

# Quarry

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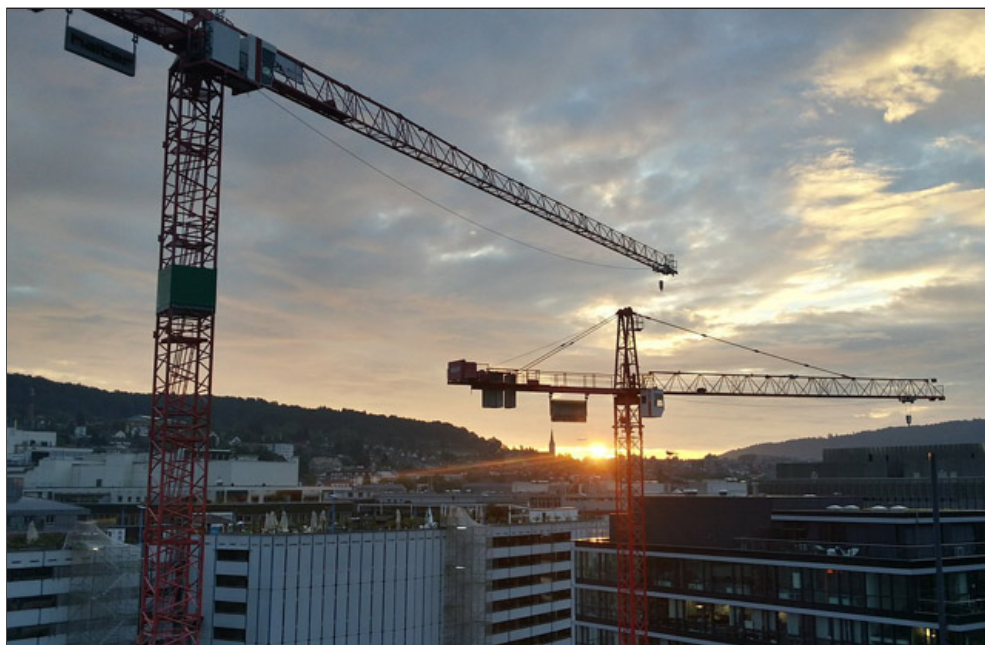
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## NEWS, INDUSTRY NEWS



Boral claims it lost \$20 million in work due to the CFMEU's secondary boycott.

## BORAL TAKES CFMEU TO COURT OVER BOYCOTT

Posted August 28, 2015 | By Stephanie Chan • Staff Journalist

Boral has taken a union to court over alleged unlawful activity that it claims caused the business to lose millions of dollars in revenue.

A reportedly four-week long trial involving Australian construction materials giant Boral and the Construction, Forestry, Mining, and Energy Union (CFMEU) commenced in the Victorian Supreme Court last week.

The lawsuit related to a secondary boycott that the CFMEU allegedly enforced in 2013 and 2014 against Boral. Boral was thought to have been targeted because it had continued to supply product to Grocon, a property developer that had been in a dispute with the union since 2012.

Boral claimed it had lost work because the CFMEU had threatened to shut down construction sites that agreed to do business with the building materials supplier.

According to *9 News*, the company is now reportedly seeking \$20.7 million in damages from the union for the loss of work on 16 specific projects, including Werribee Plaza, Olympic Park, the Ballarat Aquatic Centre and Swinburne University in Hawthorn. This amount also includes compensation for the profits

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Boral lost when it was forced to reduce its prices as a result of the boycott, as well as for future impacts the boycott may have on the business.

Quarry approached Boral but the company declined to provide further comment while the case was before the court.

The news comes after the CFMEU was sued by the Australian competition watchdog in November last year. The Australian Competition and Consumer Commission (ACCC) sought pecuniary penalties, declarations, injunctions and publication orders against the CFMEU for the alleged secondary boycott against Boral.

The CFMEU's behaviour is also being scrutinised by the Royal Commission into Trade Union Governance and Corruption, which the Federal Government established in March 2014.

The Royal Commission's final report will be delivered by 31 December, 2015.

### UPDATE - 7 SEPTEMBER 2015

On 4 September, 2015, Victorian Supreme Court Justice Kevin Bell adjourned the trial for at least two months and urged both Boral and the CFMEU to seek mediation. According to a Melbourne *Herald-Sun* report on 5 September, lawyers for the parties are now preparing to seek the records of dozens of projects that were not included in the original claim. This is likely to see the case "blow out in both its duration and cost".

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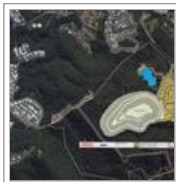
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
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