

THE AUSTRALIAN

MUA outsourced dock dispute to other unions, court finds

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The nation's most militant unions will be hit with multi-million-dollar damages claims after the Supreme Court of Victoria issued unprecedented orders designed to end a two-week blockade that has stranded more than 1000 containers on Melbourne's Webb Dock.

Judge Michael McDonald found the Maritime Union of Australia "outsourced" its dispute with the Victorian International Container Terminal to other unions which were co-ordinated by the Victorian Trades Hall Council.

He ordered the Construction Forestry Mining and Energy Union to abide by orders imposed upon the MUA prohibiting the union from being within 100m of access points to the Port Melbourne site, saying there was "a substantial body of evidence" of CFMEU involvement.

In orders unions described as unprecedented, the court issued injunctions against Victorian Trades Hall Council secretary Luke Hilakari restraining him from blocking the terminal or - organising other unionists to take similar action. VICT last night would not reveal when it would seek to start moving the containers from the terminal but was considering a fresh request to Victoria Police to assist in having trucks enter and exit the site.

Neither the MUA nor the CFMEU would comment on whether they would stop obstructing access to the site.

VICT chief executive Anders Dommestrup said the court's extension of the injunctions was a "victory for the whole community against selfish trade union interests". "The court's decision indicates a conspiracy, led by the MUA and the CFMEU, to harm and damage VICT, and in turn impacting the many small and medium- sized businesses whose goods have been left in limbo by the unions' actions," he said.

“VICT will continue to assess the damage that has been done to our business. We will be seeking to recoup those damages (and) others will be doing the same. Any breaches of the court’s orders will also be pursued as a contempt of court. The unions offered virtually no defence of their illegal behaviours because there is no defence.”

Master Builders Australia chief executive Denita Wawn said the court orders were further evidence why federal parliament should pass laws to subject the looming merger of the MUA and CFMEU to a public interest test.

Mr Hilakari said he was very disappointed with the court ruling, claiming VICT’s parent company was notorious for union busting and extreme anti-worker tactics in developing countries.

The dispute flared after a waterfront worker, Richard Lunt, was denied shifts after he failed to get a security clearance. Mr Lunt was previously sacked in 2013 leading to a blockade of another part of Melbourne’s docks.