

Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry

WITNESS STATEMENT OF SHANE RASMUSSEN

I, Shane Rasmussen, affirm:

Background

1. I make this statement in response to a notice issued by Stuart John Wood AM KC, the Commissioner appointed pursuant to the *Commissions of Inquiry Order (No. 2) 2025*.
2. Attached to this statement is a bundle of documents (**Bundle**). I refer to relevant documents by reference to the annexure number and page number of that Bundle.
3. My professional background is as an electrician. After obtaining my electrical apprenticeship, I worked my way up to supervisory and management roles in the construction space, including for mining companies across Western Australia, such as the project on Barrow Island.
4. After approximately ten years in Western Australia, I returned to Queensland and worked for an electrical contracting firm based in Yatala.
5. Between around July 2022 and November 2024, I worked for UGL Limited (**UGL**) as part of the PULSE Consortium. I was engaged to deliver the Tunnel, Stations and Development (**TSD**) section of the Cross River Rail project (**CRR Project**). Initially, I was employed as a Senior Supervisor:
 - (a) on the CRR Project from my onboarding until around January 2025; and
 - (b) on another project in the Northern Territory, Darwin until around September 2025.
6. In about February 2023, I became an Electrical Superintendent of the Northern Portal, on the CRR Project where I worked beneath a Project Manager. I was responsible for contracting, electrical, installation, and, to an extent, project management.
7. At the Northern Portal site (**NP Site**), my predominant focus was the fit out of the tunnel between the existing rail corridor at Normanby, and Woolloongabba.
8. The classification of work as either underground or above-ground work is contentious. During my time at the NP Site, there was some contention between the relevant trade unions and the Pulse Consortium, about the classification of tunnel fit-out work. I understood this to be because, depending on the classification of the work as either underground or above-ground work, employees would have been entitled to different entitlements.
9. Another large focus of my role was to get the workforce and unions (especially the Electrical Trade Union (**ETU**)) back on side in order to get the project moving forward. This was a difficult task.
10. From around July 2023 until the end of November 2023, I worked from the main office of the CRR Project at Milton due to safety concerns at the NP Site, which I explain in further detail below.

