



Australian Government

Office of the Australian Building and
Construction Commissioner

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ABCC MEDIA STATEMENT Hooker Cockram Dispute

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The Australian Building and Construction Commissioner (ABCC), John Lloyd today released his findings in relation to an ABCC investigation. The investigation concerned the deduction of four hours pay for a work stoppage on a Hooker Cockram building site.

The deduction of pay was made after the workers held a meeting and decided to take up a collection for the family of a deceased worker.

The ABCC concluded that the workers had not engaged in unlawful industrial action as their participation in the stoppage was not industrially motivated.

On this basis neither Hooker Cockram nor other contractors at the site were obliged to deduct the four hours payment.

It would be open for an employer to deduct 20 minutes pay from employees attending the stop work meeting.

The investigation found that:

- a CFMEU site representative and a CFMEU organiser had contravened the *Building and Construction Industry Improvement Act 2005*;
- the representative and the organiser extended the purpose of the meeting to canvass the industrial agenda of the CFMEU regarding its opposition to the Government's workplace relations reforms;
- both attempted to manoeuvre Hooker Cockram and the other contractors into a position where they were obliged to deduct four hours pay;
- the CFMEU site representative engaged in unlawful industrial action and it is recommended that he incur a deduction of four hours pay; and
- the CFMEU organiser aided and abetted the contravention by the representative.

The ABCC has decided not to commence court proceedings against the CFMEU representative and organiser. Instead the ABC Commissioner has published the first non-compliance report pursuant to section 67 of the BCII Act.

The ABC Commissioner observed that:

“It is commendable that workers show compassion towards families of deceased workers. However, activities such as collections should only occur if they are appropriately organised and authorised. They should not be misused to advance the industrial objectives of the CFMEU.”

Further Enquiries may be directed to:

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