

Winter 2021
NEWSLETTER

adss

Asbestos Disease
Support Society



Asbestos Disease Support Society
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DO YOU KNOW
BEING AN
**ADSS & SSN
MEMBER**

There is free assistance through the provision of:

Information on asbestos & silica related diseases

Support from our social worker

Clinical support from the registered nurse

Medical aids on loan

Community morning tea groups and support groups

Nutritional advice

Occupational therapy assessment

Quarterly Newsletter

**Legal consultation with our preferred lawyers experienced
in asbestos and silica compensation.**

**Call the Society if you would like to
discuss any of these services**

1800 776 412



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2021/22 Membership

We thank those members who have already paid for their membership renewal and invite those that are still outstanding to renew their membership.

We would also like to thank those that have made a donation in the process of paying their membership renewal. We are greatly appreciative of your support.

Please call the Society to pay over the phone with a credit card or to check if your membership is still outstanding.

Thank you!



In Loving Memory

Derek Billing
Jeffrey Hinson
David Turner
William (Keith) Smith
Luke Daglish
Bessie Marsh
Graham Michael Berghofer
Lewis Ebert
Harm (Harry) Moman
Robert John Thistlethwaite
David Rex Cundell
Desmond Bendall
William Howard Cook
Rodney Charles Black
Frank Azzopardi



Those we love remain with us
For love itself lives on,

And cherished memories never fade
Because a loved one's gone.

Those we love can never be
More than a thought apart,

Far as long as there is memory,
They'll live on in the heart

General Managers Report

TREVOR TORRENS



Welcome to the Winter edition of the Society's newsletter. We are back in full swing with our community morning teas, including a return to North and Central Queensland – Cairns, Townsville, Mackay and Rockhampton. We have had terrific numbers attending our morning teas since recommencement and it is great to reconnect on a face-to face basis. Thankyou to Dr Stephen Vincent (Cairns) and Dr James McKeon (Chermside), thoracic specialists, who gave their valuable time as guest-speakers for these morning teas. Also, a big thank you to Julie Sager and Trevor Gillmeister for giving their time in discussing their own personal experiences at our Chermside event. The dates and venues for our remaining morning teas are listed in the newsletter.

Alternative Therapies

A number of members have recently approached the Society regarding alternative (as distinct to complementary) treatments and therapies for mesothelioma. This topic is far too complex with differing individual views and opinions to canvass in any great depth in this newsletter. However, I can state the Society's support for the Cancer Council's position on this issue:

"Alternative therapies and medicines are used in place of conventional medical treatments. Many alternative therapies have not been scientifically tested so there is no proof they stop cancer growing or spreading. Others have been tested and shown not to be effective. While side effects of alternative treatments are not always known, some are serious and can delay or stop the cancer being treated effectively. Some alternative practitioners promote their therapies and medicines as a cure for cancer and encourage people to stop using conventional cancer treatment. If this is something you are considering, discuss this with your doctor first. The Cancer Council does not recommend the use of alternative therapies as treatment for cancer."

Further information can be found at: <https://cancerqld.org.au/cancer-information/cancer-treatments/complementary-therapies/>

The Society has two (2) nutritional guides available on "Eating well with Mesothelioma" and "Eating well with Asbestosis". These guides have been researched and written by the University's of Queensland's Centre for Dietetics Research. Please contact the Society if you would like a copy of the booklet/s.

Using technology for real time and accurate asbestos testing – a potential game changer.

The Asbestos Safety and Eradication Agency (ASEA) is seeking new and innovative technology solutions that can be used to accurately test building materials that contain asbestos on site. The challenge is to overcome existing technical limitations and deliver a solution that is non destructive (i.e. not removing, drilling or disturbing materials to test) and meets regulatory requirements. Finding a solution to this challenge has the potential for a large market uptake.

Current potential end-users range from professionals working directly in asbestos management and tradespeople encountering asbestos as part of their work, to the general public working on home renovations. The solution would also be used by governments and businesses managing asbestos in buildings or infrastructure. Innovative solutions could range across areas of detection, data analytics or E-Systems. The aim in each of these areas would be to make the testing job easier and faster and remove as many manual steps as possible. Funding is being provided via the Australian Government's Business Research and Innovation Initiative– Regulatory Technology Round



Membership Renewal

It's that time of the year again when membership fees are due. Once again, there has been no increase in the fees payable. The Society currently has around 800 members which translates to a strong voice in our advocacy role. In 2021/2022, we are aiming to increase the membership base to 1,000, so your renewal is vitally important in achieving this goal – as the old adage goes - "there is strength in numbers".

2021 Worker's Memorial Day

Workers' Memorial Day was started by the Canadian Union of Public Employees in 1984. The Canadian Labor Congress then declared an annual day of remembrance on 28 April 1985. In 2021, the Society was represented at the Workers' Memorial Day at St John's Cathedral on Monday 29 April. Workers' Memorial Day is an opportunity to highlight the preventable nature of workplace injuries and illnesses and to continue advocating for improvements in work health and safety. Society Chair, Mr Phil Blair, delivered a powerful message on the inalienable right to return home safely from a day's work. Ninety percent of the Society's members who have an asbestos or other dust related lung disease contracted it because of their occupation – turning up to work should not mean your health and well-being is at risk. As Phil said in his speech:

"We must never stop learning a simple but critically important lesson from these tragedies - we must always strive to make workplaces safer and healthier. We must make sure that every worker is alert to every potential danger or health risk. We must stand up and never be silent. The only acceptable rate of fatality, injury, illness and near miss is zero."



James Wallner

In this newsletter –“On the National Front” - there is an ABC News article about James Wallner, who grew up in a “Mr Fluffy” asbestos-contaminated home in Canberra and was subsequently diagnosed with mesothelioma. Mr Wallner's plight was previously reported in the Society's 2020 Spring newsletter. The “Mr Fluffy” saga can only be described as a debacle and sadly typical of so many other asbestos related tragedies. Mr Wallner's case highlighted the major deficiencies in how successive governments dealt with the legacy of “Mr Fluffy”. He had no access to workers compensation, was not able to sue, or to take to court the company, or manufacturer of that product. The national asbestos diseases support group network lobbied both the Australian and ACT governments for compensation arrangements for Mr Wallner and others in similar circumstances. While the lobbying efforts of the network and others was successful, sadly James Wallner passed away within hours of the announcement of the establishment of a compensation fund. The Society's letter of support is also included in the newsletter.

