

# Daily Media Overview

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20 Jul 2019

Canberra Times, Canberra

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Page 1 of 2

[back](#)

# The Canberra Times

TO SERVE THE NATIONAL CITY  
AND THROUGH IT THE NATION

## EDITORIAL

# Approach to reform needs a rethink

WHO would have thought a celebrity chef, best known for his appearances on a television cooking competition, could inadvertently throw a bucket of cold water over the Coalition government's bid to ram through the most comprehensive suite of industrial reforms since WorkChoices?

That's what happened this week when it was revealed *MasterChef's* George Calombaris underpaid 515 employees more than \$7.83 million between 2011 and 2017.

The case refocused attention on the many instances of serious wage theft in the past decade. Recent offenders have included 7-11, Pizza Hut and Dominoes, Red Rooster, Caltex and Baida.

The imbalance in power between employers and their victims was highlighted in an ACTU submission to a Queensland Government wage theft inquiry in 2018. It said 25 per cent of all international students earned \$12 an hour or less and 79 per cent of hospital-ity employers in Victoria did not pay award wages between 2013 and 2016. Sham contracting, unpaid superannuation contributions and the denial of overtime payments, shift allowances and other loadings were just some ways workers were being ripped off.

Up to \$5.9 billion in unpaid superannuation is being stolen from an estimated \$2.98 million workers each year alone.

While none of this comes as news to anybody who takes an interest in workers rights and welfare, the re-ignition of this debate is the last thing Scott Morrison and his Industrial Relations Minister, Christian Porter, need while they are trying to drum up cross-bench support for their controversial "Ensuring Integrity Bill".

That bill, which has been strongly backed

by employer groups including the Australian Industry Group and the Australian Mines and Metals Association, is allegedly intended to bring union officials into line with the same ethical and legislative requirements supposedly applied to company directors and senior executives.

Innes Wilcox and Steve Knox, the chief executives of the AIG and the AMMA respectively, have also called for changes to the way in which casual work is defined, the exclusion of some staff from enterprise agreements, a review of unfair dismissal laws and an extension in the permissible maximum term of enterprise agreements.

The integrity bill has been roundly attacked as yet another attempt by the LNP to indulge in some serious union busting.

According to research by the International Centre for Trade Union Rights, the Ensuring Integrity Bill is "incompatible with Australia's commitments under the 100 year old International Labour Organisation's "Freedom of Association and Protection of Rights to Organise Convention (1948)" and its "Right to Organise and Collective Bargaining Convention (1949)".

The bill would allow for the automatic disqualification of union officials charged (but not yet convicted) with serious criminal offences punishable by five or more years in prison.

It would also allow the Fair Work Commission to block union mergers and make it possible for the government to cancel a union's registration on the basis of alleged improper conduct.

The exposure of what appears to be systematic underpayment by employers makes it hard for employer groups, and the Coali-



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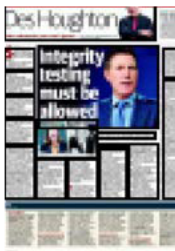
Page 2 of 2

 [back](#)

tion, to plausibly suggest corporate Australia needs additional protection against organised labour, when it appears the workers are the one suffering hardship, rather than their bosses.

Cases such as these raise questions about who needs to be protected from whom.

**The integrity bill has  
been attacked as yet  
another attempt to  
indulge in union busting.**



20 Jul 2019

Courier Mail, Brisbane

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Page 1 of 3

[back](#)

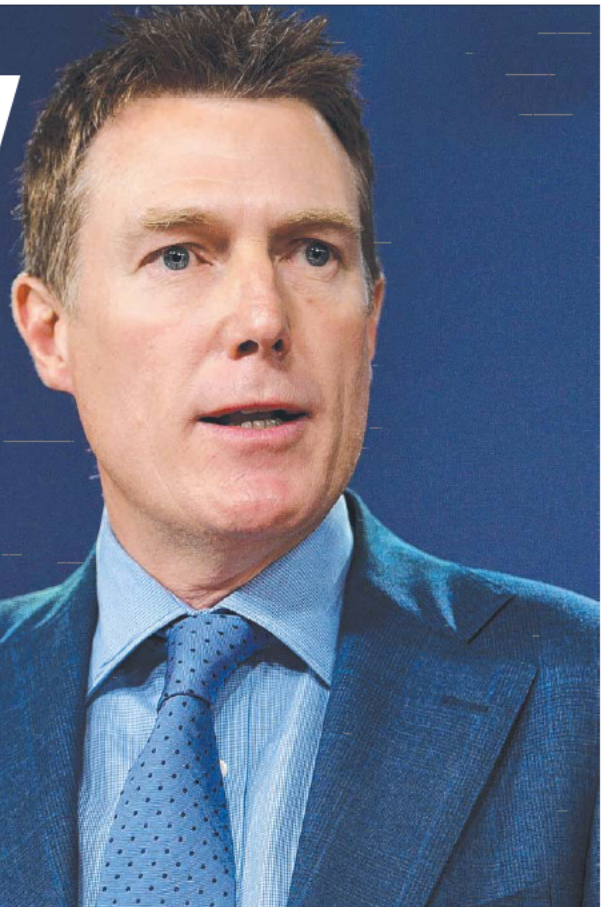
# Des Houghton

*The columnist you can't ignore*

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## Integrity testing must be allowed



**S**COTT Morrison's "miracle" election victory will become a hollow one if he fails to clamp down on union thuggery.

And history is against him.

