

MEDIA RELEASE

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Senate must protect building industry from law of the jungle

Statement on the Construction Industry Amendment (Protecting Witnesses) Bill 2015

AUSTRALIA'S resource industry employer group, AMMA, calls for urgent action by the Senate to ensure the law of the jungle is not unleashed in the building and construction industry in three weeks' time.

Unless the Senate passes critical amendments to come before it today, a 'sunset provision' inserted by the Gillard Government means that on June 1, the Fair Work Building & Construction inspectorate (FWBC) will lose key powers it needs to investigate serious allegations of law breaking.

"The resource industry has consistently supported the need for specialist regulation and enforcement of employment laws in our building and construction industry," says Scott Barklamb, AMMA executive director policy and public affairs.

"In 2003, a Royal Commission, our highest form of judicial inquiry, found the industry was plagued by a widespread culture of lawlessness and wilful disregard for the rule of law, and recommended a specialist regulator in this area with strong investigative powers.

"More than a decade on, the ongoing need for a tough cop on the beat of our construction industry is underlined on a virtually daily basis.

"Allegations of intimidation, violence and coercion continue to plague the industry and create real concerns across the community. Such conduct is not accepted in any other area of our legal system and it cannot be accepted under the cloak of industrial relations."

Since 2012, the FWBC inspectorate has worked to uphold the rule of law in the building and construction industry. Before then, the Australian Building & Construction Commission (ABCC) performed this role with even more robust and effective enforcement and compliance powers.

While the resource industry has been a vocal advocate for the return of the ABCC with its full former powers, it welcomes the government taking action to ensure these essential inspection powers remain in place for the interim, and calls on the Senate to promptly pass amendments to ensure the FWBC's powers are not automatically lost from 1 June.

Mr Barklamb says any blocking of efforts to maintain the FWBC's existing powers would see the parliament effectively failing to act on the recommendations of a Royal Commission.

"To disempower a regulator dealing with serious ongoing challenges to the rule of law, threats and intimidation, would be the height of irresponsibility and effectively a tacit endorsement of law breaking and contempt - we sincerely trust the Senate would not take such a step" he says.

"For the longer term, employers continue to call for the restoration of the former ABCC with its pre-2012 powers. But for now, we need our Senate to vote to keep the existing cop on the beat."

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