Labour Day

After a break in 2020 due to you know what, ADSS provided volunteers to cook the BBQ for CFMEU members and their families after the Labour Day march at the RNA Showgrounds. The march was extremely well attended and didn't we work hard in helping feed members and their families. The BBQ photo was taken at the beginning of the day when everyone was fresh and “coffee'd up”- it was a very different, tired and worn out crew at the end of the day. The word that is being thrown around a lot about the day is “intense”. In total, we cooked and “constructed”:

- 1,000 burgers
- 700 hot dog rolls
- 38kgs of onions
- 28kgs of lettuce
- 64kgs of tomatoes

I wouldn't exactly call it a Master Chef event, but we got the job done! A big thank you to everyone who assisted on the day



Race Day and annual raffle

The Society's Annual Race Day (and major fund raiser) will be held on Wednesday 22 September at Doomben Racecourse, after last year's cancellation. The Race Day is a corporate event aimed to raise money for the Society and hence its members and generates about 20 per cent of our income. Our annual raffle, consisting of a trailer with a load of terrific “goodies” valued at \$5,000 is also drawn on this day. Look for the tickets at our morning teas or contact ADSS office if you would like to purchase a ticket.

Australian Border Force: Targeted Asbestos Inspections

The Australian Border Force (ABF) is undertaking a targeted period of action against imported building products at risk of containing asbestos. Asbestos containing products are prohibited and classified as a Tier 1 good under the Customs Regulation 2015. Significant penalties apply for its unlawful importation. Offences relating to asbestos importation by individuals can attract fines of up to \$222,000 or three times the value of the goods, whichever is greater, and/or imprisonment for up to five years. For a company corporate the same border offence attracts a higher penalty of up to \$1,110,000 or fifteen times the value of the goods, whichever is the greater, in accordance with the Crimes Act 1914 (Cth).



Uncovered asbestos containing brake assembly of an affected manual hand pallet truck imported from China.

Before goods are imported into Australia, importers must have adequate documentary evidence to be able to show the ABF that their goods, if at risk, do not contain asbestos. This can be achieved by engaging with their overseas suppliers before purchase. Importers must not assume that goods contain no asbestos. An asbestos-free declaration, on its own, is not evidence. The ABF (and the Australian community) expects importers to be able to demonstrate that they have undertaken adequate assessment for their goods that are known to be at risk of containing asbestos or are supplied from countries with asbestos-using industries.

Inspections and outcomes by the ABF from 1 July 2020 to 31 March 2021:

Month	Number of asbestos tests at the border	Number of Detections	Asbestos types detected	Goods containing asbestos
Mar-21	4	4	3 x Chrysotile Asbestos 1 x naturally occurring Chrysotile/Actinolite Asbestos	Vehicles, vehicle parts, construction plant parts, marble slabs
Feb-21	9	3	3 x Chrysotile Asbestos	Vehicle and vehicle parts
Jan-21	16	0	0	N/a
Dec-20	10	1	1 x Chrysotile Asbestos	Vehicle
Nov-20	11	1	1 x Chrysotile Asbestos	Vehicle
Oct-20	11	4	4 x Chrysotile Asbestos	Vehicle and vehicle parts
Sep-20	16	0	0	N/a
Aug-20	23	1	1 x Chrysotile Asbestos	Vehicle
Jul-20	8	2	2 x Chrysotile Asbestos	Machinery part, vehicle

Good Luck Meg!

It is with sadness that we say farewell to Margaret (Meg) Redmond, the Society's social worker. Meg has only been with us since November 2020 but during this short period she has had a strong impact and nurtured and built great rapport with many of our members. And when I say farewell, I certainly mean it! Meg and her family are emigrating to the west coast of Ireland – where her partner's family comes from. We wish Meg all the best.



Thank you for your Donation

A big thank you to everyone who has donated to the Society. Approximately 75% of the Society's funds are generated through donations and fund raising activities. Without this support, we could not provide support! In particular, we would like to recognise the following donations over \$500.00:

- Turner Freeman
- CFMEU QLD/ NT Members
- Vend2Go
- Various Donations
(In memory of Damien McMeniman)

All the Best,

Trevor Torrens
General Manager

Trevor Torrens



CONSEQUENCES OF ASBESTOS AND SILICA EXPOSURE

One of the unusual aspects of asbestos exposure is the fact that it can cause various types of lung disease. This was highlighted recently when a member asked the question whether his asbestosis was likely to turn into mesothelioma?

Asbestosis and mesothelioma are different consequences of asbestos disease. The first is scarring of the lung itself, the second is a cancer usually found on the outside lining of the lung - the pleura. The fact that a person has asbestosis does not mean they will develop mesothelioma and certainly does not mean that the asbestosis will "develop into" mesothelioma. They are completely different conditions. Asbestosis though is evidence of significant asbestos exposure and that exposure increases the risk of mesothelioma developing. Other asbestos diseases of course include pleural plaques, pleural effusion, diffuse pleural thickening, as well as other cancers such as lung cancer. For some time it was accepted that the only consequence of silica exposure was silicosis. There were obviously degrees of severity of the disease, such as progressive massive fibrosis.

However, much like asbestos exposure, it is now apparent that silica exposure can cause a host of different conditions. Of course, there is silicosis, but there are now many different labels associated with it, particularly given the heavy and intense exposure that has occurred with engineered stone. Some of these different conditions are complicated silicosis and accelerated silicosis.

In addition, it is also now generally accepted that silica exposure can contribute to emphysema and chronic obstructive pulmonary disease (COPD), conditions that were normally solely associated with cigarette consumption. In addition, there is evidence that silica exposure and the perhaps inflammatory effect of it within the lungs can lead to autoimmune conditions, such as arthritis, scleroderma and lupus. As silica continues to be focused on, perhaps other consequences of the exposure will come to light. The increasing knowledge in respect of silica raises the question as to whether we really know very much at all about occupational lung disease - are there other lung conditions that relate to exposures in employment that we are not even currently aware of?



