

Joint Submission of Barry Eades and David Jones

Statutory Review of the Building and Construction Industry Training Fund and Levy Collection Act 1990

Barry Eades was born in Kellerberrin and is a proud Ballardong and Goreng Noongar man.

Barry currently resides in Perth and works for Acciona as a supervisor and mentor for the On-Track program, with particular responsibility for indigenous workers and workers who have encountered social problems and have disadvantaged backgrounds. Barry is also the CFMEU union delegate on the Armadale Line Upgrade Alliance Project.

David Jones was born in Perth and is a proud Noongar man with connections to the Wiilman, Goreng, Kaniyang of the South-West and the Punuba peoples of the Kimberleys.

David currently works as forklift driver and labourer for Invicta Site Services at the Elizabeth Quay site in Perth. David sits on the First Nations Committee within the WA branch of the CFMEU. David has been in the construction industry for 7 years in Perth.

We understand that the Statutory Review is seeking submissions from interested parties to address the Terms of Reference. We wish to address the Term of Reference (f) that requires the Review to “consider the benefits of a more diverse construction workforce and assess whether First Nations people participation and gender imbalances in training are being adequately addressed under the Act” and, in particular, address the issue of First Nations participation based on our lived experiences in the construction industry.

Barry’s Experience

Barry has done about 20 years of FIFO work. In the early days Barry started as a labourer. He had relevant tickets, skills, and experience – but was never promoted to work on machines. He remained as a labourer for major mining companies (including Thiess and CPB Constructors). Barry put this down to racism. It was far worse for women.

Barry also worked for Roy Hill in the past where only two indigenous people were employed.

In his time in construction, it was common to be called a “black c...” by his supervisors. On some projects, there were up to 5 indigenous workers at a time who experienced the same thing. Barry asked if the indigenous workers could work together to support each other, but that was never accommodated.

There was nobody in a senior role that would advocate for indigenous rights – or make a comment about the failure to advance him as his skills required.

Even though CPB later had an indigenous liaison officer, the person was never seen or available, and Barry voluntarily took on the role to try to advance indigenous people.

If anyone complained about discrimination, there was a common understanding that their working life would be made impossible.

In Paraburdoo, many workers are on a 3 and 1 roster and as such projects are struggling to get people. Barry submitted to management 20 CVs of indigenous people who were all very capable of doing the jobs. However, only one got a job as a grader operator with CPB. At CPB, there were multiple cases of discrimination that Barry pursued with the assistance of the union.

Whilst working in Paraburdoo, Barry was made aware of a female employee selling rocks/crystals as sacred sites artifacts – Barry told supervisor. He said he had no proof. Later came to light it was true.

Young indigenous workers need older mentors, or someone they can ring, on building sites. One girl Tracey from Katanning was on site for work experience with Castle Ross and throughout the day Barry checked on her. She was left in crib room after the classroom session and quit because she was not given work to do, but other new non-indigenous starters were given work. Barry followed her to encourage her to stick with it. Barry believes there is a need in the future to buddy up so new and young workers feel safe and cared for. Young people are experiencing these issues.

Barry stopped FIFO work in January 2024. His job now is in Perth working on a project where there is a contract with the State and Acciona and BMD that requires the employment of 4% indigenous workers. That has not been achieved. There are approximately 10 indigenous people out of a workforce of over 500.

Barry doubts that there will ever be 4% indigenous employed, but believes that international backpackers are being employed in preference to indigenous people. He believes there is no motivation to engage indigenous people and a mindset that indigenous people are not well qualified or experienced. He does not believe that is right given the number of unqualified backpackers that are employed on a daily basis.

David's Experience

David submits that we need to prioritise indigenous training and to upskill indigenous workers. Indigenous children should be targeted in school to provide information on employment and training pathways and avoid the cycle where they go onto Centrelink and end incarcerated.

An indigenous liaison person is critical in workplaces and is valuable in the facilitation of training.

Schools and Try-a-Trade programs should also target indigenous kids. The CTF should employ and indigenous person to focus on priorities for indigenous.

Clontarf is a great model with academies in many high schools in WA and now expanded to the NT and some other states. The CTF is sponsoring Clontarf employment forums in 2024 and additionally is providing a scholarship program and try-a-trade programs specifically for Clontarf students. That is a very good thing. It is very positive that Noongar language is now being taught in WA primary schools.

David has experienced cultural differences on construction jobs. As an example, David was working on the Airport link for a company Salini Impreglio (now WeBuild) where there were four indigenous people engaged. David got started on the job as Salini arranged for training

through a Certificate III in Civil Construction as a traineeship. It took a long time to complete training.

The indigenous workers were designated to work together on the hardest and most menial labouring jobs. There were tradesmen who did not want to work with the indigenous people.

David and three of his colleagues sat down for the day to protest, and explained why to the supervisor. It was a case of having to prove to others that they were capable of doing the job. David said 'we all wear the same uniform, but we have to prove ourselves twice as much and it is insulting'.

David worked out at Koolyanobbing doing training in hospitality with BGC, and heard an employer in the messroom call the indigenous workers "black c...".

Inappropriate language such as "walkabout" – is still used a lot on construction sites and is not appropriate. There is a lack of understanding about the significance for indigenous people when it came to attending funerals and the traditions that were part of the process.

A further example for David was with a labour-hire worker on the Salini project working with chemicals without a mask and feeling unwell. The backpacker person commented that it was like sniffing chemicals "like an aboriginal". When David said he was indigenous, the person said "you don't look like one" and commented "why are you working, you get free stuff?". David had been with Salini for 5 years. He informed a senior person on site (engineer) of the exchange. The senior person later returned and said the person would not be back.

David wants to start an RTO to engage and train indigenous people in order to put in place initiatives to assist indigenous people. He knows that, if successful, he will engage with the Department of Training and Workforce Development and the CTF.

Conclusions

In conclusion:

- (a) We both feel that there are barriers to the engagement of trained indigenous people on construction sites.
- (b) The culture remains such that it is inevitable that indigenous people will experience discrimination in their work life. Such discrimination, we feel, is often serious enough to discourage indigenous people remaining in the industry.
- (c) In order to address these barriers to attraction and retention, we believe there needs to be an effort to:
 - (i) change discriminatory behaviour generally in the industry;
 - (ii) target indigenous youth in schools to attract them into undertaking training and careers in construction; and
 - (iii) ensuring that more experienced indigenous people can act as mentors for the younger entrants into the industry.



Barry Eades

Date: 2/7/24



David Jones

Date: 1/6/24