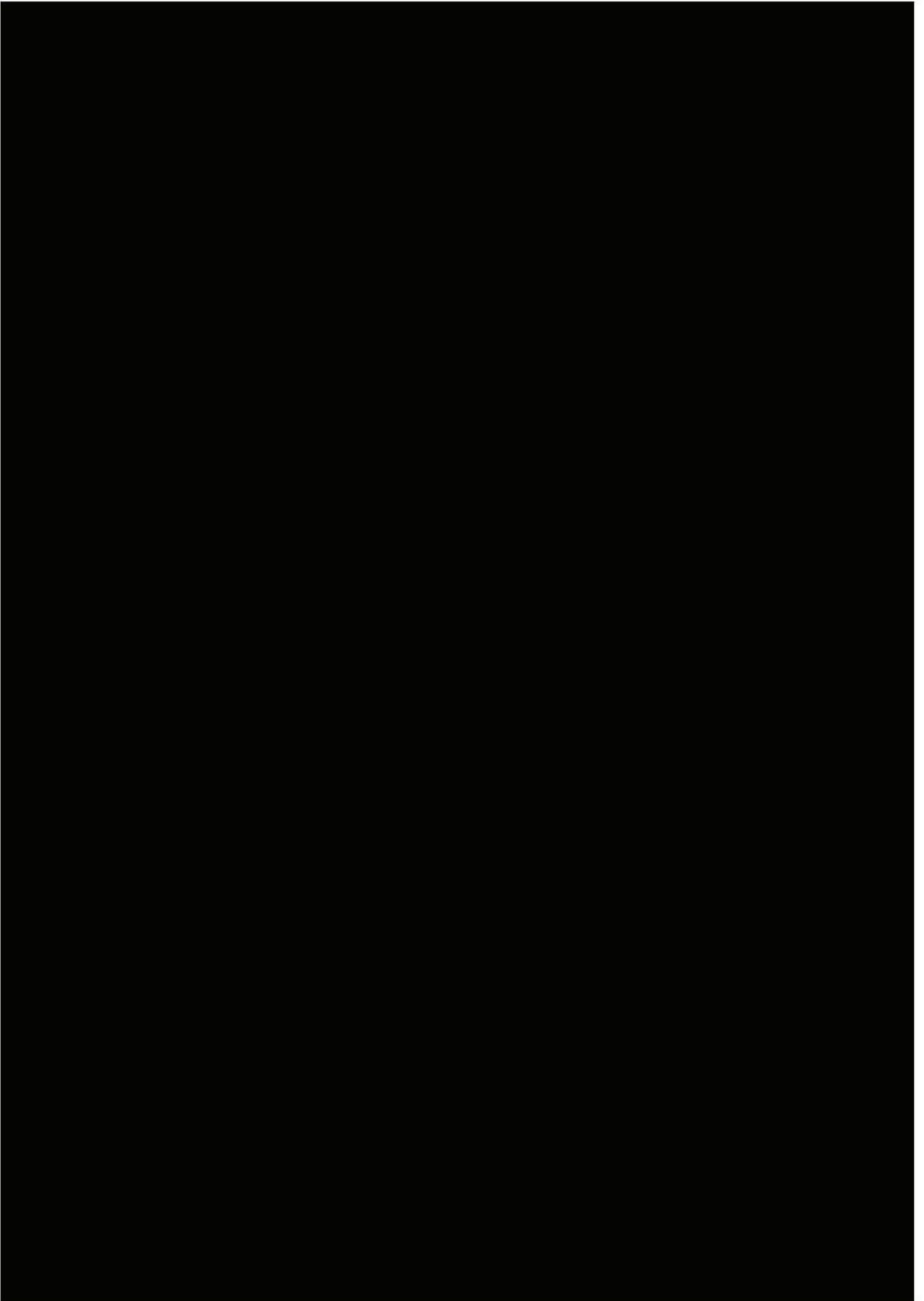
11. From February 2024 until the end of January 2025, I worked from home pursuant to a WorkCover claim, as I also explain in further detail below.
12. My contract with UGL on the CRR Project ended in around January 2025.
13. Between around January 2025 and September 2025, I worked on another project for UGL in Darwin.
14. Since around October 2025, I have been working as an electrician in New South Wales for PHE Group.

The Northern Portal Site

15. The NP Site was situated off Gregory Terrace, near Victoria Park in Spring Hill.
16. The main entry and exit point to the NP Site was through the front gates (also described as the "*main swinging gates*"). The main car park was situated adjacent to these gates.
17. There was also a back gate, which was only accessible by key. Only a small number of personnel had a key, including me. Workers on the NP Site would generally use the front gates, and not the back gate, to access the NP Site.
18. When I was mobilised to the NP Site, in February 2023, the site offices and crib facilities, where I worked, were located away from the main gates near the tunnel. Because of the distance and access constraints, workers and management would commonly park in the main car park and then get a shuttle to take them between the entry/parking area and the internal office/crib areas. The alternative was to walk.
19. There was also another office building, which I understood to be used by the Unity Alliance at the time. Unity Alliance is the alliance of companies, including UGL, engaged to deliver the Rail, Integration and Systems (**RIS**) for the CRR Project. This building was located closer to, and on the right-hand side of, the main entrance to the NP Site.

[REDACTED]

[REDACTED]



Initial Presence of CFMEU on the NP Site

43. Later, during approximately the first week of July 2023, after we had relocated the site offices and crib facilities to the main entrance of the NP Site (Gregory Terrace, Spring Hill), CFMEU officials began visiting the NP Site. Their early visits struck me as unusual because they appeared not to know where they were going or who they were there to see.
44. At the time, there were no workers on the NP Site who claimed to be members of the CFMEU. On their first visit, I recall myself and the IR representative, Ben Loakes, asking them questions, such as *"Who are you here to visit?"* and *"Has someone invited you to attend site?"*, but none of our questions were ever answered.

45. They eventually managed to get onto site and, having located the crib room (which the operators used), started speaking directly to the workers in there.
46. I understand Jayce Emmerton, who was an AWU delegate at the time, told the CFMEU officials that the team was not interested in changing unions. However, this did not appear to faze the CFMEU officials, and they continued to attend the NP Site around once every two weeks to speak to the operators.
47. Over the course of July 2023, the situation became increasingly confrontational, and I witnessed the operators' position starting to shift. I recall a number of workers telling me that the CFMEU officials were making threats and using intimidation to pressure them into changing unions. This included by saying words to the effect of, *"if you do not change, we will come and find you."* Those threats were similar in nature to threats I later received personally (as discussed below).

