

CFMEU ADMINISTRATOR
MICHAEL CROSBY AM

24 August 2026

The Hon. Amanda Rishworth MP
Minister for Employment and Workplace Relations

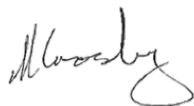
By email: Minister.Rishworth@dewr.gov.au

Dear Minister Rishworth,

Bi-Annual Report to Parliament

I refer to s.323T(1) of the Fair Work (Registered Organisations) Amendment (Administration) Act 2024. Accordingly, I attach the fourth Bi-Annual Report of the CFMEU Administration.

Yours sincerely,



Michael Crosby
Administrator



Administration Report to Parliament

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CFMEU - Construction and General Division
CFMEU NSW - Construction and General Division
CFMEU Qld - Construction and General Division
Appointed pursuant to the Fair Work (Registered Organisations Act) 2009 (Cth), the Industrial Relations Act 1996 (NSW) and the Industrial Relations Act 2016 (Qld)

Introduction

This is my first report to Parliament following my appointment as Administrator by the General Manager of the Fair Work Commission, Mr Murray Furlong. I thank him for his confidence in me.

I wish to pay tribute to the work of my predecessor; Mark Irving KC. Mark did an extraordinary job in the most difficult of circumstances. In the context of a High Court challenge that aimed to stop the Administration in its infancy, he set about removing the worst elements of the CFMEU leadership, put in place a team capable of administering the Union and made the case for a Union that was both ethical and lawful while defending the interests of its members. His success is well understood by the Union and the industry more generally.

Twenty-seven former leaders were summarily removed. Around 150 other staff – organisers have left by one means or another. A new influx of staff, unsullied by the past, have taken up employment with the Union.

Members rights are being assiduously protected without resort to the aggression and menacing behaviour that became a badge of honour for the Union.

Employers report a fundamental change in the way in which the Union interacts with their staff on worksites.

The Union is operating within the law and rebuilding its relationships with the broader Union movement.

Mark Irving led this work despite the police indicating that there was a credible threat to his safety – a sure sign that the Union really had fallen a long way from real Union values. Mr. Irving continues his involvement with the Administration as an advisor, and the work of the current Administration continues to follow the strategic plan established under his leadership.

I was appointed Administrator on 21 May 2026. Prior to that time, I exercised the Administrator's delegated authority as the Executive Officer for both the NSW and ACT Branches of the Union. That appointment was taken up on the 17 June 2025.

I have been a Union official and Union leader for 49 years. I have been an authority on Union reform both in this country and internationally, and it is this experience and knowledge I bring to the job of reforming and rebuilding the Union for construction workers.

The fundamental task before us is to demonstrate to members that they can exercise collective power lawfully. There is no need to resort to violence and thuggery to get them the just rewards for their work that they deserve. They can defend their safety on the job lawfully.

The problem we need to correct is that former leaders had decided that power meant that they could completely ignore the law and do whatever they liked. Worse, they sold members the lie that the only way to exercise collective power was to get into bed with criminal elements, ignore the law and use physical force rather than the power of argument or the exercise of lawful industrial action.

I make no apology for the fact that at the end of Administration, I aim to make sure that the Union is effective and powerful in the lawful pursuit of safe workplaces and decent conditions. It will lawfully and effectively act in the members' interest.

Construction sites are complex, dynamic workplaces requiring a high level of skill matched with hard unremitting physical labour.

The workers the Union organises and represents work ten-hour days and 6-hours on Saturdays. Overtime is common. Their workplaces are inherently unsafe with threats constantly present from four different directions -- up, down and from side to side. As shifts go on, workers report that their concentration lags and it is this time that accidents happen.

Injuries are common even on Unionised sites. Deaths in construction are all too common on sites with no Union delegates or Health and Safety Representatives.

Safework Australia reports that in the 2023/24 year, there were 44 fatalities in construction, nearly a quarter of all workplace deaths in that year.

The pace of work and its length means that their social and family life is limited in the extreme. They are simply not home long enough to hang out with their kids or be with their partners. This is a factor in the reality that construction workers suffer suicide at more than twice the rate of men generally.