Society Social Worker

MEG REDMOND



As many of our members have heard I am leaving my position with the Asbestos Disease Support Society and the Silicosis Support Network. My time here was not long, but I cannot speak more highly of my experience here. I cannot thank Trevor, Kerrie, Kay and Karen, along with our Directors and volunteers enough for all of the support they have given me and for their understanding over the past few months. Our members as well, in such a short time, I haven't been able to speak with and get to know as many of our members as I would have liked to. For those that I have had the pleasure to speak to over the phone and those that I have been able to meet at our support groups and morning tea events, it has been a pleasure to work with you all. Thankyou for letting me into your lives and letting me get to know you. An opportunity has come up for my family in Ireland that we cannot refuse and so I have to say goodbye to such an amazing community.

Over the last couple of months, I have been passed along a few questions from our members that I have not been able to answer so I want to take this opportunity to answer these questions.

What's an advanced health directive?

A health directive is a document that highlights your issues about what you would like to happen if you are ever in the position where you are unable to make decisions due to your health. It is important as it allows you to put a plan in place about your health, personal and financial matters should you no longer be deemed to have capacity to make the decision and to put a person/persons in charge to making sure your wishes are seen through.

In order to get a advanced health directive, it is important to seek out legal advice, know what your preferences are and have a clear idea in mind for someone who you can trust to advocate for your wishes. When filling out the documentation there are 2 different forms depending on what you are planning. There is a "short form" and a "long form," It is important to know the difference, so you understand what form you need. The Short Form is if you have only 1 person that you would like to appoint as your Power of Attorney whether it be for personal matters- including health care, financial matters or a combination of both. Alternatively, if you trust different people for different roles the "long Form" allows you to appoint one person for financial matters and a different person for personal matters including health care. Again, I really think it is important to stress that it is recommended you get legal advice before completing this document.

What is psychosocial model and what does it have to do with my health?

You may have heard about a biomedical model in regard to how a doctor treats their patient. A biomedical model is one of many different models used in the health care sector. In summary, a "model" is a way that allows a health care professional to know what to assess and how, when it comes to a person's medical needs, come up with a treatment plan and reassess progress.

In the biomedical model a doctor will look at your symptoms, order blood tests, scans or any other assessment screening tools to be undertaken. Depending on their results the doctor will then discuss treatment plans and arrange follow up appointments to assess how successful the treatment was. Similarly, a psychosocial model is used to assess a person's wellbeing by health care professionals. They will assess this by using assessment tools to understand your social and psychological wellbeing. They will speak with you about your options and provide you with "treatment". This may be done through counselling, referring you to other appropriate services or finding other practical solutions.

Having a health professional using a psychosocial model when helping you with your health can be really beneficial, as issues within the psychosocial matter can directly influence your physical health. For example; being diagnosed with an occupational lung disease is never easy, however having adequate support at home can be very beneficial to keep up to date with doctors appointment and to follow through with your treatment plan. The opposite is also true; we know that extra stress and pressure on you from external factors can directly impact your physical health. By using a range of different "models," such as a Biomedical model and psychosocial model, it means that health care professionals are able to get a more complete picture of your health and your health care needs.





Do I really need a self-care plan?

A self-care plan is a tool that is used to help people who are experiencing some level of stress or just mentally aren't feeling their best. At the heart of it a self-care plan is about making sure you have your needs met and if this isn't the case finding a way to meet these needs. A person's needs can be split into 3 different groups:
Basic- this is the resources you have available to live (food, clothing, clean water, adequate health care, sleep) and your safety (employment, personal security)
Psychological- this is about your sense of belonging through your own intimate relationships as well as your self-image.

Self-fulfilment- are you reaching your best potential.

A good self-care plan takes all of these needs into consideration. It gives you the ability to find ways to seek out what you are missing.

For your basic needs find someone in your community you feel safe talking to, someone who is able to help you problem solve. At the society here, we are always more than willing to help our members out where we can, even if it is to point you in the right direction to get you the support you need. Psychological needs will vary person to person, so it is important you tailor this to yourself. Spend time with your loved ones and build your relationships with them further.

Get outside and move your body, I know this may be hard for many of our members but do what you can there is so much benefit from being outdoors and from movement. Also find activities that help you relax, once you can relax you can work through your stressors.

Self-fulfilment is about finding a sense of purpose. This will be hard to do if your other needs are not met, however it can be daunting for many people especially for those who are making big transitions in their lives. Many of our members especially struggle with this where I would say it directly affects their self-identity and borders on their psychological needs. For our ADSS members this could be as you find meaning and purpose through retirement, and again as your ability to keep up with your own standard of living. For the Silicosis member's this could be as you transition from your career into one that requires more training or even out of work all together. It is really important you find something you enjoy that you are able to do that brings value into your life. While it's important to recognise your limits, also look at what you are capable of.

None of this is going to get better within a day, it does require a lot of work, mainly from yourself. Half the issue is not knowing what to do but that is what a plan is for. Write it down, keep activities readily available or just have it clear in your mind. It does matter. What does matter is that you are able to put effective strategies in place.





Blood test for Mesothelioma diagnosis



A number of members have recently approached me on the use of blood tests to diagnose Malignant Pleural Mesothelioma (MPM).

The diagnosis of MPM is usually determined by an invasive procedure of obtaining a biopsy which is difficult to perform especially on someone who has declining health. Biopsies can be obtained under ultrasound guidance or under direct vision through a thoracoscopy. These procedures are the “gold standard” for the definitive diagnosis of MPM.

The use of blood tests to diagnose MPM is a less invasive technique used to detect the presence of blood-based biomarkers. Biomarkers refers to a broad range of measures that capture what is happening in a cell or organism at a given moment. Biomarkers are objective medical signs used to measure the presence or progress of disease or the effects of treatment.

In MPM a number of different biomarker tests have been evaluated. However, to date MPM biomarkers have been found to be imperfect and of limited clinical use.

There is ongoing international and national clinical research into the use of biomarkers via blood-based testing for diagnosis of MPM, including research being undertaken at the Asbestos Disease Research Institute (ADRI) in Sydney. ADRI is using its biobank of tissue and blood samples to create a “novel diagnostic tool” (blood test) as a less invasive procedure for the diagnosis of MPM. We will continue to monitor and update members on the progress of this research.