CFMEU Initiated Strike Action & Picket Line

Incident 1: Stop Work March and Night Shift Confrontation

48. On Tuesday, 25 July 2023, there had been a major safety incident at the Boggo Road site of the CRR Project involving a scaffolder who fell.
49. On the morning of Wednesday, 26 July 2023, at around 5.30 am, I was at the Pre-Start Area when I noticed two men walking around outside the NP Site, approaching workers as they arrived at the main gates. I overheard them saying, *"you're not going to work today, we're doing a march."* I did not recognise the men, but I understood they were from the CFMEU as they were wearing black jumpers with the letters "CFMEU" printed across the front.
50. Shortly after this, the two men entered the area where the pre-start meeting was about to occur. Jamey Purvis, Project Manager, and I approached them and asked what was going on, to which they said words to the effect of: *"No one will be going to work today."*
51. I responded by pointing out that the CFMEU did not have any members on the NP Site (implying that they had no authority to compel our workforce to comply with their direction). One of the officials (I cannot recall which one) replied with words to the effect of:

"That doesn't matter. No one is going to site. No one is going to work. Everyone is going to march."
52. As a result of the CFMEU's action, the pre-start did not go ahead, nor did we complete the usual sign-on process, where workers sign in to record their attendance for the day. Instead, the day-shift workers left the NP Site in accordance with the CFMEU's instructions, leaving only myself, Josh Simms, the Project Manager for our side of the tunnel, Mr Purvis and other white-collar workers (supervisors and engineers) on site for the remainder of the day.
53. During the events of that day, I received a phone call from the Night Shift Supervisor who stated he was feeling unwell and was unable to attend work that evening. He advised that he would notify the Woolloongabba Night Shift Supervisor to attend in his absence.
54. He later sent me a text requesting confirmation of whether the workers would be working during the night of Wednesday, 26 July 2023. I stated that I was unsure and anticipated work would not commence due to the CFMEU's cease work demand that

had occurred during the day. I advised that if any nightshift workers did turn up at the NP Site to conduct work that I would advise them of the current union situation and advise them to contact the union delegate and/or I would receive confirmation from the company if work was going to be performed during the night.

55. At 4.48 pm that day, we received a message from the CRR Project Director, via email, providing an update on the injured worker's health and advising that all workers should return to their workplace on Thursday, 27 July 2023 for consultation and engagement, focusing on specific activities on their relevant site. A copy of this email is marked **SXR-01**, at page 2 of the Bundle.
56. That evening, Wednesday, 26 July 2023, at around 5.45 pm, as I was finalising meetings that I had been conducting all day, I was confronted by approximately 10 CFMEU officials, together with Mr Lynch, from the ETU.
57. The union organisers were abusive and very aggressive, and making claims that I was personally requesting the workforce return to work and that all workforce consult and participate with commencing activities at the NP Site. I advised the union organisers that I had no idea what they were referring to as I had never made any such requests and did not know where this information had come from.
58. It was stated from more than one CFMEU organiser that I was requesting the workforce return to work and recommence activities on site outside of the CFMEU organisers' request to all workers that they conduct a cease works on the CRR Project until Monday, 31 July 2023. The main CFMEU organiser conducting these threats and accusations was Matthew Von Hoff.
59. I had requested information on what evidence the CFMEU and ETU had in regard to me requesting the workforce return to work. The CFMEU presented the first piece of information in the form of a notice / message that was submitted by Andrew Large, Project Director, CPB, stating that *"all workers across all project sites have been requested to return to their workplace for consultation and engagement."* I advised that this message was not written by me, and I did not have any knowledge of this notice / message being distributed.
60. Mr Von Hoff then held a text message directly in front of my face and accused me of giving workers instructions to work that night shift. I told them that I had no knowledge of that message.
61. The second piece of information was a photo of a message that was sent by the unwell Night Shift Supervisor stating that if the night shift workers went to work the evening of Wednesday, 26 July 2023, that *"Shane Rasmussen"* would advise them upon their arrival of any activities being performed for that evening. My response to this text was that this text was not an instruction to work and that conversations conducted during the day resulted in a decision made by myself and Mr Purvis, that the NP Site would not be working the evening of Wednesday, 26 July 2023.
62. During this confrontation, I was told by Mr Von Hoff words to the effect that they were *"coming after me"*, that they knew how I travelled to and from work, what bike I ride, and that *"they will get me"* if I allowed anyone to work that night shift. I assumed these men had become aware that night shift work had continued to work the previous night after the incident with the Boggo Road scaffolder, on Tuesday, 25 July 2023.
63. At the time, I rode a motorcycle to and from work and felt particularly vulnerable hearing these statements.

