



CCF NSW eNews

Protecting our Members, Growing their business, Giving their business a Voice.



🎄 The CCF NSW team wishes you and your loved ones a safe and happy holiday season. 🎄

15 December 2023

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ICI Course: Effective Management Skills for Managers – Fundamentals

PLUG OF THE WEEK

What do the new 'Closing Loopholes' laws mean for your business in 2024? Join our Flash Conference with Hamilton Locke

On 7 December 2023, key elements of the '*Closing Loopholes*' Legislation passed the Senate, including 'Same Job, Same Pay' laws. How will this affect your business?
In this information webinar, **Timothy Zahara, Special Counsel in Employment from Hamilton Locke**, will update members on the changes that impact the civil construction industry, and what action employers need to take now.

DATE: Wednesday, 17 January 2024

TIME: 1:00pm to 1:45pm

REGISTER HERE



Inquiry into NSW Government Procurement: Have your say



CCF NSW has welcomed the Minns Government's Parliamentary inquiry into the procurement policies and practices of NSW State Government agencies, and invites members to provide input into CCF's submission by 19 January 2024.

The wide-ranging inquiry will examine the current state of procurement by NSW government agencies including,

- **The value of procurement**, through whole of government or agency procurement arrangements
- **Effectiveness of whole of government and agency procurement arrangements**, including standing offers, panels and prequalification schemes
- **Current capacity of procurement officials** in government agencies to assess suppliers and ensure they, and their subcontractors deliver value for money and comply with relevant policies and regulation, including labour laws, at the qualification or contract stage and throughout the contract management stage
- **Evaluation criteria used in tenders** and how they are weighted in award contracting, in particular:
 - local content
 - value for money
 - social, economic and labour market outcomes
 - environmental considerations, eg sustainable sourcing, energy efficiency, waste reduction

- innovation
- subcontracting arrangements
- **Current approaches** to transparency and accountability of procurement
- **New South Wales Government's practices to use procurement** to (i) prioritise local content, local manufacturing, and local jobs (ii) improve opportunities for quality training and workforce participation (iii) provide opportunities for diversity, inclusion and the participation of disadvantaged groups, including women and minorities (iv) support local suppliers, and small and medium enterprises
- And any other related matters.

Read the full Terms of Reference for the inquiry [here](#).

CCF NSW will lodge a submission to the inquiry on members' behalf by 19 January 2024, and your input will help inform our submission. The Committee will deliver its report to Government by July 2024.

The CCF NSW Board is also establishing a member-based NSW Government Procurement Advisory Group to inform our submission and CCF's ongoing advocacy on procurement-related issues. Members with expertise in procurement are invited to contact CCF to express interest in joining the Advisory Group by 10 January 2024.

To provide input and be involved, please contact Christie Rakete on cmr@ccfnsw.com or (02) 9009 4000 by 10 January 2024.

Closing Loopholes Bill passes Senate - what next?



On 7 December 2023, key elements from the *Closing Loopholes Bill* passed the Senate after Federal Workplace Relations Minister Tony Burke MP struck a deal with Senate crossbenchers.

Under the deal, the Senate voted to divide the IR legislation into two Bills, with the first passed last week and another, the *Fair Work Legislation Amendment (Closing Loopholes No. 2) Bill 2023*, to be considered when the Senate resumes in 2024. This will include road transport industry reforms and reforms for casual workers who want to become permanent, intractable bargaining declarations, and independent contractors.

The changes to the IR system passed include over 40 significant changes to labour hire and increased union power, with unions describing the win as a "Christmas gift". Among the changes passed – and their commencement dates, where known – are:

- Obligation for **employers to pay a regulated labour hire worker at the "protected rate of pay"** (the earliest effective date of any Fair Work Commission order is 1 November 2024);
- Stronger **rights for workplace union delegates** (following Royal Assent of the Bill);
- **Criminalisation of intentional underpayments** ('wage theft' – applies from 1 January 2025);
- New criminal offence of **industrial manslaughter** (for Commonwealth offences);
- Expanded functions of the Asbestos Safety and Eradication Agency to include silica;
- Close a loophole in which **large businesses claim small business exemptions during insolvency** to avoid redundancy payments;

- Introduction of a **voluntary small business wage compliance code** by 1 January 2025 (to shield smaller employers from the new sanctions on wage and super theft).