Update on dual immunotherapy - Nivolumab and Ipilumimab

In March 2021, the dual immunotherapy treatment of Nivolumab and Ipilumimab was approved by the Australian Pharmaceutical Benefits Advisory Committee for the first line treatment of mesothelioma. This is very exciting news as this is the first time in 15 years that a new treatment for mesothelioma has been approved to be listed. Once the treatment has been approved there are still processes that need to be worked through, and as of 1 June 2021 it is at number 7 of 8 steps, and number 8 being the listing and availability on the PBS.

As always, please consult with your specialist to see if you are a candidate for the treatment.

On the National Front

BEACHGOERS AT NIGHTCLIFF AND RAPID CREEK REMINDED TO BE CAREFUL OF ASBESTOS

Source: NT News by JUDITH AISTHORPE March 29, 2021



Signs warning residents about asbestos pieces on Darwin's beaches are relatively common.

BEACHGOERS at Nightcliff and Rapid Creek are being reminded to be careful of material containing asbestos after chunks were found on the sand.

The asbestos material is a historical legacy after material was dumped and buried in the cliffs during World War II and after Cyclone Tracy.

Erosion of the foreshore has resulted in the material becoming exposed and ending up on the beach.

An Infrastructure, Planning and Logistics Department spokesman said the department was managing the material by conducting periodic emu picks as well as erecting signage.

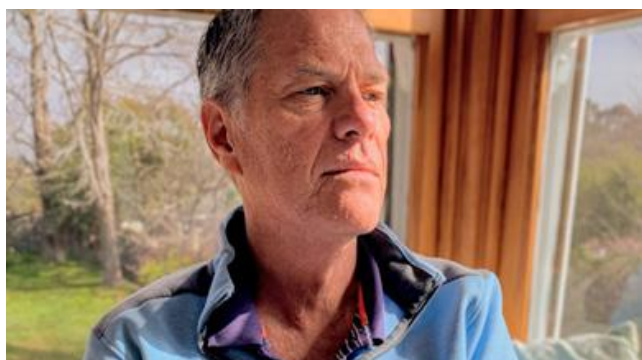
"The next emu pick is being arranged and is due to be completed over the month of April 2021," the spokesman said. He urged anyone who found material containing asbestos not to touch it.

People can find out more about it by calling 89996143.

On the National Front

ASBESTOS CAMPAIGNER JAMES WALLNER DIES IN CANBERRA AFTER WINNING GOVERNMENT AID FOR MR FLUFFY VICTIMS

Source: ABC News - Craig Allen 8 May 2021



Asbestos victim and campaigner James Wallner died in a Canberra hospice on Friday.

James Wallner, the man who successfully took on two governments to win financial aid for victims of “Mr Fluffy” asbestos, has died in Canberra.

Key points:

- James Wallner spent his childhood in a “Mr Fluffy” asbestos-contaminated home in Canberra
- He was diagnosed with the mesothelioma last year and died on Friday aged 54
- Mr Wallner has been acknowledged for convincing the Commonwealth to support Mr Fluffy victims

The 54-year-old veterinary scientist was diagnosed with malignant pleural mesothelioma last year and passed away in a Canberra hospice on Friday.

Mr Wallner contracted the disease after growing up in a house tainted with loose-fill asbestos insulation, sold by the company that became known as Mr Fluffy.

His brother Bruce said on Saturday that his death was tragic and preventable.

Bruce said there was “a relief that his suffering is at an end” but James’ death “should never have happened”.

“He forfeited some 10,000 days of rich life. The days when you are at the peak of your career, see kids take flight, marry and have kids of their own.”

Family friend James O’Loughlin paid tribute to Mr Wallner, who had dedicated the last nine months of his life to fighting for justice for asbestos victims.

“Mesothelioma is a dreadful disease and James Wallner faced it with courage, dignity, and his unique and wonderful sense of humour,” Mr O’Loughlin said.

“He always said his attempts to get a compensation scheme set up was not just about him, and he was acutely aware of what he saw as his responsibility to other ‘Mr Fluffy’ mesothelioma victims who would follow him.

“He was warm, funny, and compassionate. Everyone liked him, many loved him and we will miss him deeply.”

Living with toxic asbestos in the roof

James and his three brothers, pictured in the 1970s, grew up in a house treated with loose-fill asbestos.

As a toddler, James Wallner, along with his three brothers, had played in a pile of the asbestos that had been stored in his garage during home renovations.

Mr Wallner told the ABC last year that, for decades, his family had put up with “dust” raining from the ceiling of their home in the Canberra suburb of Campbell but thought little of it.

His mother had even sealed up a kitchen ceiling vent with aluminium foil, to stop the material contaminating their food.

“I’d had 18 years of living in that house, with air vents, with cracks in cornices, and that loose-fill asbestos was able to float down,” Mr Wallner said.

But unlike those who contract mesothelioma through James Hardie ‘bonded’ asbestos products, Mr Wallner had no avenue for compensation.

It was a legal loophole, because the Mr Fluffy company had folded decades ago.

On the National Front

ASBESTOS CAMPAIGNER JAMES WALLNER DIES IN CANBERRA AFTER WINNING GOVERNMENT AID FOR MR FLUFFY VICTIMS

Source: ABC News - Craig Allen 8 May 2021



The Wallner family home in Campbell was one of more than 1,000 "Mr Fluffy" houses in Canberra. (ABC News)

All victims' families to get financial help

When he was diagnosed, Mr Wallner joined with family and friends and began to lobby the ACT and federal governments to financially support all people who contracted the incurable disease.

Late last year, the ACT government awarded him a \$125,000 "act of grace" payment to cover his rising medical costs.

And late on Wednesday, the federal Health Minister confirmed it would co-fund a broader, \$16 million asbestos assistance scheme, to support all eligible victims of the Mr Fluffy debacle.

The Wallner family home was one of about 1,040 Canberra houses fitted with the deadly ceiling insulation.

At least four other men are known to have died from asbestos-related disease after living in a Mr Fluffy home, and it is believed their families will be invited to lodge retrospective claims for financial support once the scheme is operational.

Despite the Mr Fluffy homes being "cleaned" during an expensive federal government program in the late 1980s, many of the houses remained contaminated with asbestos.

