

Queensland Legislative Assembly	
Number: <u>56197186</u>	
 14 FEB 2019	Tabled <input checked="" type="checkbox"/>
MP: <u>MR BLENIE</u>	By Leave <input type="checkbox"/>
Clerk's Signature: <u>[Signature]</u>	

## Enco Precast Pty Ltd – Timeline of events with Office of Industrial Relations

### Events Surrounding Entry One

20/7/18 – CFMEU turned up unannounced; 4 delegates trespass(as shown in the video) and force entry as 10 more watch on from the front gate

22/7/18 – Helen Burgess calls Steve James (GM of ENCO) to let him know she will be facilitating entry on Monday 23/7/18

23/7/18 – 8am - Helen Burgess (Construction), John Azcune (Construction) and Ashlum Tan (Industrial) from WHSQ arrive at ENCO to negotiate entry while CFMEU wait out the front

9am - Burgess threaten ENCO with fines if we do not allow entry despite giving no reason for entry and providing no evidence of the CFMEU having coverage at ENCO

9:30am - ENCO invite Burgess (Construction), Azcune(Construction) & Tan(Industrial) to undertake site inspection if they believe it is necessary for the CFMEU to investigate alleged safety contraventions. Burgess refuses and says she does not do inspections and is only concerned with facilitating entry for the CFMEU (disregard for the true function of WHSQ).

2pm – Burgess via Azcune(Construction) issues directions (a process introduced after the Dream World Tragedy) to allow entry to the CFMEU

3pm – ENCO refuses and offers Burgess, Azcune(Construction) and Tan to undertake site inspection. Burgess leaves but Azcune(Industrial) and Tan undertake preliminary inspection.

Azcune(Construction) physically assaults James Byrne prior to inspection. Azcune(Construction) shows clear bias in an attempt to validate CFMEU entry.

5pm – Inspection concludes

24/7/18 9am – Tan (Industrial) returns with Angello (Industrial) from WHSQ to continue audit. ENCO refuses an inspection in the context of being on behalf of the CFMEU. WHSQ instead undertakes an independent comprehensive audit. The conclusion results in only an improvement notice for housekeeping; a very good result.

25/7/18 – Office of Industrial Relations commences legal proceedings before the Queensland Industrial Relations Commission seeking a decision on whether the CFMEU has coverage and if the directions given by WHSQ were proper.

Hearings in the QIRC from August til October 2018

October 15 – Azcune's(construction) testimony, which we believe to be biased, is not corroborated by another inspector, who has proven to be impartial, and the Office of Industrial Relations requests a withdrawal from proceedings. ENCO allows this in good faith that the Regulator will not pursue action on behalf of the CFMEU.

### Events Surrounding Entry Two: 17 & 18 of December

17/12 CFMEU attempt entry to site at ENCO, when refused entry they directly call Helen Burgess, the director, rather than ringing through the Workplace Health and Safety switchboard as per procedure.

17/12 Helen Burgess(Construction) and John Azcune (Construction) enter the site 45 mins later

17/12 MOU handed to police by Helen Burgess (Construction) to coerce Police into forcing entry **(knowingly handing police a document that was not relevant to the situation to influence the decision of the police)**

17/12 – Threat of directions if ENCO didn't comply with Helen's request to allow CFMEU to enter (these were never issued)

17/12 – Did not assess permits correctly (knowingly submitted a document that did not qualify as a permit)

17/12 – Helen Burgess demands the job description of all employees

17/12 – Helen Burgess demands names, addresses and phone numbers of all employees while in the presence of the CFMEU which has not relevance to workplace health and safety

17/12 CFMEU arrested by Queensland Police for trespassing on site

17/12 – Jade Ingham turns up as they are being arrested and abuses police

17&18/12 – Multiple attempts under s16 to force police to assist their entry

18/12 Identification not shown to validate entry; Helen directed inspectors present to show identification

18/12 – Kieran & Graham (inspectors acting as investigators) refused to take a complaint (inspectors take complaints about other inspectors)

18/12 Helen sent an email claiming the permit holders was the reason for entry

18/12 – Kieran and Graham stated different alleged safety contraventions to what Helen had stated

18/12 Donna Heelan (Director for Agriculture) said the attempted entry was not related to the incidents of 17/12 though she is trying to coerce Police to force entry based on the events of 17/12

18/12 – Donna Heelan(Director for Agriculture) said we were not entitled to legal advice regarding this decision

18/12 Approx 15:30: Donna Heelan (Director for Agriculture), Helen's acting boss, filling in for Marc Dennett) attempting to coerce Police into forcing entry

18/12 Police sergeant stated that OIR were trying to get QLD Police to act as 'their muscle'

18/12 - Approx 15:30: Police office handed sergeant a list of numbers to call from Crown Law

18/12 - Police Sergeant notifies ENCO that the assistant Queensland Police Commissioner had been briefed

18/12 Three conflicting stories have been given by OIR as to why the regulator is attempting to gain entry

18/12 – James Byrne contacted inspectors from the Industrial Division of WHSQ, Peter Twiggs and Peter Yates. James requested a comprehensive audit separate to the attempted entry by the CFMEU being assisted by Helen Burgess. This offer for a comprehensive audit was made to pacify any concerns that the Office of Industrial Relations had about safety at ENCO. Both inspectors mentioned that in their careers no workplace had ever requested a comprehensive audit, nor had they had two comprehensive audits within a period of 6 months. However, this offer was rejected by Helen Burgess (Construction), Donna Heelan (Director for Agriculture) and OIR Deputy Director Tony James.

21/12 – Despite ENCO's legal team notifying the regulator that ENCO would be closed from 9am onwards on the 21<sup>st</sup> of December for their Christmas party, Donna Heelan (Director fo Agricultrre), acting for Marc Dennett, turned up to ENCO during the Christmas party, issued an improvement notice and then filed an injunction with the Magistrates court to be heard that day to force entry to their workplace.