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Daily Media Overview



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Lambie wrong to link union bill to Setka

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[back](#)

THE AGE

Lambie wrong to link union bill to Setka

In the 1990s, the Howard government's attempt to pass tougher industrial relations law foundered on the vote of a single independent senator from Tasmania, the late Brian Harradine. Since its general election victory in May, the Coalition has sought to revive an amendment to the Fair Work Act – the bill known as “Ensuring Integrity” – that would give the Fair Work Commission and government new powers over trade union mergers, registration and the disqualification of elected union officials. Once again, it finds the prospects of its legislation rest on the favour of a single independent senator from Tasmania. But since that individual is Jacqui Lambie, the debate has taken a disquieting turn.

Senator Lambie has said should John Setka, the elected Victorian state secretary of the CFMMEU – one of the country's largest unions – be willing to vacate his post, “we can probably vote this away and get rid of [the Ensuring Integrity] bill in the next fortnight”. Failing that, she has indicated she would vote for the bill to become law.

The senator has long made anti-pollie sentiment part of her platform, portraying the big parties in Canberra as corrupt and out of touch with the issues that matter to voters. But by tying the fate of such a consequential piece of legislation to the ejection of a single office-holder, she risks bringing the parliamentary process itself into contempt.

The Ensuring Integrity Bill has been criticised on many grounds, not all of them partisan. The Centre Alliance, whose two Senate votes are also being courted by the Coalition, has expressed concern over a provision that gives the attorney-general the power to apply for deregistration of a union. The Dyson Heydon-led royal commission that the government cites in pursuing this legislation had recommended that a neutral statutory body should hold this power.

Parliament's human rights committee – most of whose members are Coalition MPs – has expressed concern over the bill's effect on unionists' freedom of association and their right to elect representatives. The Queensland Law Society has questioned the bill's “extremely broad” grounds for disqualification of union officials, which fall below the threshold of a conviction and appeared “to include seemingly minor infractions with more serious criminal conduct”. It also noted a union could be deregistered at the request of not just ministers but any “person of sufficient interest”, potentially including workplace managers. Catholic Religious Australia said that “from the perspective of social justice and the common good this Ensuring Integrity Bill strikes at the very heart of the union movement”.