There has been vigorous opposition from business groups to this Bill being rushed through as the Senate Committee inquiry into the Bill is underway. CCF Australia [made a submission](#) to the inquiry, which is due to report 1 February 2024.

CCF warns of widespread disruption

CCF National President Mick Boyle said last week: "CCF is concerned that the new Regulated Labour Hire Arrangement Orders, contained in the legislation rushed through will cause widespread disruption across the construction sector.

"The [CCF submission](#) to the Senate ... pointed out that the administrative and financial burden on businesses dealing with multiple orders will have cost and productivity impacts. The legislation appears to give unions the unrestricted right to apply for orders regarding any employee they are entitled to represent.

"The Federal Government, which is a major funder of nationally significant infrastructure projects, should be working with industry and the unions to improve productivity in the sector for the benefit of all Australians. CCF is concerned that the labour hire loophole provisions will cause significant increases in wages in the civil construction industry and cost taxpayers billions of dollars and reduce the amount of infrastructure the country can afford to deliver."

Service Contracting exempt

Minister Burke insists that service contracting is exempt from the Same Job, Same Pay labour hire changes, telling 2HD Newcastle this week: "If you pay a company to come in and provide a service, that's not labour hire. Where this legislation kicks in, is if the only thing that's being provided is labour. So, people are just turning up as workers, and they're being embedded within the staff ... that's labour hire.

"If someone's providing a service like a subbie in construction, or a service contractor in mining, that's completely different."

There are no guarantees, however, that civil contractors will be exempt from this legislation, and CCF will do its utmost to gain clarification for members on this contentious part of the Bill.

Find out more: Register for our Flash Conference

Employers should carefully consider how the new laws may affect their business, including the impact on current and future enterprise bargaining and how they will respond to any FWC applications for 'same job, same pay' orders.

We understand members are concerned about the impact of this legislation on their business. On **Wednesday, 17 January 2024, at 1:00pm, CCF NSW will be holding a flash conference** in which **Timothy Zahara, Special Counsel in Employment at Hamilton Locke** will update members on the changes that impact the civil construction industry, and what action employers need to take now. [Register here](#).

If you have any questions, contact CCF NSW via ccfnsw@ccfnsw.com or (02) 9009 4000.

Advocacy Win! CCF welcomes Federal Government's new Migration Strategy

The Federal Government's new Migration Strategy includes welcome reforms that could greatly improve the civil construction sector's ability to employ much-needed skilled plant operators and other skilled construction workers from overseas.

Under the new strategy, civil construction plant operator and other blue-collar roles could be eligible through a new Core Skills Pathway, subject to meeting skills shortage and wage threshold requirements.

Currently, trade-level civil construction roles do not qualify for standard skilled migration pathways (such as subclass 482) as they are either mis-categorised or not included in the Australian and New Zealand Standard

We've long been advocating for reform of ANZSCO because highly skilled workers have been locked out of our country's skilled migration policy settings by outdated and inflexible occupation lists.

It looks like the new Core Skills Pathway system will have the flexibility to determine our migration priorities according to what is best for the country – using an evidence-based approach, rather than being constrained by red tape.

Protective measures contained in the strategy would reduce exploitation of vulnerable migrant workers, and boost pathways for skilled migration via new visas aimed at addressing shortages for high-paying and in-demand industries.

At a national level, CCF is now urging the Federal Government to take a similar commonsense approach to reforming its training incentives system. Civil construction apprenticeships are currently excluded from the Australian Apprenticeships Incentive System, due to its reliance on the same outdated ANZSCO framework.

The Federal Government's new Migration Strategy was released on 11 December 2023, and outlines a new vision for Australia's migration system, with a policy roadmap containing eight key actions and over 25 new policy commitments and areas for reform.

