

House Hansard 9-Aug-2007 Page 95 BUILDING AND CONSTRUCTION INDUSTRY IMPROVEMENT AMENDMENT (OHS) BILL 2007

Second Reading

Speech

Mr MELHAM (Banks) (12.21 p.m.)—At the outset I should declare that I am a director of the Committee to Defend Trade Union Rights trust and that has been recorded on the register of members' interests. I find myself on my feet in this chamber once again to participate in debate on the building and construction industry. One could be forgiven for thinking that this government is obsessed.

The bill before the House today is to extend the application of the Australian Government Building and Construction Industry Occupational Health and Safety Accreditation Scheme to cover situations where building work is indirectly funded by the Commonwealth or a Commonwealth entity. An existing subsection in the legislation prohibits the Commonwealth or a Commonwealth authority from entering into a contract for building work with an unaccredited person. It does not extend to building work indirectly funded by the Commonwealth or a Commonwealth agency. It also does not require an accredited person to carry out the actual building work. The proposed paragraphs 35(4)(b) and 35(4)(c) remedy this situation. The bill also ensures that appropriate accreditation has occurred and it will streamline the process of appointing federal safety officers.

Labor intends to support this bill because it relates to occupational health and safety matters and we should support the bill. It is designed to allow the government to use its influence as a client and as the provider of capital to improve the construction industry's occupational health and safety. There cannot be—and nor should there be—any objection to that objective.

The building and construction industry is hazardous by its very nature and good management practices will assist in minimising deaths and injuries to workers in the industry. Only last year the CFMEU opened a wall of remembrance in memory of all workers killed and injured at work. Each year many building and construction workers are injured at work and sadly some die. This parliament has previously dealt with the results of lack of occupational health and safety when it passed the James Hardie (Investigations and Proceedings) Bill 2004, which flowed from the need to ensure that companies took responsibility for workers' occupational health and safety. In this case, legislation was required to ensure a proper investigation of the causes, if any, between illness and the workplace. That was the right thing to do and subsequently we have seen the results of that legislation.

I have here a list of the workers whose names appear on the CFMEU wall of remembrance. These are the building and construction workers who have been killed since 1988 in New South Wales and sadly the number comes to 121. The list of those injured was too long to be included on any one memorial. I seek leave of the Main Committee to incorporate in Hansard the list of all the victims. I have shown a copy to a member of the government.

Interjection

The DEPUTY SPEAKER (Hon. AM Somlyay)—Leave is granted on condition that the document complies with the Speaker's guidelines for incorporation. The document read as follows—