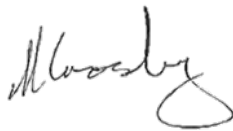
Workers make two demands of their Union. First that they receive a just reward for the work that they do. Second, that they come home at night in one piece.

At its base, they want respect. They are not pieces of machinery. They are not infinitely replaceable.

Their Union needs to be effective and powerful in its legal pursuit of their basic internationally recognised labour and human rights.

The construction Unions in Australia have a very proud history of delivering respect at work, and the right of workers to come home safe.

The job of the Administration is to return this history of the Union to the members a new -- strong, ethical and effective.

A handwritten signature in black ink, appearing to read 'Michael Crosby', with a stylized, flowing script.

Michael Crosby AM

Rebuilding the Union

Staff

1. Now that the Union has been cleared of the previous deeply compromised leaders, the most fundamental challenge for the Administration is to change the culture of the organisation.
2. When that is done, the Union will be fully reformed and fit to emerge from Administration. The change has begun.
3. The Union has an influx of new leaders and organisers who understand what it is to be part of a powerful but lawful Union. There are new organisers hired both from other Unions and from within the Union's own ranks.
4. Importantly, the Union now has two senior female leaders as National Executive Officer and NSW and ACT Executive Officer. Added to that is the involvement of a number of female organisers who are able to model a different kind of worker representation.
5. New delegates in workplaces are being identified and trained who are untouched by the previous culture.
6. The organisers and delegates who have been retained are committed to a different way of working.
7. In continuing to work under Administration many of these staff and delegates risk retaliation from those loyal to the leadership and they should be strongly supported in continuing to do the work of representing members. They have shown courage in putting the Union first.

Training

8. One of the most obvious failures of the old regime was the almost complete failure to provide its own staff and leadership with training.
9. Under Administration, the Union is moving to remedy this obvious deficiency as quickly as possible.
10. The education process it is delivering enables the Union's staff to work out for themselves what went so wrong and what led to the Union losing its social licence. It is in training that they get the confidence and the skill to be able to do their work within the confines of the law. Indeed, for the first time, they have the chance to find out what the law is and what it requires of them.
11. The National Office of the Union has a new training department, with Dr. John Falzon, formerly of the St Vincent de Paul Society, leading the development of curriculum and the roll out of training.
12. Over the last 6 months, training has been delivered to hundreds of staff across the country, covering:
 - Introduction to political education
 - Union values
 - Organiser development
 - History of the Union and the industrial relations system
 - Leadership development program.

13. The next steps to be delivered include:

- Vic Branch Organiser Development Program over 6 days
- Respect@Work for the whole organisation
- QLD/NT Regional Organisers Conference Education modules
- Delivery of Module 1 to staff (including organisers) in QLD, WA and Vic.
- Leadership Development Program Second Residential.

14. The training unit will also deliver courses in:

- Public Speaking
- Respect@Work compliance training
- Building a Values led Union, ethical decision making.

15. Further courses in development include:

- Union History module
- Organiser Capability Framework - linking skills to education and training offerings.

The role of delegates

16. In any Union -- and particularly in this Union -- the role of delegates is central. The incidence of full-time delegates on building sites is notable -- and given the constant influx of different trades and sub-contractors every day -- essential.
17. Delegates and Health and Safety Reps play a vital role in keeping every worker safe and they promote highly productive workplaces through their ability to sort out minor disputes on the job, quickly.
18. Under the previous leadership, in the Victorian Branch particularly, these roles were handed to people with no history of Union activity and with links to criminal gangs. This is a recent phenomenon and is perhaps the most damaging of the breaches of Unionism by the now sacked leadership.
19. Most of these characters have been cleared out and policies have been adopted by every Branch to ensure that this pattern of behaviour cannot be repeated.