Read the CCF statement on the Migration Strategy in full [here](#).

View the Migration Strategy at the [Home Affairs website](#).

2023 Infrastructure Market Capacity report released



Infrastructure Australia (IA) published its updated *Infrastructure Market Capacity* report on 12 December. The annual report identifies key trends in public infrastructure investment, and analyses market capacity constraints that could inhibit delivery of the \$230 billion pipeline.

In announcing the report, IA's Chief Executive Adam Copp warned that Australia's infrastructure, housing and energy agenda is under threat amid challenges accessing local building materials, and **a shortfall of 229,000 public infrastructure workers**. The infrastructure workforce will need to grow by 127 per cent to meet demand, said Mr Copp.

The research found that construction activity and demand for building materials, skills, and labour is at an historic high, and that limited access to local steel and cement, as well as localised shortages of quarry products is contributing to price uncertainty in the supply chain.

Mr Copp said: "Global supply chain pressures have eased ... However, Australia's lack of domestic capacity to supply building materials exposes investments to cost-overruns, delays and future global supply chain risks. It's also much more difficult to understand the level of embodied carbon in imported materials.

"Currently, there is no method for collecting or analysing data on local manufacturing and production outputs at the national level, hindering the ability to predict supply and mitigate for shortfalls, as we can do with labour."

Download the *Infrastructure Market Capacity* report from [IA's website](#).

SafeWork NSW targets silica dust exposure in construction

The NSW Government launched a six-month campaign last week targeting silica dust exposure in construction and tunnelling, with the use of all engineered stone now banned under WHS laws.

While manufactured stone is the leading cause of silicosis, workers can also be exposed to silica dust during tunnelling, demolition and excavation work, or from uncontrolled cutting, grinding and drilling of common building materials including bricks, concrete, sandstone and tiles.

SafeWork NSW said it is targeting these areas "to prevent a false sense of security ahead of the coming ban on manufactured stone in NSW".

Inspectors will ensure businesses are compliant with regulations and speak to workers about managing the risk of exposure to silica dust, and they can issue stop work notices for activities that generate high levels of dust, or when a worksite hasn't got adequate dust control measures in place.

Employers face penalties of up to \$130,000 for non-compliance.

Silicosis is a deadly disease that has devastating effects on the lungs and is becoming increasingly prevalent in Australian workers, especially those in the engineered stone industry.

On 13 December 2023, all state and federal WHS ministers agreed to Safe Work Australia's recommendation to prohibit the use of all engineered stone under the [model WHS laws](#).

If you have any questions, contact CCF NSW via ccfnsw@ccfnsw.com or (02) 9009 4000.

Christmas shutdown: Know the laws



In considering your rights to leave over Christmas, it is important to understand the relevant awards and legislation for your industry.

The *Building and Construction General On-Site Award 2020* allows employers to "temporarily shut down" all or part of their operations over the Christmas/New Year holidays. During this period, employers can require employees to take paid annual leave, and if an employee has insufficient leave, then the employee may be required to take leave without pay.

Where an employer intends to shut down over the Christmas period and requires employees to take mandatory paid/unpaid leave, the employer must give the employee written notice two months prior to the shutdown period, or as soon as reasonably practicable if the employee is engaged within the two months' notice period.

The *Building and Construction Industry Security of Payment Act 1999* (NSW) defines a "business day means any day other than... (b) 27,28,29,30 or 31 December".

If you have any questions, contact CCF NSW via ccfnsw@ccfnsw.com or (02) 9009 4000.

2024 RDO calendar available now

CCF NSW has uploaded the **2024 Rostered Days Off (RDO) Calendar** to assist members in scheduling and accruing their employees' RDOs. The calendar was created in accordance with the [Building and Construction General On-Site Award 2020](#).

To access the RDO Calendar please login to the Members Portal (Resources) at ccfnsw.com.

Please call CCF NSW on (02) 9009 4000 if you need clarification.



