

CFMEU

CONSTRUCTION

CFMEU CONSTRUCTION &
GENERAL DIVISION NATIONAL OFFICE
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9 August 2024

Dear members,

Today, the Federal Government has taken unilateral action against the CFMEU, undermining the democratic rights of union members to control their own future and threatening to destabilise the day-to-day workings of the Union.

Minister Murray Watt has said he will create new legislation that would exclusively target our union, enabling the Government to appoint its own administrator, even as discussions are ongoing between the CFMEU and the General Manager of the Fair Work Commission in relation to their application for a court appointed administrator. We met with the General Manager yesterday and have asked for more information on matters that were unclear in their application – this is simply about exercising due diligence, which is our obligation as officers of a member-run organisation. We cannot ‘walk in blind’ to a process of administration without understanding the detail.

Put simply, the Government has undermined the legal process and stripped us of our rights to a fair process. It has also not given us the opportunity to address the issues in our union. They have done this despite the fact we have done everything possible in a very short space of time, announcing a comprehensive suite of measures in a matter of weeks. We already set up an independent investigation led by Geoffrey Watson SC into alleged criminal wrongdoing, commissioned a review of the union’s governance arrangements by Susan Halliday AM and Michael Paynter, and introduced a new National Code of Conduct for all delegates. On top of this, we have removed individuals from the union and stood down others pending the investigation. We wrote to the Minister for his advice on what other steps that he thinks that we should take. To date, he has not replied.

Every step of the way, your interests have been our focus. We have protected existing EBAs, continue to bargain and strike in the pursuit of new EBAs, and represented you in your workplace. Our union has been updating you here, holding discussions at delegates meetings, and going out on sites to talk with you. In contrast, politicians and the media have not talked to one member. The rank hypocrisy of the Government purporting to speak on your behalf without speaking to you clearly shows a blue-collar paternalism, where they will tell you what’s best for you.

The fact is that the Government has ignored all of this and jumped ahead to target us with extraordinary laws. If the Government was really interested in addressing issues of criminality, it would not design legislation targeted at the CFMEU, undermining your working rights: it would take action to target organised crime, wherever it is.

I can assure you that organised crime is much bigger than any one organisation and the CFMEU has been attacked by criminals associated with the bosses and big business for years. Our people – like former ACT Branch Secretary Jason O’Mara – have had shots fired into their homes and been intimidated by standover men and strike-breakers sent by the bosses. We work in a tough industry where we must contend with criminal conduct. But, unlike the bosses, where we have detected a problem, we have taken action to address it.

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The Government's proposed legislation is a full-frontal attack on our Union and they are playing politics with the serious issues of criminal conduct in our industry. Our number one priority will always be improving the wages and conditions for workers in our industry and we will not stop our work.

I will continue to keep you updated on developments as they happen.

In solidarity,



Zach Smith
National Secretary
CFMEU (Construction and General Division)