The lawful exercise of power and relationship with regulators

20. A feature of the three problematic State Branches under the previous leadership was that they made enemies of everyone in the industry. From politicians on both sides, to Health and safety inspectors and managers in the state regulatory authorities, to the ACTU or local labour councils, to other Unions -- all were characterised as enemies or as somehow inferior. The Union saw itself as outsiders and this gave licence to some in the Union to act as 'outlaws'. Many in the Union simply refused to have some employer representatives in their buildings or present at negotiations.
21. The previous Administrator worked assiduously to repair the relationships, and that strategy is continuing under the new Administrator.
22. The reality is that it will be very difficult to succeed in advancing the interest of its members if the Union fails to get the support of the entire range of regulatory authorities.

23. The Union will police safety with the utmost vigor but needs the consistent and timely backing of the state health and safety regulators.
24. The Union will call out criminal activity, but a clean industry will also require state police to follow up criminals in the construction industry.
25. The Union will continue to campaign against the evil of sham contracting -- the closest thing to modern slavery in the construction industry, but will need the help of the ATO, the Workers Compensation regulators and the Payroll Tax compliance units to assist in making the cost of sham contracting prohibitive.
26. The Union will be active in prosecuting employers who ignore their obligations under industrial law but will need the help of the Fair Work Ombudsman in launching their own prosecutions of employers who fail to respect the rights of workers.

Progress

27. The Administration has achieved a great deal in the two years it has been in operation. The culture of the Union is changing. However, success is not yet uniform across the country.

West Australia

28. The Administration is satisfied that the Branch under the continuing leadership of Mick Buchan -- exercising delegated authority in that State -- acts lawfully and with success.
29. There have been problems identified with the way in which Right of Entry is exercised, and these are being addressed. There is no evidence of corruption or violence being deployed on work sites.

South Australia

30. The Branch was in a bad place after effectively being taken over by John Setka's Victorian Branch. A program of reform has been introduced, a new Executive Officer appointed, and the organisers trained and mentored by experienced organisers from other Branches. The Union will employ more organisers so that the branch can rebuild.
31. A protected action ballot was conducted amongst members employed at the six Tier 1 builders in the State and members participated in lawful action.
32. After further negotiation, the Union and employers came to an agreement that saw EBAs updated to the satisfaction of all concerned.
33. This turn of events is an indicator of where the Union is headed. The members can see that they still always have collective power while acting lawfully.

Queensland

34. The Branch under the leadership of Jared Abbott, assisted by Matt Van Hoff, has been completely rebuilt. More than 50% of the organisers have been replaced and a highly effective group of leaders developed. Delegates work well with the Branch's officers and understand the necessity of reform.
35. There is no evidence of the continued existence of the Ravbar/Ingham culture of lawlessness, aggression and violence. Rather, at every turn the Branch has led the way in trying to build relationships with employers in the industry.
36. Comprehensive training programs have been undertaken by all organising staff.
37. All existing and new delegates are attending a newly developed two-day values-based delegate training that includes genuine and effective use of health and safety, and proper conduct.

38. A Women's support and advocacy officer has been employed to promote women in construction and drive cultural change within the Union and broader industry.
39. The Union has worked with EBA employers to develop a process for handling disputes over safety. The aim is to avoid any perception that safety is weaponised for industrial purposes. A series of information sheets have been developed to guide site managers and Health and Safety Representatives, delegates and organisers in how safety issues are to be handled.
40. Employers have commented to the Administration that they recognise the complete change in the tenor of workplace relations.