CCF NSW website upgraded

CCF NSW has upgraded its website to improve our members' online experience.

If you have not already done so, you need to **reset your account password upon first login**. Please refer to an email sent to your inbox by ccfnsw@ccfnsw.com with your account details.

We apologise for any inconvenience this may cause. We appreciate your understanding as we strive to improve our services.

We welcome your feedback on the new site. Should you have any comments or questions, please contact our support team at (02) 9009 4000 or ccfnsw@ccfnsw.com.

Northern Rivers 'Get Rebuild-Ready Tradie Catch-up'

Last Wednesday, 6 December, CCF NSW attended the NSW Reconstruction Authority's Northern Rivers 'Get Rebuild-Ready Tradie Catch-up' event at Wollongbar TAFE.

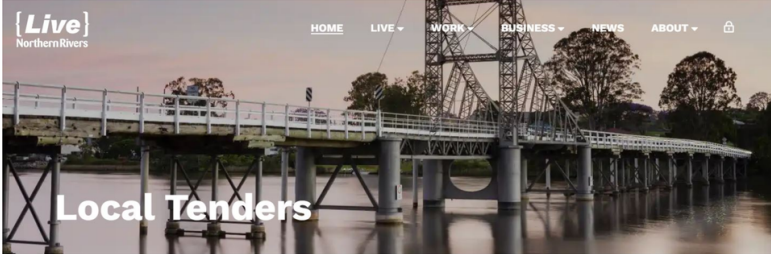
The event was a chance for local businesses and industry representatives to receive updates about the ongoing flood recovery efforts in the Northern Rivers, with a focus on building an industry capability that supports the local economy and provides an exemplary level of resilience for the future.

Training Services NSW and TAFE NSW also play an essential support role to businesses by matching workforce skills and qualifications to industry recovery efforts, and civil construction course enrolments continue to grow in the local area.

The presentation from Regional Development Australia - Northern Rivers on websites Live Northern Rivers and Jobs Northern Rivers was a highlight. **Live Northern Rivers allows businesses to view a consolidated listing of Local Tenders** that are collected from other sources (e.g. LGP and Tender Link). It's a great time-saver for businesses.

If you are located in the Northern Rivers region, [check out the website](#).

Among all the information sharing and networking there was a strong sense of community pride and collaboration in the room, and a common focus on a recovery that is resilient and building a stronger foundation for the future.



Below is a summary list of current tenders from across the Northern Rivers.
If you have questions about this page visit the [FAQ page](#) or [send us a question](#). More information about the specific tenders must be directed via the official portal for that tender.

Search Tenders

Enter Keyword Or Agency... Category Status SEARCH

RESULTS: 1 - 20 OF 201 TENDERS



Above right: Craig Jenkins, Director Industry, Economic Recovery and Aboriginal Engagement at Northern Rivers Reconstruction Corporation with CCF NSW's Lee Carter.

CCF NSW UPCOMING EVENTS

16 February 2024

Book now for Golf Day

16 FEBRUARY 2024 | 7AM

GOLF DAY

NORTH RYDE GOLF CLUB

JOIN US FOR:

- Breakfast
- 18 Holes
- Prizes over lunch

Calling all golf enthusiasts, aficionados, and those who simply enjoy a day of leisure on the green. Tee-off along with 80 fellow golfers in a friendly tournament designed for all skill levels, at the scenic **North Ryde Golf Club** on **Friday, 16 February 2024** from 7:00am - 2:00pm.

We are excited to announce the return of the **Hole in One challenge**, proudly sponsored by **Shore Hire**, with a **\$10,000 prize up for grabs!** Shore Hire has been a supporter of the CCF Golf Days for a number of years, and nobody has taken home the prize. Only amateurs are eligible. Do you have what it takes?

BOOK NOW

YES, there are limited Hole Sponsorships remaining! If you would like to become a Hole Sponsor, please contact our Events team at events@ccfnsw.com for details.

PROUDLY SPONSORED BY

Major and Hole in One Sponsor

shorehire.