64. The confrontation that evening, and the personal threats that were made towards me, had a significant effect on me. I felt shaken and unsafe, and I struggled to sleep that night.
65. The night shift crew were advised by the Woolloongabba Night Shift Supervisor that work would not proceed that night and to consult with their union delegate for further information.

Day 2: Gate Blockade

66. The next morning, Thursday, 27 July 2023, I arrived at the NP Site at around 4.45 am via the main gates. This was slightly earlier than usual, but I was anticipating that the CFMEU would be back on site due to the previous evening's events. When I arrived, I observed a small number of CFMEU and ETU representatives standing near the front gates. As the start of the day shift approached, between 5.30 am and 6.00 am, the group increased to around 15 to 20 representatives.
67. By this time, chains and locks had been placed on the front gates and the group were standing across the entrance to the NP Site. As workers turned up to the gates, they were prevented from entering the NP Site and were turned away. I overheard the group saying words to the effect of "no work is being done today, go home." This ultimately shut down work for the day shift.
68. As a result of the CFMEU's action, the day shift workers left the NP Site in accordance with the CFMEU's instructions, again leaving only myself, Mr Simms, Mr Purvis and other white-collar workers (supervisors and engineers) on site for the remainder of the day.
69. The white-collar Staff mainly conducted meetings to ensure that all the scaffold installed at the NP Site did not pose any safety concerns and that all the NP Site documentation was up to date in preparation for a Soft Restart of work hopefully the following week, commencing Monday, 31 July 2023.
70. Conversations conducted during the day resulted in a decision by Mr Purvis and I that all the NP Site white-collar workers would leave site early that day due to the previous evening's issues. We all left site at around 3.30 pm.