NSW

41. Karma Lord, assisted by Chris Pappas, runs a highly effective Branch. Almost 90% of organisers under the Greenfields have left the Branch for one reason or another and an impressive group has been hired in their place.
42. Every new organiser has been trained and mentored in how to do their job. Coordinators hold organisers to account. The staff are focussed on enforcement of the EBA. A Compliance Officer role has been created to ensure employer enforcement with industrial instruments.
43. It is regretful that many employers in the industry were quite happy to work with the Greenfield regime. 'Problems' were sorted out as a result of 'deals' in back rooms. Whether money changed hands the Administration cannot say. What is clear is that compliance with the EBA was optional. There are no longer deals in backrooms. Where flexibility is granted to employers – as set out in the EBA – the result of those agreements is published. The same flexibility is then available to every EBA employer bidding for work.
44. Organisers are no longer permitted to have procurement conversations that involve influencing subcontractor selection amongst EBA companies. This discussion rests with Executive. Nor are they permitted to approve dispensations to EBA clauses. This also rests with Executive. This central oversight assists in creating a transparent playing field in the industry, and stops these conversations being monetizable assets.
45. The Branch will shortly be turning its attention to the non-EBA world. Early inspections of high-rise residential apartment sites and Tier 3 and 4 sites have revealed appalling safety breaches.
46. Sham contracting is widespread. The Branch has a responsibility to organise those workers, keep them safe and allow them to bargain for a decent return for their labour.
47. The NSW office has received a massive uptick in anonymous whistleblower safety complaints. This is a positive sign that the branch is rebuilding trust. Upon investigation these complaints prove to be true. Workers are scared and desperate to hide their identity because of the history of people linked to raising safety concerns, losing their jobs. Unfortunately, employers are equally desperate to hide these unsafe worksites and repeatedly breach sections of the WHS Act to delay, frustrate and subvert Organisers' entry and investigation powers.
48. A Safety Officer role in the Union has been created and filled.
49. This will assist the Union in performing increased joint compliance action with Safework NSW, and lead to faster and escalated enforcement results from the regulator.
50. Prosecutions remain an underutilised option to change offender behaviour and deter others in an industry that is culturally lawless.

Victoria/Tasmania

51. The Branch is making progress. A large number of organisers have left and are progressively being replaced. Two lead organisers have been appointed and under the leadership of Matt McGowan, a highly experienced Union official, the work of defending members continues.
52. Unfortunately, the reform of the Branch has an ongoing and organised opposition. A number of delegates owe their loyalty to removed leaders like John Setka and Joe Myles and they are active in undermining the work of the Administration. Ralph Edwards, a former President, is active in publishing material which aims to mislead those who follow his social media feed about the work of the Administration.
53. This core of disgraced leaders and a number of delegates are still unable to own the fact that the Union lost its social licence because of the misbehaviour of its leadership group. Some of these removed officials and the rump who support them see nothing wrong in the involvement of Organised Criminal Gangs in the work of the Union, the close relationship between the leadership and people of the ilk of Gatto, the selling of EBAs and the corruption of individual Union officers.
54. John Setka has published threats of physical violence against the Administration. These have been referred to police, and they have taken out a Personal Safety Intervention Order.
55. The Administration is taking aggressive action to confront those who continue to fight the reform of the Union.
56. John Setka has been asked to show cause why his membership should not be terminated for a period of five years – the maximum term possible.
57. Action is being taken against other removed persons who we believe are in breach of the rules.
58. Legal action has commenced to force those who continue to control a range of funds that are the property of the CFMEU.

Cooperation with the industry and role of regulators

59. It should be clear to all that corruption and violence is still a characteristic of the construction industry and that reforming the Union is not sufficient to clean up the industry.
60. The Administration is well advanced in its efforts to reform the Union.
61. Without serious regulation of the industry, the power of money will make it inevitable that bad actors will again rise to power within the Union.
62. The Administration hopes that the Queensland Commission of Inquiry and the Victorian Royal Commission will address this issue in detail. Regulators already exist. Health and Safety regulators are present in each State.
63. The Fair Work Ombudsman regulates compliance with the Fair Work Act. The Police oversee criminal activity. APRA regulates our relationship with Cbus. There are regulators of Labour Hire in most States but not in NSW and West Australia.
64. It is critical to the rights and safety of construction workers that regulators do not see the period of Administration, or the actions of the previous leadership, as a hurdle to being involved in prosecutions of those in conflict with the Union.
65. The task of the Administration is to persuade our members that a law-abiding Union can defend the interests of members. To do that we need the help of every regulator.

66. Under Michael Crosby, the Administration will renew contact with each of the regulators and work with them to demonstrate the Union's bona fides. The Administration will do all in its power to ensure that those breaking the law are prosecuted so that a message is sent to the industry that compliance with the law is fundamental.