In 2014, the ACT government announced it would spend \$1 billion buying back and bulldozing the affected homes.

When Mr Wallner was diagnosed with mesothelioma at just 53 — about 20 years younger than the average age — his oncologist was puzzled.

"His first question to me was, 'Have you had exposure to asbestos?' And I said, 'I grew up in a Mr Fluffy home,'" Mr Wallner told the ABC last year.

"He looked a little blank at that point, so it was pretty obvious I think to me."

On the National Front

ASBESTOS CAMPAIGNER JAMES WALLNER DIES IN CANBERRA AFTER WINNING GOVERNMENT AID FOR MR FLUFFY VICTIMS

Source: ABC News - Craig Allen 8 May 2021

Aid announced in Mr Wallner's dying hours

Just two months ago, speaking to the ABC's 7.30, Mr Wallner feared his fight for a compensation fund might come "too late" for him.

The federal government confirmed the announcement of the asbestos support fund was rushed through, just hours before Mr Wallner was moved to a Canberra hospice.

His brother, Bruce, had broken the news to a critically ill James.

"He said, 'That's terrific, Bruiser. It's just a shame someone has to die,'" Bruce Wallner said.

Speaking after the announcement, ACT Labor senator and former ACT chief minister Katy Gallagher paid tribute to Mr Wallner.

"His story has really been so powerful in convincing Commonwealth officials that they needed to step up and help the ACT government with a fund like this."

Campaigner united two governments

The Mr Fluffy saga had been mired for years in political controversy, with neither the federal nor ACT governments prepared to accept legal liability for its effects.

The insulation had been installed in Canberra homes between 1968 and 1978, when the Commonwealth had responsibility for the ACT.

In 1989, when the territory was given self-government, the ACT government also inherited the homes contaminated with Mr Fluffy.

Today, the ACT government points out that the new financial assistance scheme is neither compensation nor an admission of liability.

For the families who will live with Mr Fluffy's grim legacy, the wording may be irrelevant.

But ACT Liberal senator Zed Seselja said this week that funding the scheme was about the Commonwealth "taking responsibility" for the mistakes of the past, when governments had ignored health warnings about asbestos products.

In the final few months of his life, Mr Wallner had managed to do what many before him had tried but failed: to get both governments to set aside politics and put the focus on those who would die from living in a Mr Fluffy home.

He could have simply accepted his deadly diagnosis and suffered in silence.

Instead, through his advocacy and agitation, he won a significant victory that will support victims of Mr Fluffy for decades to come.

In doing so, Mr Wallner dragged two government to a public acknowledgement that — regardless of any outstanding legal arguments — supporting those victims and their bereaved families is simply the right thing to do.

He is survived by his wife Linda and their two sons, Max and Charlie.



21 April 2021

The Hon Greg Hunt MP
Minister for Health
By email: greg.hunt@aph.gov.au

Andrew Barr MLA
Chief Minister – Australian Capital Territory
By email: barr@act.gov.au

CC: Wendy Black Wendy.Black@health.gov.au
Sam Develin, Sam.Develin@health.gov.au
Matt Mison Matt.Mison@act.gov.au

Dear Minister Hunt and Chief Minister Barr,

Re: "Mr Fluffy" – Mesothelioma Compensation

I am writing to you in relation to the sad case of James Wallner who has been diagnosed with mesothelioma. Mr Wallner was unfortunate to have grown-up in one of the more than 1,000 Canberra homes that had loose fill asbestos insulation installed by the company Mr Fluffy.

By way of background, the Asbestos Disease Support Society Limited ("ADSS") was founded in 1992 and is a registered charitable organisation which provides support for people living with asbestos related diseases and information to the community on the dangers of exposure to asbestos. ADSS has membership base of over 750 people – all have been "touched" by asbestos related disease in some way.

As you would be aware, mesothelioma is an aggressive and deadly form of cancer, which is extremely painful and has no cure. The average life expectancy following diagnosis is approximately 12 months. Most Australians who contract mesothelioma (about 750 per year) have done so as a result of workplace exposure and are able to access compensation. Mr Wallner did not contract mesothelioma from a workplace and therefore is not able to claim any statutory compensation and has been basically, left to fend for himself. All he did was live in a home – with deadly consequences.

In 1968, the ACT Health Services Branch, then a Commonwealth body, requested Mr Gersch Major, a physicist, to investigate the possible hazards that might arise from the installation of asbestos fibre insulation in houses in the ACT. The report warned that installing loose fill asbestos

insulation would lead to residents facing a potential hazard and suggested the government consider deterring or banning its' use.

Unfortunately, the report's warnings were ignored. Had those warnings been observed, Mr Wallner and others would not have not been diagnosed with mesothelioma. Consequently, ADSS considers that there is a moral responsibility to compensate Mr Wallner and other 'Mr Fluffy' mesothelioma victims.

In 2014, the Commonwealth and ACT governments worked together to buy back the 'Mr Fluffy' homes from owners – a bricks and mortar solution. ADSS is urging your governments to again co-operate to ensure that the human dimension of this issue is not forgotten and that Mr Wallner and other victims are properly compensated.

Your sincerely,


Trevor Torrens
General Manager

Around the World

LOS ANGELES JURY AWARDS \$4.8 MILLION IN MESOTHELIOMA CASE AGAINST OLD SPICE TALC SUPPLIER WHITTAKER CLARK & DANIELS

Source: PR Newswire Wednesday 28 April 2021

The Worthington & Caron Law Firm is pleased to report that on April 15 and 16, 2021, a Los Angeles jury returned verdicts totaling \$4.8 million in favor of our client Willie McNeal Jr. in a case entitled McNeal Jr. vs. Whittaker, Clark & Daniels (Los Angeles Superior Court Case Number BC698965).

The fact that Mr. McNeal's case was the first civil jury trial in L.A. County since the onset of the pandemic a year ago, rank this as an especially hard-fought victory. Mr. McNeal, a 78-year-old Vietnam veteran, retired school bus driver, and current grandfather, was diagnosed with cancer in 2017. Mr. McNeal's cancer, malignant pleural mesothelioma, is the "signature" cancer caused by asbestos.