CFMEU WALL OF REMEMBRANCE

12 Railway Street Lidcombe

You are welcome to visit any time Monday to Friday 7.00am - 5.00pm

WORKPLACE ACCIDENT VICTIMS HONOURED

Date of death	First Name	Surname	Age at death	Date of birth	Cause of death
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16-Feb-07	Tony	ABOU-TAKKA	59		Fall from height
22-Jan-99	Douglas	ANDERSON	34		Electrocuted
04-Aug-92	Jason	ANDERSON	15		Vehicle accident
10-Feb-00	Morrie	ATTARD	46		Crushed by vehicle
09-Mar-99	Richard	AULD	48		Crushed by vehicle
11-Jan-98	Agim	BAJRAMI	35		Nail gun
05-Jul-05	Luke	BANDROWSKI	23		Unknown
05-Mar-03	Geoffrey	BATES	51		Fall from height
03-Feb-01	Mark	BEAVIS	26		Hit by rail bridge
22-Feb-90	Scott	BENNETT	22		Electrocuted
22-Oct-02	Anton	BEYTELL	37		Construction collapse
30-May-97	Glenn	BIDDLE	39		Explosion
14-Mar-01	Rodney	BILLS	53		Crushed by steel pipes
27-Jan-99	Predrag	BOJANIC	57		Hit by train
26-Feb-03	Michael	BOLAND	32		Electrocuted
14-Feb-96	Martin	BOND	22		Hit by moving object
08-Feb-05	Brendan	BROWN	43		Panel collapse
17-Dec-04	Andrew	BUCHANAN	28		Fall from height
08-Jan-03	Marcel	BUDWEE	22		Electrocuted
12-Nov-99	William	CARROLL	34		Electrocuted
29-Apr-97	Sid	CHALLITA	46		Electrocuted
17-Mar-04	Kow	CHYE	63		Fall from height
05-Jun-02	Murray	COLEMAN	62		Crushed by vehicle
15-Jan-03	Robert	COWDEROY	24		Electrocuted
25-May-01	Peter	CRUICKSHANK	20		Electrocuted
15-Feb-03	Trevor	CUTHELL	30		Hit by excavator
21-Feb-89	Samuel	DAHLEN	22		Electrocuted
13-Mar-03	Luke	DAWSON	21		Electrocuted
18-Jul-90	Simeon	DIMEDIO	21		Collapse of objects
03-Jul-95	Luke	DONNELLY	18		Electrocuted
18-Aug-98	Darren	EASTER	31		Hit by train
15-Oct-03	Joel	EXNER	16		Fall from height
12-Jan-91	George	FIDLER	20		Slides and cave-ins
23-May-98	Rodney	FOX	38		Hit by train
03-Jun-05	Mark	GALLACE	25		Crushed by machinery
11-Mar-02	James	GOWANS	20		Hit by concrete boom pump
15-Nov-00	Robert	GREAVES	34		Electrocuted
27-Oct-99	Lawrie	GRECH	37		Electrocuted
06-Oct-90	Phillip	GUASCOINE	23		Falling object
14-Jun-01	Ross	HARIS	31		Chemical exposure
15-May-01	John	HASSARATI	65		Crushed by vehicle
23-May-01	Cain	HAYWARD	26		Hit by machinery
20-May-00	John	HERIS	57		Fall from height
15-Oct-98	Andrew	HILEY	32		Hit by train
07-Oct-95	Adam	HILLIER	18		Moving object
26-May-97	Robert	HOGAN	46		Crushed
30-Jul-99	Wayne	HOOK	43		Hit by train
07-Aug-00	David	HOPPER	39		Fall from height
27-Nov-02	Michael	HOURIGAN	64		Crushed by vehicle
05-Jan-06	Paul	HUGHES	41		Fall from height
27-Jan-05	Paul	HUNT	51		Electrocuted
04-Sep-06	Matthew	INGELMO	36		Fall from height
03-Jul-02	Geoffrey	JARDINE	62		Crushed by excavator
07-Mar-04	Darrin	KEELER	38		Unknown
06-Jun-01	Ronald	LANSLEY	50		Crushed by vehicle
27-Sep-02	David	LAUKAITIS	20		Electrocuted
25-Feb-02	Peter	LAWTON	41		Electrocuted

19-Apr-00	Chun	LIN	26		Crushed by truck
21-Aug-01	Peter	LOCKWOOD	53		Fall from height
24-Sep-98	John	MAHON	48		Fall from height
09-Oct-98	Bozo	MARCELJA	59		Explosion
08-Sep-92	David	MAWSON	19		Electrocuted
01-Feb-00	Dean	MCGOLDRICK	17		Fall from height
10-Aug-01	Robert	MCGRATH	44		Crushed by vehicle
22-Oct-02	Craig	MCLEOD	34		Construction collapse
24-Aug-99	Barry	MCPAUL	57		Fall from height
01-Apr-98	Andrew	MILLER	32		Crushed by vehicle
18-Dec-90	Ben	MILLER	18		Electrocuted
23-Oct-89	Thomas	NASH	21		Electrocuted
02-Nov-98	James	NATHAN	28		Crushed by machinery
26-Feb-99	Michael	NAYLOR	29		Electrocuted
31-Mar-99	Brett	O'BRIEN	24		Electrocuted
26-Jul-88	Daryl	OLDFIELD	23		Hit by moving object
20-Dec-99	Bo	ORKLIN	57		Fall from height
02-Mar-99	Paul	OSBORNE	48		Electrocuted
13-Nov-97	Guiseppe	PAINO	62		Crushed by crane load
15-Jan-05	Pietro	PANEBIANCO	62		Hit by vehicle
24-Sep-98	Tom	PASCOE	48		Crushed by objects
05-Aug-97	Darrin	PERRY	31		Crushed by vehicle
03-Mar-98	Ljubisa	PETROVIC	54		Crushed
30-May-88	Noviac	PETROVIC	23		Electrocuted
03-Sep-99	Mark	POI	51		Fall from height
10-Apr-99	Drago	POLAK	52		Fall from height
11-May-04	Raghavengra	RAMAKRISHNA	27		Crushed
30-Nov-99	Malcolm	RAMSDEN	43		Electrocuted
04-Sep-04	Anthony	RANDALL	63		Crushed
15-Dec-06	Aaron	RANKMORE	21		Fall from height
18-Aug-98	Trevor	RATCLIFFE	50		Hit by train
19-Sep-02	Greg	REES	33		Demolition collapse
24-Oct-88	Bob	ROMER	43		Crushed
29-May-98	Mark	ROUTLEDGE	26		Electrocuted
18-Aug-01	Haralambos	SAGIOTIS	62		Crushed by machinery
13-Feb-99	John	SAID	39		Crushed by vehicle
20-Aug-97	Robert	SALTER	54		Crushed by vehicle
13-Aug-01	Ray	SCHMIDT	45		Crushed by falling tree
15-Feb-05	Joseph	SCULLINO	36		Electrocuted
15-Dec-97	Gavin	SHEARER	19		Electrocuted
29-Jul-04	Ronald	SHORES	43		Crushed in tunnel collapse
12-Mar-97	Mark	SILLITOE	28		Electrocuted
06-Apr-98	Michael	SIMPSON	59		Hit by excavator
19-Mar-98	Jesse	SMITHERS	25		Electrocuted
31-Mar-94	Selwyn	SUBRITZKY - WANO	18		Fall from height
20-Nov-03	Jamie	SULLIVAN	25		Crane accident
10-Feb-04	Ron	TABAK	47		Fall from height
17-May-88	Wallace	TERORE	40		Crushed by demolition collapse
23-Sep-98	Tony	TOUMA	35		Electrocuted
29-Aug-97	George	TSEGANIS	21		Crushed by vehicle
15-Dec-97	Matthew	TWOMEY	20		Wall collapse
10-Mar-99	Paul	URQHART	53		Crushed by vehicle
13-Oct-98	Rene	VAN BOKHOVEN	20		Hit by falling material
24-Oct-04	Glen	VIEGAS	28		Electrocuted
10-Apr-92	Timothy	WARREN	24		Electrocuted
29-Mar-07	Robert	WATSON	50		Wall collapse

