

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION, ACCESS TO WORK SITES

279. Mrs C.L. EDWARDES to the Minister for Consumer and Employment Protection:

I refer the minister to his admission in the House yesterday that the Government could do nothing to stop the Construction, Forestry, Mining and Energy Union forcing its way onto work sites on the Burrup Peninsula and disrupting major resource projects because the matter centres on a federal Government agreement and therefore the State Government has no power to act against the CFMEU.

- (1) Is the minister aware that the State Secretary of the CFMEU, Joe McDonald, is using the right of entry provisions in the State Government's labour relations reform Act in an attempt to gain access to work sites?
- (2) Given that this issue has nothing to do with federal agreements but is about attempts by the CFMEU to discuss membership with relevant employees, what will the minister do to curb the damaging actions of this militant union?

Mr J.C. KOBELKE replied:

- (1)-(2) I am not sure whether the assumptions in the member's question are correct. I asked for advice on this matter some time ago and was told that because a federal agreement was in place, the state right of entry provisions were subject to the federal agreement. Action was taken against the person mentioned who has had his right of entry under the federal law withdrawn. I expect that that right has been returned. For the first time in Western Australia, we have introduced a provision in industrial relations legislation that union officials must be authorised to exercise right of entry.

Mrs C.L. Edwardes: He is using the state right of entry provisions.

Mr J.C. KOBELKE: For the first time, right of entry in this State requires authorisation. If people abuse that right, the Industrial Relations Act provides for withdrawal of the authorisation. The point I made yesterday is that no-one wins when a demarcation dispute between unions occurs. Therefore, we will try to counsel, encourage and cajole players who get involved in these disputes from time to time to realise that disputes do not benefit their members, their companies or the State. The ability to resolve disputation is normally and quite rightly left at the local level between the employers, the employees or their union representatives. Therefore, the Government does not have a role to play to try to resolve these matters by being heavy-handed. It is all very well for the member for Kingsley to suggest that the Government has powers that do not exist. When the member was responsible for the Industrial Relations Act, a range of wildcat disputes occurred involving some of the key players, and the minister did absolutely nothing.

Mrs C.L. Edwardes: We had a task force then.

Mr J.C. KOBELKE: The member said that the former Government had a task force. The media has picked up on the member's interesting rewriting of history. Only a few weeks ago, a television station ran a story that since we came to Government, industrial lawlessness and industrial disputes have broken out. The program showed footage of people pushing each other around; however, it did not point out that the member for Kingsley was the responsible minister when that footage was taken three years ago. To suggest that the same sorts of things that happened under the last Government are happening now for the first time under this Government is an attempt to rewrite history; it is simply not true. There are real problems. We will work with all our ability to try to resolve those matters within the existing legislation.