

# Construction union threats against Australian Football League have nothing to do with workers' interests

**Martin Scott**  
**20 June 2024**

Last week, the Victorian branch of the Construction, Forestry and Maritime Employees Union (CFMEU) threatened to call industrial action against projects related to the Australian Football League (AFL) unless the league agreed to sack its head of umpiring, Stephen McBurney.

The branch's Facebook page declared: "OUR MEMBERS WILL NOT BE BUILDING OR SUPPORTING ANY PROJECTS THAT THE AFL ARE INVOLVED IN. WHILST THEY SUPPORT, OXYGEN-THEIVING, ANTI-WORKER MAGGOTS, LIKE STEPHEN MCBURNEY."

While led by the CFMEU's Victorian branch secretary, John Setka, the threat has the backing of other unions involved in construction, as well as Victorian Trades Hall Council boss Luke Hilakari.

McBurney previously led the Australian Building and Construction Commission (ABCC), an industrial tribunal charged with enforcing Australia's draconian workplace laws in the construction industry. The ABCC levied almost \$16 million in fines against the CFMEU before it was shut down and folded into the Fair Work Ombudsman by the Albanese Labor government in 2022–2023.

The crude stunt has nothing to do with the interests of construction workers or the broader working class.

At no point has Setka or any other CFMEU official even attempted to explain how the sacking of the AFL's head of umpiring will improve a single thing for workers, who confront the greatest assault on living standards in decades. That is because tinkering with the officialdom of a football league will plainly alter nothing for the working class.

Instead, the CFMEU bluster is an attempt to divert workers' opposition to increasingly difficult social conditions and a repressive industrial relations framework into a personal vendetta. By singling out an individual as the "number one enemy," the unions are seeking to cover up the fact that the assault on workers' rights and wages is systemic, pitting them against the capitalist state and all its representatives, including Labor, the industrial courts and the union bureaucracy itself.

The reality is that McBurney served as just one reactionary representative of Australian governments and big business. The CFMEU, as a major Labor Party-affiliated union, is connected at the highest levels to the very government responsible for

maintaining Australia's harsh anti-worker laws.

The CFMEU's vitriolic opposition to McBurney and the ABCC is bound up with the fact that the commission implemented measures that were aimed at sidelining the union bureaucracy. This reflected the sentiments of layers of the ruling elite and previous Liberal-National administrations, who viewed the bureaucracy as something of a squeezed lemon, and were considering pressing ahead with the assault on jobs, wages and conditions without employing the services of the union officialdom.

The commission targeted union officials, including over such allegations as verbal abuse, intimidation, doxxing and threats of physical violence against non-union workers. In addition, the ABCC enforced restrictions on CFMEU recruitment and demarcation related activities, such as site access for union officials and the presence of union flags and stickers on work sites.

The CFMEU and the broader union apparatus were intensely hostile to these attacks on the privileges and prerogatives of the bureaucracy. But they were happy to collaborate with the draconian industrial relations framework that targets workers, so long as their position as an industrial police force was maintained. This is precisely what has happened since the abolition of the ABCC in February last year.

Setka's threats against the AFL themselves pointed to this reality. The ABCC is gone, but so exploitative are the existing conditions in the construction industry that it would not be necessary to call strikes in order to seriously disrupt major projects:

"If it's work to rule and we just work our basic hours, things are going to drag out forever.... For projects of this nature to get delivered, they have to have our full co-operation on site.... We get our blokes to work RDOs [rostered days off], sometimes on long weekends. We have a meeting and say, 'Look, the job's behind, they need to deliver this on time.'"

In other words, the vast profits of major construction companies and property developers would not be possible without the presence of CFMEU delegates and officials on site to enforce the demands of management for speed-ups and overtime.

At the same time, the CFMEU bureaucracy has presided over a situation in which, amid a frenzy of building activity that has vastly enriched the wealthiest property developers, small to

medium construction companies are going bust at a rate of knots, leaving workers out of a job and owed thousands of dollars. The union has not organised or even threatened action to oppose this job destruction.

Amid a flurry of commentary around the McBurney stunt over the past week, the CFMEU pushed through an enterprise bargaining agreement (EBA) with Master Builders Victoria, with the rest of the state expected to follow shortly.

