

EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS

**SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE
2007-08 BUDGET ESTIMATES HEARING**

Outcome Office of the Australian Building and Construction Commissioner

DEEWR Question No. EW385_09

Senator Abetz provided in writing.

Question

Provide a breakdown of the subjects of the investigations and the contraventions investigated?

Answer

Subject	Number
Trade Union	281
Head Contractor	49
Sub Contractor/Employer	46
Employee	30
Labour Hire Co.	10
Other	5
Employer Association	1

Contravention	Number
1. Industrial Action	
s38/39 BCIIA Unlawful Industrial Action	143
s419 WRA Industrial Action	47
S170MN WRA Unprotected Industrial Action	9
Total	199
2. Coercion	
s43 BCIIA Coercion	66
s400 WRA Coercion	29
s44 BCIIA Coercion	25
S170NC WRA Coercion	11
s46 BCIIA Coercion	8
Total	139
3. Right of Entry	
s749 WRA Refusing To Show Permit	41

s744 WRA Revocation Of Permit	33
s768 (1) WRA Misrepresentation About Right Of Entry	25
s758 (1) WRA Failure To Produce Permit For Ohs Entry	20
s767 (1) WRA Permit Folder Hindering Or Obstructing	21
s756 (1) WRA Permit Required For Ohs Entry	11
s767 (7) WRA Hinder Or Obstruct A Permit Holder	4
s767 (3) WRA Refuse Or Delay Entry By Permit Holder	1
Total	156
4. Freedom of Association	
s789 WRA Freedom Of Association	52
s792 WRA Freedom Of Association	28
s45 BCIIA Discrimination	22
WRA Freedom Of Association (PTXA)	12
Total	114
5. Strike Pay	
s42 BCIIA Pay Strike Pay	19
s507 WRA Pay Strike Pay	15
s42 BCIIA Received Strike Pay	12
s42 BCIIA Demand Strike Pay	8
s507 WRA Received Strike Pay	7
s507 WRA Demand Strike Pay	6
Total	67
6. WRA	
s718 WRA Breach Of Agreement	26
s790 WRA False statements about membership	21
s758 (3) WRA Failure To Comply With Occupiers Request	18
s770 WRA Orders For Abuse Of System	10
WRA - Other	15
s816 WRA - Intimidation	4
s285 WRA - Hinder and Obstruct	3
Total	97
7. Independent Contractors	
Independent Contractors	11
Total	11

8. Criminal	
Criminal State Blackmail Extortion Fraud	6
Criminal State - threats intimidation violence	3
Criminal State - Trespass	2
Criminal Federal - Other	1
Total	12
9. Trade Practices Act	
TPA Other Offence	4
TPA Secondary Boycotts	3
Total	7
10. Taxation	
Taxation Legislation	2
Total	2
11. Other	
State IR Legislation	5
OH & S Suspected Abuse	3
Total	8
Grand Total	812

* It is common an investigation involves multiple suspects and contraventions.

* WRA – *Workplace Relations Act 1996*

* BCIIA – *Building and Construction Industry Improvement Act 2005*

* TPA – *Trades Practices Act 1974*