

Media Release

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Australian Government

Office of the Australian Building and
Construction Commissioner

Federal Court slaps habitual offenders CFMEU & Robert Mates with \$45,000 penalty

The ABCC has concluded its third legal proceeding against CFMEU organiser Robert Mates with the Federal Court penalising him \$5000 for shutting down a Caulfield Grammar School building site.

Mr Mates was penalised \$2000 for taking unlawful industrial action and \$3000 for attempting to coerce the head contractor to reinstate an employee. The CFMEU was ordered to pay penalties of \$20,000 and \$20,000 for the same breaches of the *Building and Construction Industry Improvement Act 2005*.

ABC Commissioner John Lloyd said Mr Mates was a respondent in two finalised and one ongoing proceeding brought by the ABCC.

“Deterrence is one of the ABCC’s primary motivating factors for initiating legal proceedings,” Mr Lloyd said.

“Given the poor record of the CFMEU and its representative Robert Mates, there was a strong need for specific deterrence in this case.”

“I hope this outcome will motivate the respondents to behave in a more law abiding and fair manner in the future.”

Justice Marshall handed down his judgement on penalty yesterday afternoon. The parties had previously filed an agreed statement of facts. CFMEU organiser Danny Berardi was named as a respondent in the ABCC’s statement of claim but the proceedings against him were discontinued by consent. There was no agreement on penalty.

On 8 March 2007, three CFMEU representatives including Mr Mates attended a construction and refurbishment project at Caulfield Grammar School and held a meeting with employees regarding the termination of one of their colleagues the previous day. The workers who attended the meeting did not perform work for the rest of the day.

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