anti-ABCC advertisement placed by building unions in *The Australian* on 17th April 2019.

They demonstrate the truth about the ABCC and exposes the fiction being peddled by building unions who want it abolished.

The ABCC ensures that everyone on building and construction sites have to play by the rules, so that workers and small businesses are protected.

With the future of the ABCC to be determined by this election, it is important that the community knows the facts about the independent building industry regulator so they can make an informed decision.

WHAT THE AD CLAIMS

“STOP CONSTRUCTION WORKER DEATHS”

WHAT THE FACTS EXPOSE



1. Safety is actually enforced by State and Territory WHS regulators and this hasn't changed for decades.

*“As a business owner, you must meet the WHS requirements **set out in the acts and regulations in your state or territory**. You may face penalties if you don't meet them. **Regulating agencies** (also known as regulators) **administer health and safety laws. They're responsible for inspecting workplaces, providing advice and help, and handing out notices and penalties where necessary.**”*

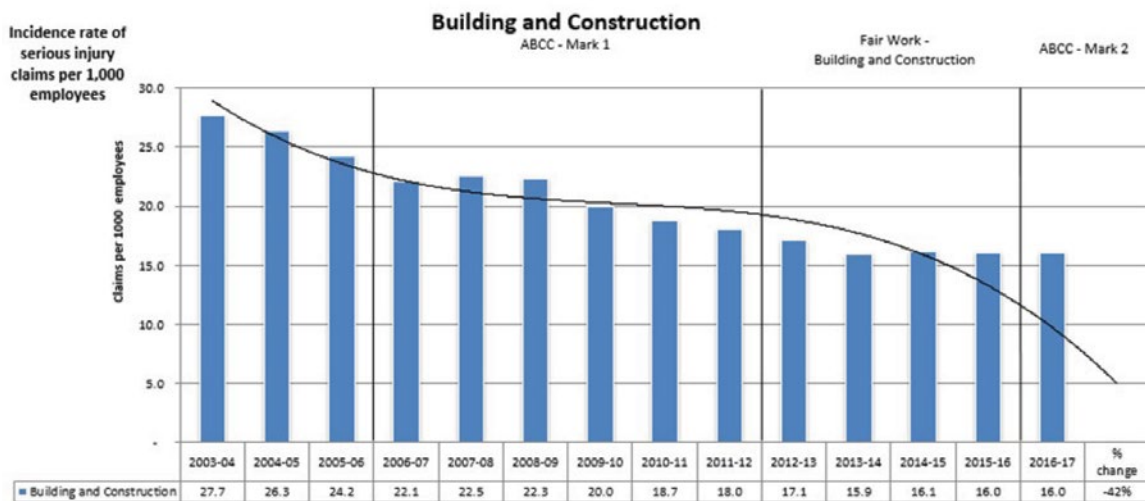
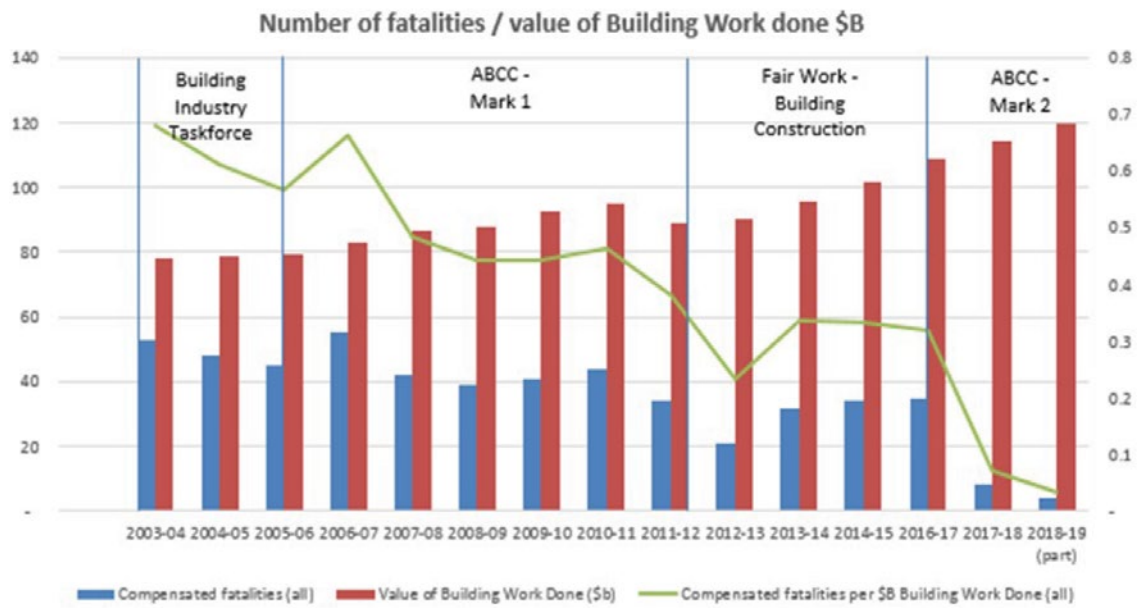
Source: Business.gov.au