Breakfast Sponsor

Coates

Sausage Sizzle Sponsor

Assignar

One Hole Sponsors


Gallagher

Assignar

Pickles

shorehire.

Coates

INSTITUTE OF CIVIL INFRASTRUCTURE UPDATE

ICI Course: Effective Management Skills for Managers – Fundamentals



DATE: Wednesday, 20 December 2023

TIME: 10:00pm - 2:00pm AEDT

DELIVERY: Live webinar

The key topics covered in this short course include learning how to:

- Manage yourself and others in setting goals and objectives
- Develop and understand your management style
- Run effective meetings
- Manage policy compliance and ethical practices
- Manage difficult situations and behaviours.

[BOOK NOW](#)

PLUG OF THE WEEK

Get more time for your time with Parts.Cat.Com



When you run your own business or it's your job to keep equipment running at its peak, time is precious. Using Parts.Cat.Com (PCC) not only gives you more time to do your job, it gives you more time to do other things in life outside of work.

To get the full benefits of PCC, simply register. The process, like the site itself, is quick and easy.

[Register Now](#)



Gallagher: protecting CCF members for 40 years

Experience business insurance confidence.

The Gallagher way.

Our experts in civil construction insurance and risk management are here to help you protect your business.

AJG.com/au/civil



Get the right insurance cover for your business operations from Gallagher.

With 40+ years of servicing the construction industry, we can find the right solution for your needs on the right terms.

With over 30 offices across the country you will find us just around the corner and, very often, operating in your own backyard.

[Contact us](#) and experience business insurance confidence. The Gallagher Way.

Assignar saves you time, so you can focus on more of the fun things

LET US DO THE HEAVY-LIFTING, SO YOU CAN SPEND TIME

BUILDING MORE family memories

THIS HOLIDAY SEASON

SAVE TIME WITH DIGITAL TIME CARDS SAVE TIME ON PAYROLL SAVE TIME WITH AUTOMATION

Assignar **SEE ASSIGNAR IN ACTION**

The advertisement features a background image of a man and a young boy, both wearing blue hard hats, looking at a piece of wood. The text is overlaid on a dark blue background.

Streamline your construction operations with a single tool to manage and schedule resources and track work in the field.

Assignar is built by contractors, for contractors. Leave whiteboards and Excel spreadsheets behind. Efficiently use what you already have and schedule confidently with company-wide visibility and consistent connectivity in the field.

Plan, schedule, and deploy crews and equipment all from one place. Send jobsite info directly to the office. Gain greater visibility into your operations so you can improve productivity, increase profits, and build more.

[Learn More](#)

Hamilton Locke expands portfolio with a dedicated ESG division

"It's an exciting time to be joining Hamilton Locke, which is showing the market what's possible through prioritising people and culture as the foundation of a great client experience."

Michael Tooma
Partner, Sydney



Hamilton Locke recently announced the arrival of Michael Tooma, a distinguished regulatory and ESG specialist, as the head of our new ESG practice. Former Managing Partner at Clyde & Co., Michael brings nearly two decades of expertise in advising clients on ESG matters, imbued with a global perspective. Michael's background extends to health and safety law, crisis response, and policy development.

His pivotal role in developing the world-first Industrial Safety Manifesto with the United Nations Industrial Development Organization underscores his commitment to excellence.



**Hamilton
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Connect With Us



Protecting
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Giving their
business a
Voice

CCF NSW IS PROUDLY SUPPORTED BY

DIAMOND



PLATINUM



GOLD



SILVER



BRONZE



Should someone else be getting this email?

These types of email updates cover a number of topics and it would be a shame if someone in your organisation was missing out on vital information, or missed an invitation to an event in your area. Send an email to ccfnsw@ccfnsw.com or contact (02) 9009 4000 with the names and emails of people in your business who should be receiving them to get more people aware of what CCF NSW is doing for your business.



**CIVIL CONTRACTORS
FEDERATION**

The Voice of the Industry

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