

# Submission

to

Senate Employment, Workplace Relations and Education  
References Committee

## Building and Construction Industry Inquiry

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**Submission no:** 76

**Received:** 09/02/2004

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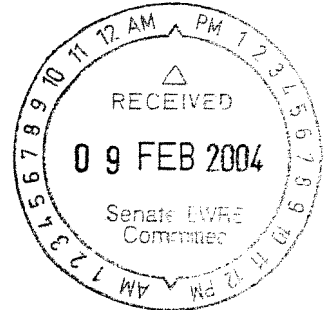
**Email:**

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Anthony Kele  
48 Nathan Terrace  
INDOOROOPILLY QLD

4th February, 2004

Mr J. Carter  
The Secretary  
Senate Employment Workplace Relations  
Education References Committee  
Suite SA.52  
Parliament House  
Canberra ACT 2600



Dear Sir,

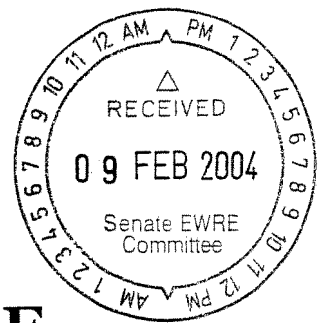
Please find attached my submission to the Senate Inquiry into the Brisbane Building & Construction Industry.

Regards

Anthony Kele

per: 

# STATEMENT



## ANTHONY DAVID KELE

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I, **ANTHONY DAVID KELE**, of 48 Nathan Tce, Indooroopilly, Queensland state:

- (i) I have worked in the building construction industry for 22 years. I started out as a Dogman for Barclay Mowlem, worked my way up as a trained Rigger, and then as a Crane Driver, and worked on various construction sites, and also in regional areas, ie. Townsville and Mackay.
- (ii) Since 1991 I have normally worked as a Crane Driver on a number of high-rise projects in Brisbane and have been working for a company for the last 15 years called Seca Cranes & Rigging.
- (iii) I have been a long term member of both the CFMEU and BLF unions and am proud to be so. Like many workers in our industry, I have also been in a situation where I have been underpaid or not received my rightful entitlements. For example, I worked for the other major tower crane company in Queensland called Lindores where they weren't paying my

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*J. Kele*

ANTHONY DAVID KELE

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normal award entitlements such as cribs and meal money. In the end a wage claim was dealt with by the union and they got me a substantial amount of money which eventually other workers at the same company received.

- (iv) I believe one of the biggest problems in our industry results on major projects is occupational health and safety. The view by management on these sites is that safety costs money and slows down production, when in actual fact safety should be given the first priority that the builder and employers have a duty of care for all workers on their projects.
  
- (v) I have always been proactive about safety, especially in a critical role of the job that I do which is Crane Driver. I am always telling Safety Officers and Foremen about potential problems on site and always have the frustration of them not being proactive enough to fix many of the problems.
  
- (vi) For example, the current project which I am on in the city called the Riparian Plaza has a situation where we have a gantry on site where we have to lift loads 9-10 metres long. It takes a while to get the traffic controllers in place and because you are lifting over a public walkway it is dangerous and you need to be careful with the lifts. However, with most lifts, due to getting it right you may lose 15 minutes and the comment or criticism you get is how slow it's going because

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ANTHONY DAVID KELE

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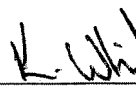
you're taking too long to do the job rather than focusing on that you're doing it right and looking after the workers and public safety.

- (vii) On my time on various projects over the years, I have unfortunately witnessed and known of accidents and injuries on the job which could have been prevented if communication procedures had been put in place to prevent these things from happening.
- (viii) I am of the view that a lot of times builders only take health and safety seriously because the workers themselves and the unions are forcing them to deal with the health and safety problems and concerns on the site. I generally believe that if they can cut a corner and there's no watchdog, then they will.
- (ix) Also, I am critical of the Department of Workplace Health and Safety and have unfortunately experienced a situation back in the middle of 2003 on the same project where the height of the jump to the height of 12 metres above the crane which meant that it was lifting above the limits of the crane which was over 18 metres. I rang the Department of Workplace Health and Safety, who rather than coming out and inspecting it, rang Multiplex and the next thing I was put in a bullying situation where I was asked if I wanted to work on the Multiplex job.