Day 3: Escalated Gate Blockade

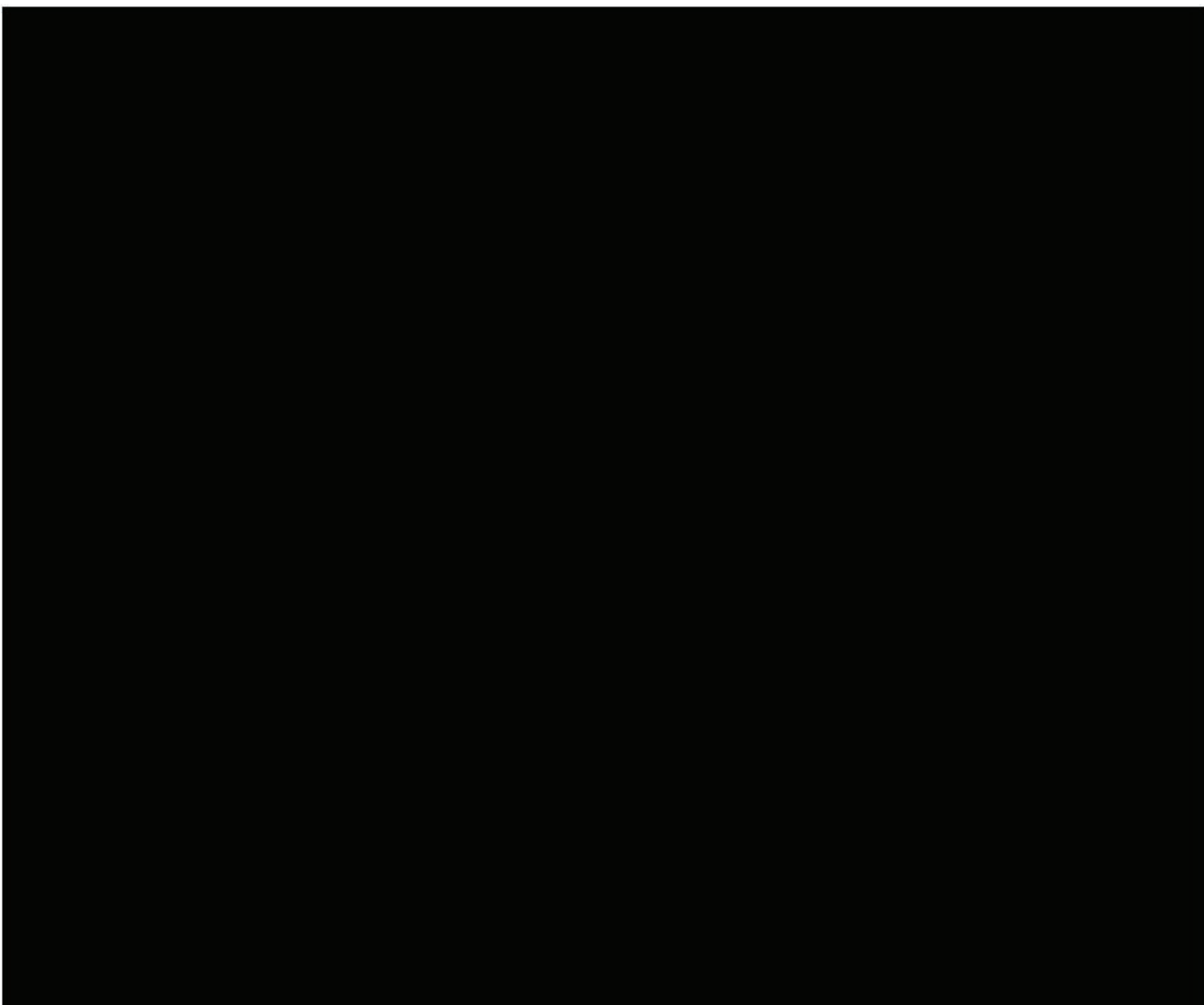
71. The next morning, Friday, 28 July 2023, I arrived at the NP Site very early, at around 4.30 am. I entered via the back gate, which I unlocked using my key. At that time, I could see around two CFMEU officials, two ETU officials and Rob Weschler, union delegate and Health and Safety Representative, standing at the front gate.
72. I then contacted the management and supervisory personnel whom I knew were coming to site and told them to enter through the back gate as well, and that I would personally unlock it for them as they arrived.
73. By approximately 5.30 am, the number of CFMEU officials at the front gates had grown to around 35 individuals. Some were wearing balaclavas, and there were also about three cars positioned to block vehicle entry. No workers were able to enter the NP Site through the front gate.
74. At around 6.30 am, I called Mr Emmerton. He told me he had attempted to enter the NP Site but had been threatened and directed to leave. He said that several individuals

at the gate were wearing balaclavas and carrying weapons, including bats, and that some were "armed".

75. Shortly after 7.00 am, Mr Purvis arrived on the NP Site. I informed him of what Mr Emmerton had told me. We started moving all vehicles, including my motorcycle, away from the boundary fence of the NP Site due to the union officials throwing rocks and any debris they could find at the offices and white-collar staff's personal vehicles.
76. At around 8.00 am, Mr Purvis, Peter Bennett and I then called Mr Emmerton together, and he reiterated the same information, including that several individuals had handguns. I then told Mr Purvis that, in my view, we needed to shut down NP Site and leave immediately once the front gate was clear due to safety concerns.
77. At around 8.30 am, the CFMEU and ETU officials began to disperse. I assumed they left because they had achieved their objective - no workers had been able to enter the NP Site. Following this, we decided to lock up and leave for the day. Shortly afterwards, I emailed Mr Purvis a summary of the morning's events.
78. From the following Monday, 31 July 2023, all office-based staff were directed to work from the Milton office instead of returning to the NP Site.
79. By this time, I believed that I had become a target of both the CFMEU and ETU. I also heard, through Mr Loakes, that union officials were attempting to have me, Mr Bennett, and Mr Cullen removed from site.
80. On 31 July 2023, I sent an email to Mr Purvis raising my concerns in relation to the behaviour of the CFMEU and ETU and the risks they continued to pose to staff. A copy of this email is marked **SXR-02**, from pages 3 to 4 of the Bundle.
81. In the weeks that followed, I repeatedly asked David Ryder, the Construction Manager at the time, what the plan was for me to return safely to the NP Site and what measures would be put in place to ensure my safety. Each time, I was told to remain at Milton while management worked on a plan. No clear details were given to me, and I understood that no effective outcome or solution was ever put in place. I never returned to work at the NP Site.

