



The Hon Craig Laundry MP

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MEDIA RELEASE

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UNIONS ARE NOT ABOVE THE LAW

Australia's most senior union official has once again declared that she believes unions are above the law.

Speaking on ABC television last night, the ACTU Secretary Sally McManus said "If a law is unjust or if it's unfair, it is OK in some circumstances to not follow it... It's a basic principle that people have taken throughout the world, in Nazi Germany, in a whole lot of places".

Not only are these comments offensive, they are completely reckless coming from the head of Australia's union movement.

It is no wonder private sector union membership is down to a record low of less than 9 per cent. Young people simply are not buying into the union movement – less than 6 per cent of employed people aged 15-25 are joining unions.

Bill Shorten needs to stand up to Ms McManus, instead he is promising the likes of the CFMEU he will be complicit in 'tearing up' the rule book. The ACTU and a Shorten government would result in industrial chaos.

For Ms McManus to compare herself to the Nazi resistance movement is absurd and offensive.

The union movement has a poor enough record as it is, without the ACTU Secretary's efforts to encourage members to break the law.

A string of adverse judgments and rulings have called out the CFMEU and other union lawbreakers for their conduct:

"The most recidivist corporate offender in Australian history" – Judge Salvatore, Federal Circuit Court

"The CFMEU's record of non-compliance with legislation of this kind has now become notorious... That record ought to be an embarrassment to the trade union movement" – Justice Jessup, Federal Court

"As the very many reported cases reveal, it is an organisation with a long and sorry history of industrial disputation in which its willingness to disregard the industrial laws of this country seems to know no bounds." – Judge Jarrett, Federal Circuit Court

“The CFMEU has an egregious record of repeated and wilful contraventions of all manner of industrial laws” – Judge Jarret, Federal Circuit Court

“Respect for workplace laws is a vital ingredient of a productive and harmonious building and construction industry. No one is above the law.” - Judge Jarret, Federal Circuit Court

“The CFMEU has accumulated a deplorable record of contravening civil remedy provisions of the Act and its predecessors” – Justice Tracey, Federal Court

“The CFMEU has long demonstrated by its conduct that it pays little regard to compliance with the law and indeed has repeatedly sought to place itself about the law” – Justice Flick, Federal Court

“The rule of law in a democratic society does not permit any member of that society, no matter how powerful, to pick and choose the laws or court orders that are to be observed and those that are not” – Justice Merkel, Federal Court

“Parliament is the only entity that sets the law in this country and the Parliament is directly responsible to the people of this country. It seems that the CFMEU feel that they can usurp Parliament and that they can set the law in this country. There is no place for such an attitude in Australian society” – Judge Vasta, Federal Circuit Court

“In a liberal democracy, it is assumed that citizens, corporations and other organisations will comply with the law. Such compliance is not a matter of choice. The community does not accept that a citizen, corporation or other organisation may choose to break the law and simply pay the penalty. The courts certainly do not accept that proposition. Such acceptance would pose a serious threat to the rule of law upon which our society is based. It would undermine the authority of Parliament and could lead to the public perception that the judiciary is involved in a process which is pointless, if not ridiculous.” Justices Dowsett and Rares, Federal Court

Bill Shorten should do the honourable thing and condemn this latest effort by the union movement to undermine the law of the land.

But he won't, because he relies on their support and their money in order to keep his job.

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