Through his legal counsel, Worthington & Caron, PC and Simon Greenstone Panatier, PC, Mr. McNeal filed a lawsuit against several companies responsible for the products involved in Mr. McNeal's asbestos exposures. After three years of litigation, including lengthy delays resulting from the COVID-19 pandemic, Mr. McNeal's case was resolved against all defendants except for one, longtime talc supplier, Whittaker, Clark & Daniels ("WCD").

Mr. McNeal used Old Spice powder as part of his daily personal care routine for 22 years. Like other consumers of talc-based personal care products, such as baby powder, cologne or perfume-scented powder, powdered makeup, and medicated powder, Mr. McNeal had no idea that the cooling, comforting product was exposing him to toxic asbestos. Trial attorneys Stuart Purdy and Tyson Gamble presented evidence that the Old Spice powder favored by Mr. McNeal contained talc from WCD's North Carolina mine, known to be contaminated with asbestos. On April 15, the jury found WCD's talc to be a substantial cause of Mr. McNeal's mesothelioma and awarded over \$1.8 million in compensatory damages. The following day, the jury awarded an additional \$3 million in punitive damages as "punishment" for WCD's disregard for Mr. McNeal's safety and well-being. Despite the unprecedented challenges of seeking justice during a pandemic, we are proud of Mr. McNeal's victory and will continue our efforts to hold asbestos talc manufacturers and suppliers accountable for their role in causing harm.



Around the World

JOHNSON AND JOHNSON ASK FOR SCOTUS TO THROW OUT \$2 BILLION PAYMENT

Source: Associated Press and Mansur Shaheen For Dailymail.Com - 1 June 2021

Johnson & Johnson is asking the U.S. Supreme Court to throw out a \$2 billion verdict in favour of women who claim the company's baby powder played a role in them developing cancer. The 22 women who filed a lawsuit against J&J were initially awarded \$4.7 billion in 2018 in a state court in Missouri. They alleged that the talcum-based baby powder led to ovarian cancer. A state appeals courts slashed \$2.7 billion off the payment, but J&J hopes the rest will be thrown out as well.



Johnson and Johnson claims that the way the lawsuit was structured was unfair to the company, as attorneys had to argue multiple situations in one suit. The company has since stopped selling their talcum-based powder in North America, now only selling the cornstarch-based version.

Talc is a mineral similar in structure to asbestos, which is known to cause cancer, and they are sometimes obtained from the same mines. Last year, a U.S. led analysis of more than 250,000 women found no strong link between talc and ovarian cancer. The study's lead author called the results 'ambiguous' though, saying there are no conclusive results to be drawn from the analysis. The cosmetics industry in 1976 agreed to make sure its talc products do not contain detectable amounts of asbestos.

Talc has also been linked to mesothelioma, with Vanderbilt Minerals paying out a settlement for their use of the chemical to a tile worker who developed cancer after working for the company in 2018.

Why could Talcum powder be dangerous?

Talcum powder is made of finely ground talc, a mineral which forms underground as a clay-like rock. It is often mined from the same place as asbestos, a mineral known to cause lung disease. While talc is used for the skin due to its softness and moisture-absorbing properties, asbestos was used for insulation.

Non-contaminated talc is completely safe but, if it is tainted with asbestos, there is a risk it could be damaging to health. In the past, tests have shown traces of asbestos in talcum powder products.

About eight out of 10 people with mesothelioma - a type of lung cancer - have been exposed to asbestos. When asbestos fibres are breathed in, they travel to the ends of small air passages and reach the membranes of the thorax and lungs. They can cause inflammation and scarring, damage cells' DNA, or cause changes that result in uncontrolled cell growth. If swallowed, these fibres can reach the abdominal lining, where they can cause mesothelioma.

Ovarian cancer is another cancer asbestos is believed to be linked to, and is at the heart of Johnson & Johnson lawsuits in which women have claimed talcum powder has given them the cancer. In some cases they have won and received million-dollar payouts from the company. It is not clear why or how asbestos travels to ovarian tissues. Last year J&J recalled 33,000 bottles of its baby powder after the U.S. Food and Drug Administration found traces of asbestos in bottles purchased online.

A 2018 investigation by Reuters found that the company had known its baby powder contained the chemical for decades, with the earliest record being from the 1950s. J&J denies that its talc products cause cancer and it called the verdict in the Missouri trial 'at odds with decades of independent scientific evaluations confirming Johnson's Baby Powder is safe, is not contaminated by asbestos and does not cause cancer.'

Tiger Joyce, president of the American Tort Reform Association, pointed to how long it took the trial judge to read the jury its instructions as an indication of how unfair the trial was to J&J. 'When a defendant is facing a case where it takes over five hours for the judge to read the jury instructions to the jury, you just have to ask yourself what are we doing here,' said Joyce. The American Tort Reform Association often backs limits on liability lawsuits.

The \$1.6 billion in punitive damages is out of line and should be reduced, the company also argued in a brief that was written by Neal Katyal, a Washington lawyer who aligns with progressive causes and also represents corporate clients. Katyal, who was the acting top Supreme Court lawyer in the Obama administration, declined an on-the-record interview with the Associated Press.

The U.S. Supreme Court will report by Tuesday whether or not it will take part in the case. If it does, Justice Samuel Alito will not be taking part in the court proceedings for this case. The justice reported that he owned \$15,000 to \$50,000 in Johnson & Johnson stock last year. Federal law prohibits judges from sitting on cases in which they have financial interest.

Media Article

DISGRACEFUL DISREGARD FOR SAFETY IN ASBESTOS WORK SAFETY FINE

Source: The National Tribune 23 Apr 2021

A house painter's failure to protect his workers and the public from asbestos has been labelled disgraceful by a Brisbane magistrate.

The defendant recently was fined \$3000 after pleading guilty to three charges in the Brisbane Magistrates Court. The charges related to breaches of Queensland's workplace safety laws by failing to ensure the health and safety of others and directing or allowing a worker to use a high-pressure water spray on asbestos or asbestos containing material. He also was penalised for not complying with an improvement notice, with the \$48,291.09 cost to clean and make safe the property and its neighbours left to the Queensland Government.

The court heard that the defendant breached the Work Health and Safety Act 2011 and regulation while painting a Norman Park house, which he was aware contained asbestos. He also did not hold a current QBCC trade contractor's licence after failing to renew. Work commenced on 21 February 2019 when witnesses saw a worker cleaning the roof using water and a subsequent 'muddy splotchy' substance adhering to a neighbour's external wall.

