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## FWO puts MUA under microscope over Webb Dock picket

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The FWO is investigating protests at Melbourne's Webb Dock during the MUA's dispute with stevedore VICT which, despite Victorian Supreme Court cease-orders, continued until the worker's temporary reinstatement last Friday. (see [Related Article](#)).

An FWO spokesperson today confirmed the regulator has an "active investigation relating to recent activity at the Victoria International Container Terminal in Melbourne" (see [Related Article](#)).

While the FWO would not comment further while the matter is continuing, *Workplace Express* understands the regulator has issued notices seeking MUA correspondence to members and officials about protests held on Friday, December 8 (see [Related Article](#)).

It is understood the FWO also issued notices to stevedores VICT, DP World, Patrick and tugboat operator Svitzer, whose workers allegedly attended the protests.

About 1000 protesters – including ACTU secretary Sally McManus, VTHC secretary Luke Hilakari, CFMEU construction and general division Victorian branch secretary John Setka and many union members and supporters – attended the December 8 rally at VICT's Port Melbourne operations.

Described by the MUA as being community-based, the protests took place in the face of a Victorian Supreme Court injunction prohibiting MUA officials and members from a "no-go zone" of 100 metres around the site's access points.

Supreme Court Justice Michael McDonald last Tuesday continued the orders against the MUA over the picket and a 100-metre "exclusion zone", while also granting a rare representative order against Hilakari, ordering him not to participate in or organise the picket (see [Related Article](#)).

Justice McDonald also issued an injunction against the CFMEU attending or organising the picket after finding Setka had encouraged unionists and the public to support a protest rally at the VICT site.

However, Victoria Police last Wednesday said they were aware of an "ongoing protest" at VICT at Webb Dock despite the orders.

The protest continued until VICT last Friday agreed to reinstate a worker to whom it had stopped allocating shifts as he did not have a Maritime Security Identification Card.

The MUA is already facing substantial penalties as a result of FWO-initiated proceedings after the Federal Court last month found it orchestrated unlawful industrial action at Hutchinson's Port Botany and Brisbane container terminals in 2015, unleashing "every tool available" when confronted with "what it perceived to be an existential threat" (see [Related Article](#)).

In that decision, which leaves the union open to penalties of up to \$54,000 per breach, Justice Jayne Jagot found the union "organised and was involved" in stoppages between August 7 and 14 in contravention of [s417](#) of the Fair Work Act after Hutchinson sacked 97 employees by email and text (see [Related Article](#)).

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