21-Nov-01	Joseph	WEHBE	40		Wall collapse
30-Jun-01	Lola	WELCH	70		Pedestrian hit by truck
15-Dec-97	Darragh	WHELAN	25		Wall collapse
30-Aug-89	Robert	WILSON	23		Fall from height
06-Oct-98	Mitchell	WOODERSON	45		Electrocuted
03-Sep-98	James	ZARONIAS	43		Wall collapse
21-Jul-99	Sam	ZIADE	52		Fall from height

Continue

Mr MELHAM

It strikes one to read through the list and see the types of accidents and the ages of the victims. The causes of death ranged from electrocution, to being crushed by a vehicle, through to falling from a height. The youngest is Joel Exner, who died on 15 October 2003. He was only 16. Another victim was Glen Viegas, who was only 28 when he was electrocuted on 24 October 2004. Glen's wife, Andreia, spoke at the dedication of the wall last year.

I believe her words are important for us to hear again today as we debate this legislation. She said: "I don't want Glen's death to be just a statistic. I don't want our family's suffering to mean nothing. I want his death to be a wake-up call to all employers, workers, governments and the whole of Australia. That is why I am so proud to be able to take part in the opening of the CFMEU Wall of Remembrance.

This wall is not just about listing the names of people killed at work; it is about making sure their deaths were not in vain and forgotten. This wall is a reminder to every worker, employer or politician that sees it that workplace safety must be a priority, and we need to stop these needless deaths occurring.

The message of this wall is that every Australian worker deserves a safe workplace and no worker's life should ever be put at risk. Fifteen to 20 per cent of all workplace injuries happen on building sites. This does not take into account the lost time due to accidents which, apart from the human costs, bring the cost to industry to millions of dollars.

That is why I do not have a lot of time for the ranting and raving of members like the member for Cowper when he attacks the CFMEU. I am not saying that all unions are lily white or pure, and I think that those unions that cross the boundary should pull their heads in.

But I tell you what: the CFMEU has a very proud history and they have been at the forefront of occupational health and safety trying to save lives and injuries. The 121 people now incorporated in the Hansard have been killed since 1988 in New South Wales alone.

What are we on about in this place? That is why you need unions in the workplace - because bosses cannot be trusted. In the building and construction industry, and in a lot of other industries, they put profit before everything else.

That is why we as a parliament have an obligation to regulate a safe workplace. Neither side should have untrammelled power. But the government's ideology at the moment is trying to force unions out of the workplace. In relation to occupational health and safety, the results will be calamitous because the statistics of death and injury will continue at unacceptable levels.

I think the ideologues on the other side need to pull their heads in, because in relation to health and safety, that affects our community. Many of the injuries that result mean that people cannot come back into the workplace and it is taxpayers' dollars that have to be used to nurse those families into the future and provide a safety net for them.

So there is a dollar cost attached to this. That is not the only reason one should be involved, but I cringe when I hear the ranting and raving against unions as if they are all powerful and all evil and need to be stamped out. It is not true.

Many employers have a cooperative relationship with the union movement. Indeed, in New South Wales when we hosted the Olympics, it was the CFMEU and the way they conducted themselves that ensured that those facilities were built on time and on budget. Our international reputation was enhanced as a result of the union movement's positive approach to the developments that took place at Homebush.

It could not have been done without a cooperative trade union movement. The situation is that construction is, by its very nature, hazardous. But these hazards can be reduced by effective management. I note the time and so I seek leave to continue my remarks when the debate is resumed.

Leave granted.