Militant unions have repeatedly outsmarted attempts by several leaders – including

Bob Hawke – to make them obey the law.

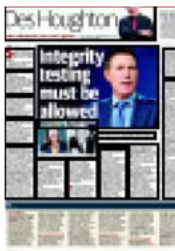
Union wrongdoing (including bribery, blackmail and extortion, violence, robbing of members' funds and right of entry breaches) was found at four separate royal commissions conducted over the past 40 years: The Dyson

Heydon royal commission 2014-15, the Winneke royal commission 1981-82, the Gyles royal commission (NSW) 1990-92 and the Cole royal commission 2001-03.

The Morrison Government is about to introduce a good character test that would disqualify many union leaders

from holding office. And it will empower the Federal Court to deregister unions.

I wonder why it has taken so long. Corrupt unions are a criminal underbelly and it's a mystery to me why this great nation tolerates industrial warfare that adds billions to building costs.



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Page 2 of 3

[back](#)

Has the media been vigilant enough in exposing union wrongdoing? Not really. I regret to say that many in the nation's newsrooms, especially in the ABC, are sympathetic to unions and reluctant to condemn them. Indeed, two former columnists on this paper dismissed the Heydon royal commission as a witch hunt. Opposition Leader Anthony Albanese also backed the CFMMEU during the royal commission and at one stage ludicrously suggested the inquiry was a witch hunt and that Heydon be stood down. Now he is trying to oust John Setka from the Labor Party after the union leader made denigrating remarks about Rosie Batty. This is interesting for he has set a precedent that

will require him to expel equally repugnant union leaders. And it's not just the unions that need investigating.

With some exceptions the media and regulators like the ACCC have failed to explore the cosy relationship between unions and some big construction firms who seem to have a monopoly on big projects.

And it has to be said that police have been ineffective in responding to union criminality. During the rancorous picket at Glencore's Oaky North mine in

central Queensland, CFMMEU hecklers were caught on security tapes threatening extreme violence against contractors. The details were spelled out in State Parliament. "I'll f---ing rape your kids c---", said one. And, "I'll attack you with a crowbar". The police did not investigate.

**T**he Courier-Mail has done a strong job chronicling union wrongdoing. There was a telling expose in this paper on Monday with Matt Killoran in our Canberra

bureau reporting that Queensland's militant

construction union broke the law, on average, more than once a day every day for the past two years.

Killoran mined figures from construction watchdog, the Australian Building Construction Commission, that show courts in 2017 and 2018 found that the CFMMEU had contravened 846 laws. The tally included almost 682 instances of unlawful industrial action and 105 of coercion.

Federal Attorney-General Christian Porter said there were still 75 representatives of the CFMMEU currently before the courts, across 33 cases involving 750 alleged contraventions of the law across the country.

Porter's next task, perhaps the most important in his career, is to push through the Ensuring Integrity Bill to prohibit officials from holding office if they are deemed to be not "fit and proper persons".

This good character test applies to all organisations, not just unions.

More importantly, the new law allows for automatic disqualification of registered organisations for "serious criminal offences".

The Government is making no secret of the fact that the new laws may see the CFMMEU deregistered.

The courts will be able to issue banning orders for law-breaking unionists. This will be similar to the disqualifications of company directors who

breach the Corporations Act.

Porter also wants courts to have the power to remove recidivist offenders from holding positions of office within Australian registered organisations, including trade unions and registered employer groups. And it would become an offence for a disqualified person to continue to act as an official.

Heydon said his royal

commission only scratched the surface of union criminality.

Jeremy Stoljar SC, counsel assisting Heydon, called unionists liars and said there was a "culture of fear" to "deter individuals from disclosing illegal, immoral or illegitimate practices".

"The commission has heard evidence of a general unwillingness on the part of individuals to report criminal activity within trade unions for fear of reprisal, threats and slander," Stoljar said.

Stoljar also warned many union entry permits were illegotten. He said individuals with "significant criminal convictions" for fraud, perjury, wilful destruction and intimidation held permits.

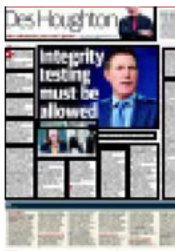
So how did the Palaszczuk Government respond to this news? Disgracefully.

Rather than close loopholes, State Labor moved quickly to amend laws making it easier for union officials to enter building sites, state government departments and schools.

Porter's integrity laws still have to run the gauntlet in the Senate. We are at the crossroads yet again.

Porter is a formidable intellectual force, but if he and the Prime Minister do fail to push through their integrity program in its entirety, they have another option. They can call another royal commission.

There is plenty of muck still to be raked and much of it is in Queensland. Disturbingly, some of it involves links between government figures and union leaders.



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Page 3 of 3

[back](#)



**LAW MAKERS:** Federal Attorney-General Christian Porter (main); and (from left) Queensland Premier Annastacia Palaszczuk and former prime minister Bob Hawke.



















































