2. The ABCC doesn't stop, prevent, or hinder workers from raising safety concerns.

*“The Building and Construction Industry Improvement Act 2005 then, **and the ABCC Bills now, contain no provisions that would prevent legitimate safety issues in the building and construction industry from being raised and addressed by employees, unions, or work health and safety regulators.**”*

Source: Australian Government, Department of Employment, 19th February 2016

3. There is **no evidence** to link the ABCC with poor safety standards on construction sites. In fact, the data shows both fatality and serious injury rates in construction are less now than a decade ago - meaning that there are fewer accidents on construction sites.



Source: Produced using Safe Work Australia data

WHAT THE AD CLAIMS

“STOP INSECURE WORK”

WHAT THE FACTS EXPOSE

FACTS

4. There are **more full time jobs in building and construction** than any other industry or sector in Australia. In fact, 1 out of every 7 full time jobs throughout Australia is in building and construction.
5. Rates of casual employment have remained steady for decades and **construction has one of the lowest % rates of casual workers** in the entire country.
 - % in hospitality = 57.7%
 - % in retail = 35.9%
 - % in arts and recreation = 32.7%
 - % in admin services = 22.1%
 - % in agriculture = 21.7%
 - % in transport = 18.8%
 - % in education = 17.2%
 - % in health and welfare = 16.9%
 - % in manufacturing = 14.6%
 - **% in construction = 12.7%**

Source: Forms of Employment (cat. no. 6359.0) and Employee Earnings, Benefits and Trade Union Membership (cat. no. 6310.0).

WHAT THE ADS CLAIM "STOP WAGE THEFT"

WHAT THE FACTS EXPOSE

FACTS

6. The ABCC was given a new a new role **to make sure workers get paid** and more power to **prosecute employers** who break the Fair Work laws – a role that was agreed by the entire parliament when they credited the ABCC.

Taking legal action

In certain circumstances, we institute proceedings for contraventions of the [BCIIP Act](#) and [FW Act](#), particularly in relation to:

- Wages and entitlements

Sources: *Building and Construction Industry (Improving Productivity) Act 2016 – Part 2 – s.16 (3)*
ABCC website

7. Wages and entitlements is a large part of the ABCC's work. In 2017/18, the ABCC:
- Audited 139 employers;
 - Commenced 47 investigations into wages and entitlements cases;
 - Recovered **\$262,398** in underpayments for **186** workers from **32** employers.

Wages and entitlements compliance



\$262,398
recovered

for 186 employees
from 32 employers



47

investigations

commenced into wage
underpayment and sham
contracting allegations



139

employers audited

Source: *ABCC Annual Report 2017/18*

WHAT THE ADS CLAIM

“STOP WORKER EXPLOITATION”

WHAT THE FACTS EXPOSE

FACTS

8. The ABCC imposes strict rules on construction sites to stop worker exploitation, including some which are tougher than any other industry. Under the ABCC Code, employers:

- **Are banned** if workers are ripped off;
- **Have stricter** rules for using foreign workers; and
- **Must prove** they protect local jobs.

Source: ABCC Code 2016 s.18, s.11F and s. 25A

9. The tougher rules were supported by the ALP.

Senator CAMERON, ALP, 29/11/2016 (20:21) *“So I would ask all of the crossbench to support this, **because this is one issue that we can be sure will be welcomed by Australian workers around the country**, and that is that they get first chop at any job they are qualified and willing to do. **That is the proposal that is here, and I say we should support it and that it is an extremely important proposition for all Australians, and I urge the Senate to support this.**”*

Source: Hansard

WHAT THE ADS CLAIM
"STOP THE PROTECTION RACKET"

WHAT THE FACTS EXPOSE

10. Sometimes, facts speak for themselves....

FACTS

CFMMEU and ACT secretary face charges for alleged cartel conduct

Criminal charges have been laid against the Construction Forestry Maritime Mining and Energy Union and its ACT secretary for alleged cartel conduct.

The Australian Competition and Consumer Commission said yesterday the union and its secretary, Jason O'Mara, were each charged with attempting to induce steel fixing and scaffolding companies to reach cartel contracts and arrangements or - understandings containing cartel provisions in 2012 and 2013.

The joint investigation involving the consumer watchdog and the Australian Federal Police arose out of the trade union royal commission that examined ties between ACT employers and the then CFMEU.

Evidence to the commission suggested that under the nose of the federal government, the CFMEU and building industry employers allegedly operated a cartel in Canberra that sought to control prices through monopoly deals and physical intimidation.

The commission heard allegations of corrupt payments made in cars, cafes and restaurants, with companies claiming they were told they could not get building contracts unless they signed agreements with the union. Evidence was given that employers appeased the union by paying memberships even if workers did not want to join.

Source: *The Australian*, 17 August 2018

