



# OUTGOING WATCHDOG SAYS EMPLOYERS TOO SOFT Get tough, building bosses told

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OUTGOING construction industry watchdog John Lloyd has criticised building contractors for not taking a stand against unlawful conduct, and warned that Labor's changes to his agency risk increasing militancy in the industry.

The Australian Building and Construction Commissioner yesterday announced his controversial five-year tenure would end in September after Julia Gillard told him he would not be automatically reappointed.

The Deputy Prime Minister told Mr Lloyd, a Howard government appointee, he could re-apply for the job, but he refused.

Mr Lloyd, 60, said he did not believe it was appropriate for him to go through a selection process, given the senior public sector positions he had held in his career.

He told *The Australian* some unionists refused to moderate their behaviour, and said Victoria was the worst state for unlawful conduct. He said he was concerned that some building contractors were not prepared to take a stand against unlawful conduct or alert the ABCC to alleged breaches of the industrial law.

The ABCC, set up in 2005 after the Cole royal commission, is loathed by the union movement, particularly for its use of coercive

powers against building workers.

Labor wants to replace it with a special inspectorate with watered-down powers by February, but has been stopped by the Senate.

Mr Lloyd yesterday repeated his criticism of the Rudd government's changes, singling out the reduction in penalties applying to workers and the extra conditions that must be met before the body's coercive powers could be used.

"Everybody has to be very careful, because my view is that there are elements within the industry who would be poised, if you like, to take advantage of any relaxation in the regulatory regime," he said.

"That is a risk. It just underlines the fact that the industry needs a regulator with strong and effective powers."

Mr Lloyd claimed union officials had told companies that Labor's changes would see them "back in town, that the powers of the ABCC are being changed and you better do as we say".

He has previously warned that Labor's changes to his powers could turn a "virile stallion" into a "tame gelding".

Mr Lloyd has accused the government of freezing him out, saying Labor had failed to consult him on key changes to the role, responsibilities and powers of the

office of commissioner.

Opposition workplace relations spokesman Eric Abetz said Ms Gillard "promised there would be a 'tough cop on the beat', and has now effectively removed him".

But a spokesman for Ms Gillard rejected the Coalition claim, saying the government believed it was appropriate to advertise the ABCC post to test the field, given the position paid more than \$400,000 a year.

The spokesman said Mr Lloyd was entitled to his opinion and the ABCC would continue while the bill was stuck in the Senate.

Unions used Mr Lloyd's announcement of his retirement to restate their calls for the ABCC to be scrapped. ACTU secretary Jeff Lawrence said "part of Work Choices will live on" while the ABCC remained in power.

The Construction Forestry, Mining and Energy Union said the ABCC had been condemned "no less than seven times" by the International Labour Organisation and was an ideological relic of the Howard era.

Mr Lloyd was a senior deputy president of the Australian Industrial Relations Commission — now recast as Fair Work Australia — when appointed in 2005.

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