The bureaucracy and the corporate press hailed the deal, which contains four 5 percent per annum pay increases, as a major win for workers. While this is higher than the current official inflation rate, it falls far short of soaring rent and mortgage costs and does not begin to make up for real wage cuts under the previous CFMEU deal, which locked in 3 percent nominal pay increases while inflation reached 8 percent.

None of this is an accident. The union bureaucracy is tied by a thousand threads to the construction and finance corporations, including through CBUS Property, the investment and development business it jointly controls. The CFMEU is by no means unusual in this regard—leading officials of all the major unions serve alongside corporate executives on the boards of the multibillion dollar superannuation funds.

This is the social layer represented by the union apparatus, and their interests—ever-increasing profits, extracted through continuous attacks on jobs, wages and conditions—were diametrically opposed to those of the working class.

By going after McBurney now, Setka and the CFMEU are seeking to promote the illusion that Labor’s decision to shut down the ABCC means construction workers no longer have to worry about repressive industrial relations laws.

The current federal Labor government has, with the full support of the trade unions, introduced multiple changes to the Fair Work Act, increasing the powers of the industrial courts to intervene in disputes and shut down industrial action.

This is not an aberration. While the Howard Coalition government’s establishment of the ABCC was part of a stepped-up attack on construction workers and the CFMEU specifically, the bulk of Australia’s anti-worker legislation has been introduced and strengthened by Labor governments over the past four decades, as part of a broader attack on jobs, wages, conditions and basic rights.

This is underscored by the response of federal Labor Workplace Relations Minister Tony Burke to the CFMEU threat. Burke told the *Australian Financial Review* that even the minimal work-to-rule measures proposed by Setka could be prohibited: “If something is organised as a ban then it comes under the definition of industrial action.”

In other words, even something as innocuous as an organised campaign by workers to refuse overtime and working on days off is illegal, unless it is part of an enterprise bargaining campaign and approved by the pro-business Fair Work Commission.

Occasional bluster from union officials about the need to rip up these laws is a sham, aimed at covering over their complicity. The CFMEU and its leaders remain an integral component of the governing Labor Party, whose explicit and official policy is the permanence of Fair Work and the whole repressive industrial

relations framework.

Even with the reintroduction of the ABCC in 2017, rallies called by the CFMEU had nothing to do with challenging the anti-democratic laws, but were instead used to divert workers’ anger behind electoral support for Labor.

The unions not only agree with Australia’s anti-strike laws, they rely upon them as a pretext for shutting down strikes and suppressing workers’ opposition to attacks on their pay and conditions.

This extends beyond immediate workplace questions, to the broader issues confronting the working class. Over the past eight months, the laws have been utilised by union bureaucrats as a justification to prevent industrial action by workers in opposition to Israel’s genocide in Gaza and the complicity of the Labor government.

The CFMEU’s waterfront and seafaring division, the Maritime Union of Australia (MUA), has played the lead role in preventing any campaign to block the supply of military and other goods to Israel. While certain MUA and CFMEU officials have made a public show of support for Palestine, this has been nothing more than a cover for the actual role of the union, ensuring that MUA members have stayed on the job throughout the past eight months, loading and unloading cargo on behalf of Israeli and Israeli-linked shipping lines.

This is not only a rejection of repeated calls by Palestinian trade unions for international action to halt the mass murder; it flies in the face of mass opposition to the genocide and clear support among Australian workers and young people for measures to starve the Zionist war machine.

While the leadership of the CFMEU and all other unions insist there is no way for workers to oppose a genocide, Setka last week declared that the union “will use every resource we have to pursue” McBurney.

A trade union bureaucracy that is more concerned about the job prospects of a single former public servant than the imperialist-backed state murder of tens of thousands of civilians is hostile to the interests of the working class. The bureaucracy’s complicity in the genocide is a clear signal that it supports militarism and war more broadly, as the Labor government with which it is aligned backs the US-NATO proxy conflict with Russia in Ukraine and transforms Australia into a frontline state for war with China in the Indo-Pacific.

Workers need to form their own organisations of struggle, rank-and-file committees independent of the corporatised union organisations, in every workplace. These committees, are the only mechanism through which the working class can take up the necessary political struggle against Labor, the unions and the industrial courts, which all exist to defend capitalism and the interests of the wealthy elite.



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