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(x) My view is that if we didn't have the unions, the industry would be in a worse shambles and there would be twice as many deaths and accidents, and the builders wouldn't be proactive. The other problem that is resulting from the industry at the moment is that there is so much work on but not enough experienced people to call on, and unfortunately to fill the gap up they use labour hire which unfortunately do have workers that don't have the experience, the qualifications, or the knowledge to be able to do the work. In the early 1990's when the work was quiet many of those people that were around then are around today and the problem that we are seeing is that we're getting to an older age and there is no new young people coming through to cover the huge shortfall on manpower on jobsites.

(xi) I generally believe that the builders just want the job done quickly and are only worried about the time aspect because time is money and I believe the job comes before workers safety which is very unfortunate. Another situation with a smaller builder that I worked for in recent times was a job in Ann Street where the company I worked had all the work permits in respect of a mobile crane which was on a side street on a Sunday and all the appropriate authorisations were in place but the builder thought that he could use another crane on the main street. He didn't have any

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permits and thought it was fine, but unfortunately it was a very dangerous situation to the public and a serious incident could have occurred. They were more concerned about doing the lift than public welfare.

(xii) In respect of disputation in the industry, as a worker I have been involved in some disputes. Basically, the disputes have come around because of communication problems with management on site. I also believe that a lot of the disputes are a result of the limited time span to build a building and a lot of them are unrealistic and then put the pressure on the contractors and the workers, especially the finishing trades. Blokes get concerned about safety concerns, working long hours and they get pissed off and usually some activity occurs on the project. For example, on our project we have two hoists on the job but because there is only a 1.6 metre skip and they are trying to drive the job which is already behind, you get rubbish building up on the building and potential safety concerns.

(xiii) I do have knowledge of the Industrial Relations Commission in the State of Queensland because I was involved with other workers in a dispute on a Multiplex project at the Republican Apartments in Turbot Street. This dispute was an ongoing one and in the end it got resolved by the Commission. I believe you need a referee on some occasions to finalise

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ANTHONY DAVID KELE

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issues, especially the ones that are ongoing and could have the potential to be quite nasty. I believe the industrial commission that we have in place at the moment is satisfactory to resolve those major disputes, but the preference is that it's always better to resolve your problems on site in house and the parties should be mature enough to do so the majority of the times that does occur.

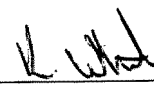
(xiv) The other frustration that occurs on the sites with health and safety is the Workplace Health and Safety Committees and the people on it, and the workers get frustrated because a lot of the time they are controlled by management. For example, again we had an issue on the current project I am employed on in respect of access. It was raised through the formal channels of the committee and also to the Safety Officer. They said it wasn't a problem and the fact that they said they don't care how long it takes to climb the crane, the only problem was that if there was an evacuation, which does occur on projects, is that it takes the Crane Driver an hour to get out of the project, which again shows negligence in respect of looking after the workers.

(xv) The other thing that has been difficult in recent times is the big work hours with not just the company that I work for but is a main common complaint of the blokes. Most of them work 58 hours and the 58 hours that they do work is full on

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and if you do refuse to do the extra work you're down the road. This then affects your quality of life and spending time with your family, etc. A lot of people see this industry as a six day week. For myself, if I was in a similar situation as the other blokes and you refuse overtime you would be down the road. Also, in recent times it is not unusual to do 15 hour days which I know if there was ever an accident it would fall back on me because of fatigue factors. Most workers are scared to say no but unfortunately many blokes feel that they can't say no to the boss and a lot of the time they are intimidated to work the big hours. If jobs were better planned you wouldn't have a lot of these industrial problems occurring on the jobs.

(xvi) This statement to the best of my knowledge is true and correct.

Dated this 5<sup>TH</sup> day of FEBRUARY 2004

**ANTHONY DAVID KELE** *J. Kele*

**Witness** *K. Wilk*

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*J. Kele*  
ANTHONY DAVID KELE

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