

ADDRESS TO OTEGO

NEW ZEALAND INTERNATIONAL DAY OF MOURNING

By Garry Preston, CFMEU Delegate And Committee Of Management Member

I work full time in Occupational Health and Safety for a major Australian Construction Company and am also a member of the management committee of the Construction, Forestry, Mining and Energy Union (CFMEU) Construction & General Division in New South Wales.

I was once a union official in Dunedin until the effects of the *Employment Contract Act* (ECA) put an abrupt end to my employment.

My family and I were one of many thousands of Kiwis that left New Zealand in the mid-to-late 1990s because of the impact of the ECA. Attracted by high wages and employment opportunities, I became part of the Sydney Olympic boom.

I very quickly became a union delegate and began to realise how much ground we had lost in New Zealand in relation to OHS. Most of you are aware of the OHS regulations that the national government introduced at a similar time to the ECA.

Those self regulating regulations made OHS a toothless tiger. I remember working for a local builder who thought they were doing us workers a favour for giving the opportunity to buy our personal protective equipment at discounted prices.

After moving to Sydney, I remember a photo in a Union magazine which showed the Lake Wakatipu in the back ground, and in the foreground, a carpenter working on a deck at the *Skyline Restaurant*. He was working precariously nailing ten by two joists high in the air with no harness, no hand rails, and no protective equipment at the time.

The caption read “**Greetings from New Zealand - Safety the Kiwi way**”. That photo has followed me from site to site, and reminds me how much ground you can lose if you do not stand up and take a stand.

A point of note is that the 2000 Sydney Olympic had a strongly regulated and unionised building programme. With an over-\$2 billion dollar construction budget, it was finished on time and on budget, with only 1 death - one death too many and that person was a Kiwi!

You can compare that with the 2004 Greek Olympics which were unregulated and largely de-unionised. The death toll was between 12 and possibly as high as 40, with large cost and time over-runs. The deaths and accident rate was almost double that of Australia, and was one of the highest in the Western World.

In the late 1990s some of us passionate Kiwi's would get up at Australian Union meetings and tell delegates and workers about what happened in New Zealand, and that John Howard's and the Liberals were making the same noises in Australia, and forewarned that of things to come. There would often be lots of sheep calls, and cries that we could no longer play Rugby Union any more, and this will never happen in Australia.

The sheep noises have stopped, the All Blacks are winning, and the things we predicted are happening.

When the Liberals took control of the Senate after the federal election last year, they looked like a Government gone mad with power, and I am sure there has been a lot of press over here about the WorkChoices legislation. In this legislation there are heavy penalties for any form of industrial action by workers or unions, and it encourages employers to offer individual contracts to workers.

There has been a special draconian Taskforce set up by the Government that can tape our telephones and interrogate us. For example, if we do not “dob in a mate” for something said at union meetings, we could face a jail team.

We have lost our right of silence, and I believe this will become a civil rights issue. The legislation is set up to destroy the ability of the CFMEU and other construction unions from organising workers.

Safety in the construction industry is driven by the union movement. Not all the construction industry is organised. Some very dodgy and dangerous things go on in non-unionised sites in the outer suburbs of Sydney.

Sadly on my visits back to Dunedin I have seen many dangerous practices happen on building sites around this town. Just to comment on a few.

- I remember thinking that the Framers Building development should have concrete barricades at the base of the hoarding to protect the public waiting for the bus. If one of those scaffold poles were hit by a bus I think the scaffold would have come down like a deck of cards.
- I have seen little or no traffic control on inner city building sites. On one recent visit to the city I walked around the corner to find a truck backing into a building site in lower Moray Place, with traffic backed up. I think it was just luck that no one came around the corner a little too fast.
- I remember having it reported to me that the tower crane on the Mowana Pool site would have loads straddled across the street, with cars driving under the load. That is a major “no” in Sydney.

While waiting for my plane on Monday I found a very interesting front page article in the Sydney Morning Herald. The main headline read “Young sacrificed at work.”

Young Australians aged under 25 have that have suffered work related injuries or diseases over the past 10 years almost equal the number of Australians killed or wounded during the first and second world wars. Another 500 young workers were killed in that 10 years. One in six of the young workers aged 15 to 24 who were injured in NSW were left with a permanently disabled.

New research foreshadows it could get even worse, with a big growth in casual jobs and the introduction of new federal industrial laws designed to put OHS on the back-burner.

Young people often find it hard to speak up about health and safety concerns and the new federal industrial laws would make that worse. It is a joke to consider an 18 year old trying to negotiate with an employer (as required under the new legislation). The power relationship is lopsided.

Although industrial and safety legislation have improved in New Zealand since there has been a return of a Labour Govt, young people face similar issues in New Zealand.

The article showed a number of young people who had been killed at work. There was a young jackeroo killed when he fell off his horse mustering cattle. Although he was an exceptional horseman he wore no protective headgear, and died of head injuries.

There was a story about a 19 year old Wollongong student that died at a McDonald’s restaurant in Wollongong. He died instantly when he touched an exposed wire while cleaning a store.

The saddest story for me to read was that of 15 year old Joel Exner, who died on a building site at Eastern Creek. Joel had just left school and was only three days into his job as an apprentice roofer. **He was sent up onto a roof without a harness, and fell 14 metres through incorrectly installed safety net.**

I have met Joel’s mother a number of times. And I don’t think she will ever get over this tragic loss. He was only a child. Joel’s death upset the community so much that 30,000 building workers marched on the State Parliament, demanding Industrial Manslaughter Legislation for “Bosses that Kill.”

Falls and Electrical injuries are the major cause of deaths in the construction Industry. I am sure you can recall many names of workers killed on the job in Otago.

Chemicals and dust are also a major issue faced by workers, but largely forgotten about because it can take years to effect workers. I can remember reading [the article in relation to two concreters getting serious cement burns](#) while kneeling in wet concrete.

Today is the “International Day of Mourning”. Workers around the world commemorate workers who have died at work. Every year on this day in Sydney all major building sites stop work for a minute’s silence to remember mates killed at work.

Working people have a right to come home to their family, whether in the 1st world or the 3rd world.

Today the CFMEU in Sydney are picketing the Canadian Consulate. We are all aware of the slow death that comes from Asbestos. In Canada Asbestos use is banned in the building industry, yet they still mine and export it to poorer countries where there is no protection for workers.

Workers from all unions meet at Reflection Park to remember workers who died at work and meetings just like this are taking place right around the world today. There was a major campaign for asbestos victims against James Hardie, who moved off-shore to try to avoid paying compensation.

The CFMEU campaigned for victims and won.

Kiwi asbestos victims that can prove that a James Hardie product was responsible can claim compensation over-and-above ACC entitlements.

The union's lawyers are running the cases. A lot of lung cancer deaths may have been caused by asbestos, but were never reported as workplace related deaths.

I work in one of the most dangerous industries. I have looked at your stone and there is no plaque from the Building Union. I ask if there are any representatives of the building industry in Otago here today.

The reality is the Building Industry became a victim of the ECA and there are no longer people out there (like Allan O Neil who was a union official of the Auckland Carpenters Union) exposing companies like James Hardie, who dumped asbestos at the back of Southdown freezing works so the local community and workers could breathe in the dust.

From all accounts safety has been improving in New Zealand, but be well aware that if there is a change of Government here, you could be going back down the same dangerous road Australia is now on.

Every worker has a right to come home to their family at night.

Thank You,

Garry Preston.