



TWU NSW

VEOLIA AGREEMENT UPDATE: VOTE NO: FOR PROPOSED EA CHANGES

FALSE: Veolia's claim that transport workers need to comply with ABCC Australian Building and Construction Commission Code.

The Code does **NOT** apply to transport.

Extracts from the Code below from an ABCC Fact Sheet

(full sheet available here <https://www.abcc.gov.au/resources/fact-sheets/print/29013>)

Exclusions to the definition of building work under the Code

The Code applies the definition of building work in the BCIP Act with two exceptions. The following types of building work are not subject to the Code:

- the off-site prefabrication of made-to-order components to form part of any building, structure or works, unless that work is performed on an auxiliary or holding site that is separate from the primary construction site or sites.
- the transportation or supply of goods to be used for any of the work mentioned above (in the BCIP Act definition of 'building work'), directly to building sites (including any resources platform) where that work is being or may be performed.

Transportation and supply

The Code does not apply to the transportation or supply of goods directly to building sites, such as the delivery of metal sheeting to a site. But if the supplier or transporter also performs building work on site, such as installing the goods or materials, the installation is considered building work and the contractor is subject to the Code in respect to the installation work.

Generally, the delivery and pumping/pouring of concrete is covered by the Code. This is because this activity is considered to be part of building work as described above.



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