



SENATOR THE HON MICHAELIA CASH
Minister for Employment
Minister for Women
Minister Assisting the Prime Minister for the Public Service

MEDIA RELEASE

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CFMEU Construction Division fined once again

Minister for Employment, Senator the Hon Michaelia Cash said yesterday's scathing decision by the Federal Court to once again impose penalties on the recidivist Construction Division of the CFMEU further highlights the need to re-establish the Australian Building and Construction Commission to return law to the building industry.

The CFMEU and eight senior officials were yesterday penalised a total of \$151,000 for orchestrating and continuing the violent blockade on Melbourne streets of Grocon sites in 2012.

In a judgment condemning the construction division's conduct, the Federal Court said the union's history showed:

- [a] "...deplorable attitude, on the part of the CFMEU, to its legal obligations and the statutory processes which govern relations between union and employers in this country..."
- [the CFMEU and its officials'] "continued willingness to engage in contravening conduct supports the view that earlier penalties, some severe, had not had a deterrent effect" and;
- "None of the respondents expressed any contrition for the misconduct in which he or it engaged. Nor did any respondent proffer any assurances that there would be no repetition of the impugned conduct."

As an example of the CFMEU's contemptuous attitude, the Court found the President of the Construction Division of the CFMEU, Ralph Edwards, guilty of saying to an assembled crowd of hundreds that: "if anyone recognises any Grocon employees 'get personal, up close and personal with them[,] right'".

Two days later, the President of the CFMEU was back saying to a crowd: "We are here to show that we are here to stay" and that "there ain't bloody gonna be no bloody work done on that job today."

For his deplorable behaviour and involvement in other unlawful conduct, the President of the Construction division of the CFMEU was fined just \$5,250.

Minister Cash said the case represents a failure of federal industrial legislation to impose meaningful penalties that prevents repeat offending.

“When the same conduct can result in a penalty of more than a \$1.25 million under State law, the federal system imposes penalties of less than \$100,000 on the CFMEU,” Minister Cash.

“This is just unacceptable. Federal penalties are clearly too low to make offenders think twice before breaking the law.”

“It is intolerable that the penalties for illegal conduct are so low that they are just seen as a cost of doing business.”

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