

Thursday 5 August 2021

## Fair Work Commission shoots down McCain's shabby treatment of Tasmanian workers

The ACTU welcomes the recent decision of the Full Bench of the Fair Work Commission which confirmed that McCain's repeated lockout of workers at its plant in Smithton Tasmania was unlawful.

This is an important legal and moral victory for McCain's loyal and dedicated Tasmanian workforce, who kept going right through the pandemic, despite the risk to their own health, to ensure McCain's products continued to make their way onto supermarket shelves and into the kitchens of Australian households and businesses.

These workers even agreed to lower pay rises during the pandemic to help keep the company in business.

McCain repaid this loyalty and dedication by locking these workers out of their jobs – not once, but twice – despite them having not taken any industrial action. These workers deserve better than McCain's shabby treatment.

In a decision published late yesterday, the full bench of the Commission declared that McCain had pre-emptively locked workers out in the cold. This important decision upholds the right of working people to strike and says that employers can't behave like thugs by locking workers out illegally.

These Smithton workers are merely asking to be paid as much as workers doing the same job on the mainland. They're paid up to 15 per cent less than their counterparts doing the same work in Ballarat in regional Victoria.

The ACTU congratulates the AMWU and McCain's Tasmanian workforce on their hard-fought victory. We call on McCain to do the right thing and return to the bargaining table and stop treating Tasmanians like second-class citizens.

### Quotes attributable to ACTU President Michele O'Neil:

"The Fair Work's decision is stinging rebuke for McCain and a huge win for workers at the McCain plant in Smithton, Tasmania.

"The company's repeated lockouts were not only thuggish, but the Fair Work Commission has now confirmed that they were also unlawful.

"These workers have been loyal to McCain, risking their own health while working through the peak of the pandemic and even agreeing to take lower pay rises in the past to help keep McCain stay in business, but now the frozen food giant's profits are soaring again it's time these workers' loyalty and dedication were repaid.

"McCain has to stop treating Tasmanians like they're second-class citizens. It's time for them to respect their workforce and negotiate a fair agreement.

"This decision is an important win for workers around the country as it makes clear that companies cannot use lockouts as a pre-emptive weapon to intimidate workers seeking a fair deal

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