In response to complaints, Workplace Health and Safety Queensland inspectors found that the roof was corrugated asbestos cement sheeting.

Testing revealed asbestos contamination caused by high-pressure water spray blasting of the roof. The defendant received an improvement notice to make the property safe and ensure all asbestos was contained, labelled and disposed of, which did not happen.

In sentencing, Magistrate Michael Quinn observed the seriousness of the offending, particularly as the safety of the community was put at risk. Magistrate Quinn was of the view that the defendant's conduct was very close to a wilful disregard of his duties and responsibilities.

Note:

Low density asbestos fibre board (LDB) will be classed as a friable asbestos containing material from 1 May. LDB is a lightly compressed board which looks like cement sheeting or plasterboard but crumbles easily (friable) and can release asbestos fibres into the air. A class A licensed asbestos removalist must be engaged to remove LDB from a property.



Media Article

ASBESTOS FOUND AT MORE THAN 100 QUEENSLAND SCHOOLS AND THE SEARCH IS STILL UNDERWAY, EDUCATION MINISTER REVEALS

Source: ABC News



*Provided by ABC News Asbestos was extensively used in Queensland buildings prior to the 1990s.
(ABC News: Clarissa Thorpe)*

Asbestos has been removed at more than 100 Queensland state schools in the past financial year, costing the state government more than \$6.5 million to extract the hazardous material.

The new data was revealed in a response from Education Minister Grace Grace to a Question on Notice tabled in Parliament.

Ms Grace said in her response the safety of students, staff and visitors was the department's highest priority.

The state government spent \$6,547,103 to remove the asbestos from 112 schools in the past financial year between 2020 to the end of February 2021, with the most expensive removal work conducted at Maryborough Special School, at a cost of \$410,594. This was followed by removal expenses of \$364,594 at Tagai State College's primary campus on Thursday Island, and \$351,933 at Mount Isa Central School.

To remove asbestos, the Queensland government spent \$12,505,970 across 197 schools in 2019-2020, \$11,356,197 across 165 schools in 2018-2019, and \$16,272,283 across 225 schools in 2017-2018.

Spending on asbestos audits across public schools totalled \$899,141 for the financial year to February. Audits cost \$1,854,410 in 2019-20, while in 2018-2019 the figure was \$1,607,984 and in 2017-2018 they cost \$1,574,230.

Last month, ABC Radio Brisbane revealed there had been an asbestos breach at Sunnybank State High School last year when air-conditioning was being installed, but parents and students were only notified seven weeks later.

In a response to questions from the ABC last month, the Education Department said within an hour of receiving advice of the incident, a clean-up crew and hygienist were dispatched to the school to begin a decontamination process, and that the Sunnybank air-conditioning contractor had been suspended. In her response to the Question on Notice, Ms Grace said asbestos-containing material (ACM) was commonly used in building products until the late 1980s.

"As many Queensland schools were built before 1990, it is not uncommon for ACM to be present in these facilities. It is important to know that ACM that is in good condition and left untouched is relatively low risk," Ms Grace said in her response.

"To ensure the safety of students and staff, the condition of ACM in departmental facilities is monitored closely through asbestos audits conducted by the Department of Energy and Public Works, QBuild."

The response said remediation and removal of ACM continued.

LNP education spokesman Christian Rowan said the safety of Queensland state school staff, students and parents must be the highest priority for the state government.

"Any incidents of potential asbestos exposure, particularly with the installation of air-conditioning or solar panels in Queensland state schools, must be immediately investigated with remedial actions implemented and communicated in an open and transparent manner," he said.

2021 ADSS MORNING TEAS

WARWICK - 29 JUNE

REDLANDS - 12 JULY

GLADSTONE - 27 JULY

BUNDABERG - 28 JULY

HERVEY BAY - 29 JULY

GYMPIE - 30 JULY

LOGAN - 26 AUGUST

NORTH LAKES - 23 SEPTEMBER

IPSWICH - 14 OCTOBER

ADSS SYMPOSIUM - 20 OCTOBER

GOLD COAST (CURRUMBIN) - 28 OCTOBER

REDCLIFFE - 9 NOVEMBER



Support Groups

Social groups play a big role within the Society and were set up with the aim of bringing people together who are affected by asbestos related diseases. It is a space for people to share experiences in a safe environment. Below is a list of the Society Support Groups, where and when they meet. (February - November)

Bundaberg - 1st Wednesday of the month, 9.30am, Bundaberg & District Neighbourhood Centre

Chermside - 1st Thursday of the Month, 9.30am, Kedron Wavell Services Club (Cafe)

Hervey Bay - 2nd Wednesday of the Month, 9.30am, Hervey Bay Neighbourhood Centre

Sunnybank - 2nd Friday of the month, 9.30am, Sunnybank Hills Library

Gold Coast - 17 June, 16 September & 18 November, Parkway Robina Cafe, 361 Robina Parkway, 9.30am

Rockhampton - 3rd Thursday of the month, 9.30am, Rockhampton Leagues Club (Cafe)

Ipswich - 4th Tuesday of the month, 10am, Ipswich Brothers Sports Club

Sunshine Coast - 23 June, 27 October & 27 November, 9.30am at Maroochydore RSL (Cafe)

We encourage you to come along and meet with other people affected by asbestos disease. It is an opportunity to catch up over a cup of tea or coffee and morning tea and to share experiences and make new friends.

