

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION, PATTERN BARGAINING  
AGREEMENT, LOGO ON WINTER UNIFORM

1423. Hon. C.L. Edwardes to the Minister for Consumer and Employment Protection

I refer the Minister to the CFMEU's most recent pattern bargaining agreement and ask -

- (a) is the Minister aware that the agreement provides that the union can request the clothing provided by the employer to employees be emblazoned with the CFMEU's logo and that the winter uniform is to be available on 1 April each year;
- (b) is the Minister aware that the CFMEU closed down eight building sites in the CBD on 1 April 2003, on a date which the minimum temperature was 16.6 degrees Celsius, the maximum temperature was 23.7 degrees Celsius and the rainfall was nil, because the winter uniforms had either not arrived from the supplier or were not emblazoned with the CFMEU's logo;
- (c) is it an appropriate use of pattern bargaining agreements to force employers to supply clothing emblazoned with the union logo;
- (d) is closing down eight CBD building sites on a fine and sunny day, because union logos were not on clothing, an appropriate use of union strike action; and
- (e) has the Minister sought advice as to whether any or all of the above behaviour breaches one of the principal objects of the *Industrial Relations Act 1979* of Freedom of Association, and if not will the Minister seek that advice and advise what action the Government intends to take?

Mr J.C. KOBELKE replied:

- (a) Yes.
- (b) Yes. The Government's understanding is that the industrial action was taken because the winter uniforms had not arrived by the date specified in the agreement, not because of union logos.
- (c) The terms and conditions of industrial agreements are matters to be determined between employers and unions at the workplace level. The Government is not a party to these agreements and cannot therefore determine what is appropriate for an individual workplace.
- (d) No.
- (e) No legal advice has been sought as the evidence available does not suggest a possible breach of Freedom of Association law. If the member has any evidence to suggest otherwise, then she is urged to take it to the appropriate authorities.