Legal action

67. The Union, in pursuing the need for lawful action to be successful, has necessarily become far more litigious. Where organisers are hindered and obstructed in exercising their rights of entry under either State or Federal legislation, the Administration will sue. Where employers indulge in sham contracting and refuse to make amends in relation to back paying the workers involved, the Administration will sue.
68. The length of time taken to bring these cases to court for hearing is frustrating. Members understandably grow tired when they are told constantly that the Union must obey the law, and the law is so slow to deliver an outcome.

Labour Hire

69. The incidence of labour hire in the industry is indefensible and regrettably growing. There is certainly a role for labour hire. At peak periods where workers are needed for short periods to top up the labour supply, companies supplying workers are an essential part of the construction process.
70. Too often however labour hire is used as a replacement for large parts of a normally permanent workforce.
71. These jobs are no replacement for permanent employment – whether they are covered by an EBA. Workers suffer enough from the inherent instability of construction or not employment without having to suffer employment on a day-to-day basis.
72. Labour hire is a source of corruption and where it flourishes, the integrity of the Union and the industry is put at risk. The Administration values the work of the Labour hire regulator in Victoria and believes that model is worthy of emulation everywhere. It is an enormous problem for the Administration that there is no regulator of labour hire in NSW. We welcome the fact that the NSW Government has this issue under active consideration.

Rules

73. Work on the Rules is proceeding with the help of the Fair Work Commission. The Union's rules have been deficient in that they allowed State Branches to become fiefdoms beyond the reach of democratic control. The principles underlying the new Rules changes are aimed at eliminating that risk as far as possible, ensuring that rank and file members exercise ultimate decision-making power.
74. The Administration will be consulting widely with the Union's members on the principles that should guide the rules making process. Drafting will embed those principles in the Rules that are delivered.

Submission and Research papers

75. Under the Administration, the Union is developing position papers and providing input into a wide range of Government and industry processes, including:
- Senate inquiry into housing productivity
 - Future Made in Australia Consultation
 - Secure Australian Jobs Consultation
 - Review of Mutual recognition scheme Submission & AMR submission (May and March)

- Review of the Occupational Skills Classification Australia 2027 review
- ACT Trade Licensing submission
- Skilled migration submission 1 and follow up submission on interim report.
- JSA survey consultation submission
- NZEA EIJP redeployment grants consultation submission
- Recognition of Prior Learning (RPL) roundtable for JSA.

Demarcation disputes

76. There is a long-standing conflict with the Australian Workers Union over the right to cover particular classes of worker. The CFMEU in the past has behaved appallingly in relation to the AWU. No matter the merits of the demarcation argument, there can be no excuse for the physical and mental intimidation of officers of another Union.
77. The issue is important for the industry as a whole, because conflict on worksites leads to a loss of productivity and an increase in the cost of construction.
78. The Union has entered into an agreement with the AWU aimed at settling once and for all the demarcation of work between the two Unions. The Administration and the AWU have jointly appointed former Commissioner Julius Roe to arbitrate on competing claims.
79. The Administration wants to thank the Fair Work Commission for their support of this process.
80. The two sides are making submissions to Mr. Rowe and the CFMEU will be bound by his decision.

Future EBA policy

81. The granting of EBAs has been a source of corruption and the Union's processes must become far more transparent so that employers and workers understand what guides the Union's decision-making.
82. Work is continuing on an EBA policy that will guide the Union's decision-makers into the future.
83. The policy will be developed with the following principles:
 - To ensure members rights are protected
 - To increase transparency and accountability in the CFMEU's decision making process
 - To clearly identify the criteria that will govern the CFMEU's decisions
 - To seek to facilitate agreements with employers who are compliant with industrial laws, not financially unstable, not be anti-worker, and not corrupt
 - To minimise, and to the extent possible eliminate corrupt conduct.
84. The limits of our power to avoid engagement with employers who are linked to criminal organisations must be acknowledged. We put employers asking for an EBA through a due diligence process. That can at least enable us to see exactly who we are dealing with. The reality is that our members are employed by such people.
85. They need the protection of the Union. We may well decide to engage with such an employer through the EBA process. It is for that reason, that we have repeatedly called for the introduction of a fit and proper test for employers in the industry. The EBA process is simply not capable, on its own, of driving out criminality in the industry.