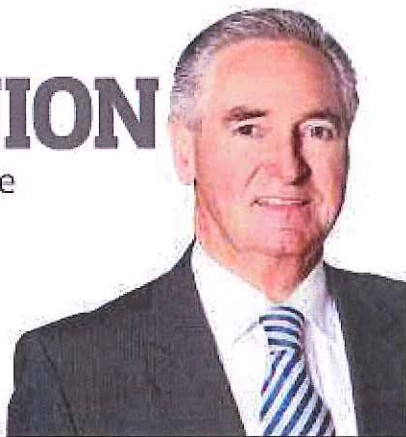




## IN MY OPINION

with Mark Stone

### State can ill-afford to be blockaded



**“No business should be expected to participate in the sort of negotiations now demanded by the CFMEU with the threat of an illegal blockade hanging over its head**

**V**ICTORIAN business is justifiably nervous about the behaviour of the CFMEU at the Grocon blockade because of the significant implications that will flow from a continuing disregard for the rule of law.

Three very serious matters of concern have been raised by the ongoing blockade at Grocon's Emporium site.

The first is the attack on Grocon's right as an employer to decide who it wants to employ. The second is the denial of the right of Grocon and its employees to access the Emporium site free from intimidation and harassment. And the third is the continuing defiance of the CFMEU in the face of the orders from Victoria's Supreme Court.

This is not an industrial dispute. In April 2012, Grocon and the CFMEU leadership signed a three-year agreement stated to "deal comprehensively with all matters which pertain to the employment relationship between the Company and

its employees in full and final settlement of all matters, claims and demands". This agreement was subsequently approved by Fair Work Australia in June 2012.

This is not about workplace safety. Grocon recently received the award for Best Workplace Health & Safety Management System — Private Sector at the 7th Annual Safe Work Australia Awards presented by Workplace Relations Minister Bill Shorten.

The continuing blockade is simply illegal and it has been ruled illegal by the Supreme Court. It has been preventing Grocon and its employees exercising their right to freely enter their premises to do their work and yet the CFMEU continues to defy the court's authority.

VECCI supports the strong stand taken by Grocon in insisting the illegal behaviour cease.

No business should be expected to participate in the sort of negotiations now demanded by the CFMEU with the threat of an illegal blockade hanging over its

head, and the CFMEU should not be rewarded for its unlawful behaviour.

VECCI also strongly supports the decision of the Baillieu Government to intervene in the Supreme Court proceedings against the CFMEU and its bosses.

This sends a very strong message to business because it confirms that the State Government will not tolerate the rule of law being so flagrantly ignored.

VECCI acknowledges that Victoria Police are performing a difficult role but urges them, on behalf of all Victorian businesses, to continue to protect the rights of those who are simply trying to go about their normal day's work free from intimidation, harassment and abuse.

There cannot be one set of laws for the CFMEU and its bosses and another for everyone else. It is time for the Prime Minister and Minister Shorten to express their condemnation in the strongest possible terms.

If they will not do so, it will signal to all businesses,

especially those who cannot afford to absorb the sort of economic damage that Grocon has to date, that they are at the mercy of militant union bosses.

The Federal Government must restore the Office of the Australian Building & Construction Commissioner with a full suite of powers, and legislate so there is the power to fully prosecute parties who do not comply with the law, and impose significant, effective penalties.

Victoria cannot afford the economic and reputational damage that results from the sort of thuggish behaviour of the CFMEU on the Grocon blockade, and Victorians simply won't get the infrastructure they need if we don't have a framework that delivers it harmoniously, productively and in accordance with the law.

*Mark Stone is chief executive of the Victorian Employers' Chamber of Commerce and Industry.*



**Grocon:** Absorbing substantial economic damage