Police report

82. A few weeks later, Mr Bennett and I attended upon the Queensland Police Service and lodged a report about the incidents that had occurred during the weeks prior. We were frustrated by the lack of communication from UGL about what steps were being taken, and we wanted to understand what our options were.
83. The police officer who met with us said that if we finalised the report, the police would make inquiries with the individuals involved. Ultimately, we decided not to pursue that course because we were concerned it might escalate the situation and make us a greater target. Instead, we lodged the incident report and left the matter there.



Impact on Mental Health and Medical Treatment

92. For about a month after these events, I attended psychologist appointments arranged through UGL's employee assistance program, although I did not find these sessions particularly helpful.
93. I commenced a WorkCover claim not long after, to cover incidental medical costs. From around early December 2023, I began seeing a psychiatrist and doctor. The doctor advised me not to do any work for a couple of months. Around February or March 2024, I was advised that I could resume work, but that I should not attend site as it was detrimental to my health and wellbeing, so I began working from home.
94. During this period, I proposed various return to work options, but none of them were adopted or explored by management.
95. I continued to work from home until the end of January 2025, when my contract on the CRR Project ended.

I affirm the contents of this statement are true.


Signature of Deponent

Place  Date 2 / 10 / 2026


Before me (signature of witness)

EMMA WEST
Full name of witness (please print)

- ☐ Justice of the Peace (JP #)
☐ Notary public
☒ Lawyer
☐ Other authorised person (specify)

Commission of Inquiry into the CFMEU

and Misconduct in the Construction Industry

Bundle of Documents to
Statement of Shane Rasmussen

From: [crossriversrail](#)
To: [crossriversrail](#)
Subject: Cross River Rail project update - 26 July 2023 4:45pm
Date: Wednesday, 26 July 2023 4:48:47 PM
Attachments: [image001.png](#)

Project Director Message



26 July 2023

Good afternoon

Please find below an update regarding yesterday's incident at the Boggo Road construction site as at 4.45pm.

The worker performing scaffolding activities for Kenny Constructions remains in the PA Hospital in a critical condition. Our continued thoughts and prayers are with the worker, his family and his colleagues at this time.

Tomorrow (Thursday 27 July), all workers (direct and subcontractors) across all project sites have been requested to return to their workplace for **consultation and engagement**. Our expectation is that those involved will actively participate in the consultation and engagement process focussed on specific activities on their relevant sites.

The safety and wellbeing of our people is always our first priority. I would like to encourage you to use the [Employee Assistance Program \(EAP\)](#). These programs are a private and confidential counselling service at no cost to the individual. The service is available for all staff and subcontractors as well as their immediate families.

EAP representatives will continue to be available on all sites.

- CPB Contractors and UGL – Gryphon – 1800 056 076. Appointments can also be made via the Gryphon App. Visit www.gryphonpsych.com.au or search "Gryphon EAP" on the app stores
- Ghella – Assure – 1800 808 374
- BAM – Cause Effect Psychology – 07 3207 1851

Every assistance continues to be provided to the relevant authorities and I will provide further updates once available.

Regards

Image



From: Rasmussen, Shane [REDACTED]
Sent: Mon 31/07/2023 2:11:58 PM (UTC+10:00)
To: Purvis, Jamey [REDACTED]
Subject: Northern Portal Union Involvement

Good afternoon Jamey

I would like to reiterate my concerns after last week when the CFMEU and the ETU Organisers attended the Northern Portal site on Wednesday evening 26 July, Thursday morning 27 July and Friday morning 28 July.

I would like to inform Upper Management that the Project Message released on Wednesday afternoon 26 July had serious implications to all White Collar Workers still working in the office on Wednesday night 26 July. The White Collar Office staff were not aware at this point that the Project Communication had been released as all Office Staff were in meetings and attempting to prepare for the anticipated restart the following day. The project message was received by Union Organisers and shortly after this message was released the Northern Portal was engulfed by a minimum of eight (8) CFMEU and two (2) ETU Union Organisers that exhibited abusive and very aggressive behaviour. The CFMEU Union Organisers had made repeated threats to the White Collar Staff and myself on numerous occasions and in particular stated that they were coming for me. The Union Organisers had barricaded the Northern Portal front gates and prevented vehicles leaving or entering. This conduct continued for approximately an hour to which I was able to persuade the Union Organisers to leave the Northern Portal on the premise that the Night Shift Blue Collar workers, that turned up to site, would not be working that shift. At that point in time all remaining White Collar Staff locked up all Plant and the Northern Portal Facilities and closed and locked the compound gates behind them. It was expected that the CFMEU and ETU Union Organisers would be present on site again the next morning.

On the morning of Thursday 27 July, the Northern Portal site was visited by a minimum of eight (8) CFMEU and two (2) ETU Union Organisers that barricaded the Northern Portal front gates and prevented the Dayshift Operators from entering site. The Union Organisers had left the Northern Portal main gate area by approximately 7:30am. Ben Loakes (IR) and Jayce Emmerton (AWU Union Delegate) were in attendance which I believed assisted with reducing the time the Union Organisers remained at the main gate and also due to the fact that the Dayshift Operators (AWU Members) agreed to leave site and conduct no work for that shift.

On the morning of Friday 28 July, the Northern Portal site was visited again by a minimum of eight (8) CFMEU, two (2) ETU Union Organisers and two (2) ETU Union Delegates that barricaded the Northern Portal front gates. The Union Organisers had also chained and locked the main and personal access gates to the front of the site. Ben Loakes (IR) and Jayce Emmerton (AWU Union Delegate) were again in attendance and the Union Organisers had left the Northern Portal main gate area by approximately 10:30am. All White Collar Office Staff were only able to enter site via the rear gate which was kept locked and only opened to allow staff inside. Occasionally the CFMEU Union Organisers would loiter around the rear entrance gate. On one occasion a loud whack was heard, and I went out to investigate what had caused the alarming noise and four (4) CFMEU Union Organisers were hanging suspiciously around the rear gate entrance. The CFMEU Union Organisers are familiar with and know how I get to and from work and what my personal

transport looks like. The loud whack was heard in the vicinity of where I had parked my personal vehicle, after seeing the four (4) CFMEU Union Organisers within this area and it is my belief that a large object had been thrown at my personal vehicle and I quickly relocated the vehicle so as the four (4) CFMEU Union Organisers could not see or determine the location of this vehicle.

At approximately 8:46am I contacted Jayce Emmerton (AWU Union Delegate) to obtain an update on the Union Organisers activity and if the Union Organisers had dissipated. He informed me that two (2) of the CFMEU Union Organisers with balaclava's had crept up behind him at around 6:30am and in no certain terms told him that he should leave. Jayce had also advised at this time that he had been made aware that some of the CFMEU Union Organisers had been carrying knives and firearms.

As you are aware we had a short meeting later on Friday where I informed you of the actions of the Union Organisers, the history of the previous events and my concerns for the Office Staff's and particularly my own safety.

Further to these concerns I would like the company to provide information on how the Project can manage the workplace and provide all project employees a Safe, Bullying, Harassment and Discriminatory free workplace. After the recent events and the behaviour exhibited by the Union Organisers I believe that they have contravened the following:

- Anti-Discrimination Act 1991 (Qld) (AD Act)
- Criminal Code Act 1899 (Qld) (Criminal Code)
- Managing the Risk of Psychosocial Hazards at Work - Code of Practice 2022
- Human Rights Act 2019 (Qld) (HR Act)

And the company has a duty of care to provide support and safe workplace under the following:

- Anti-Discrimination Act 1991 (Qld) (AD Act)
- Industrial Relations Act 2016 (Qld) (IR Act)
- Fair Work Act 2009 (Cth) (FW Act)
- Human Rights Act 2019 (Qld) (HR Act)
- Criminal Code Act 1899 (Qld) (Criminal Code)
- Managing the Risk of Psychosocial Hazards at Work - Code of Practice 2022

Regards

Shane Rasmussen

Senior Electrical Supervisor