Contact the Society for further information - 1800 776 412



The Society at Work



16.4.21 - Gold Coast Morning Tea



20.4.21 - Ballina Morning Tea



28.4.21 - International Workers Memorial Day



3.5.21 - May Day



3.5.21 - May Day



3.5.21 - May Day



5.5.21 - Kingaroy Morning Tea



12.5.21 - Chermside Morning Tea



12.5.21 - Chermside Morning Tea



12.5.21 - Chermside Morning Tea



12.5.21 - Hervey Bay Support Group



14.5.21 - Sunnybank Support Group



17.5.21 - Darwin Members



20.5.21 - Rockhampton Support Group



24.5.21 - Cairns Morning Tea

The Society at Work



24.5.21 - Cairns Morning Tea



25.5.21 - Townsville Morning Tea



25.5.21 - Townsville Morning Tea



25.5.21 - Ipswich Support Group



26.5.21 - Mackay Morning Tea



26.5.21 - Mackay Morning Tea



27.5.21 - Rockhampton Morning Tea



27.5.21 - Rockhampton Morning Tea



27.5.21 - Rockhampton Morning Tea



27.5.21 - Rockhampton Morning Tea



27.5.21 - Rockhampton Morning Tea



14.6.21 - Beaudesert Morning Tea



14.6.21 - Beaudesert Morning Tea



16.6.21 - Meg's Farewell



17.6.21 - Rockhampton Support Group

Get to know our Corporate Members

Turner Freeman Lawyers

Turner Freeman Lawyers are a national plaintiff law firm with a proud history of over 65 years acting for and protecting the rights of injured people. Our Legal Services include Personal Injury Law, Asbestos Disease Compensation, Hearing Loss, Institutional Abuse, Superannuation, TPD, Wills and Estates and Insurance. We are Australia's largest and most experienced asbestos litigation firm and our years of experience in each field have helped us build long-standing relationships with some of the best medical and rehabilitative support professionals around. We focus on building a strong and trusting relationship with you and listen to your needs. Our philosophy of long term commitment also encompasses our clients, many of whom have been with us for decades and appreciate the personalised service and attention to special needs. Our ultimate aim at Turner Freeman Lawyers is to use our legal expertise to give quality of life back to those who have experienced hardship. Whether your hardships have been physical or emotional, sudden or ongoing, we are standing by to give you the assistance you need. If you have any questions about your current situation or require further information please call us on 13 43 63 or fill in our online enquiry form.

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CTC - The Construction and Training Centre

The Construction Training Centre in Salisbury is dedicated to furthering the development of the Queensland building and construction industry. Since 1994 it has continued to grow and diversify to meet the progressive needs of the industry, and a well respected 'resource hub' and community for the people and organisations within the industry has evolved. Only through collaboration among all our stakeholders and progressive leadership will the centre continue to thrive and achieve our mission.

The Construction Training Centre is the trading name of CISC Pty Ltd. CISC Pty Ltd is the trustee for the Queensland Construction Industry Skill Centre Fund. It has two shareholders – the Director General of Education & Training representing the Queensland Government and the Queensland Construction Training Fund (QCTF) representing the Queensland construction industry.

Our Vision is "building skill solutions".

Our Mission is to enable people to acquire the skills they need for the future and to develop the Queensland building & construction industry with the highest quality workforce.



Get to know our Corporate Members

Gumdale Demolition Pty Ltd

When it comes to demolition, experience matters. If you need a structure removed and cleared, our highly skilled and experienced demolition team will deliver the quickest, most economical solution. Trust the experience and professionalism of the company with a reputation spanning 25 years.

Quality performance

We deliver the highest quality of demolition work on projects of any size.

Affordable rates

We pride ourselves on our integrity, offering exceptional service at a great price.

Complete project management

We take care of the entire project, from the initial site visit through to full clean-up.

Professional service

We go above and beyond for our clients to deliver your project safely, on time and on budget.



X Vend – Vending Solutions

At Xvend we pride our business on delivering a high level of reliable service and management to our clients by using industry leading technology and extensive product ranges. Since establishing in 2012 Xvend has grown to be a leader in contactless, unattended convenience solutions for workplaces, constructions sites, government and education precincts and public domains.

From humble beginnings using traditional can only drink machines to embracing technology with the use of industry leading combination snack / drink vending machines and contactless payment systems. Xvend continues to grow and move with the times and our client's diverse needs. Xvend offers a high level of service and management and the very low cost of \$0 to the customer. Our dedicated team manages every site individually, we never have a standard product layout and cater to each client's specific convenience needs. We aim to give a high level of satisfaction and stress free experience to our clients.



Get to know our Corporate Members

Allens Industrial Products Pty Ltd

WHO ARE ALLENS?

- Allens is a privately owned & independently operated Specialist Industrial Supply Company
- Allens is well established since July 2000 with branches & warehouses in Brisbane, Sydney & Melbourne
- Allens has 1000's of long term customers including household name national brands & companies
- Allens supplies Australia wide, with an unwavering focus on service as our No.1 priority

WHO ARE ALLENS?

- Asbestos & hazardous dust equipment, safety & consumables
- Safety footwear & work boots
- Industrial work wear, hi visibility uniforms, polos and corporate wear
- Specialised safety apparel, Flame retardant / Arc safe / Chemical resistant
- PPE – Personal Protective Equipment Including: head & face, eye, hearing, hand, respiratory, sun & skin, hydration, electrical, welding.
- Workplace safety equipment Including: height safety, safety signs, barricades, road safety, first aid, lockouts, spill response, fire & site safety, safety eye wash & showers.
- Industrial Matting – Occupational skin care – Electrical safety
- Commercial and industrial vacuums and industrial cleaning equipment
- Cleaning chemicals and janitorial products
- Washroom paper, industrial wipes and cloths
- Catering / packaging / promotional products



Aztech Services Australia Pty Ltd

Aztech Services specialise in providing asbestos remediation solutions to organisations throughout Australia.

We employ a large team of asbestos removal technicians and supervisors who are highly trained and experienced in all forms of asbestos removal. Aztech Services owns and operates a large, modern fleet of vehicles including fast response service vehicles and EPA certified tippers and skip trucks, ranging from one to 40 cubic metres.

Our experienced management team brings together a wide range of skills from a number of different industry sectors. We understand that asbestos can impact a business in a number of ways including; lost production, staff and community concerns and cost. Our aim is to mitigate these issues, and through extensive client consultation, provide a safety-based, innovative, practical and cost effective asbestos removal solution.



Get to know our Corporate Members

Future Skills

Future Skills is an industry trusted Registered Training Organisation (RTO) specialising in electrical apprentice, post-trade electrical and work health and safety (WHS) training. We deliver training across Queensland (Qld) and the Northern Territory (NT). Future Skills also provides in-house accredited training across many industry sectors. Our Brisbane public courses are delivered at the Construction Training Centre (CTC), Salisbury.

Our courses are generally offered as public courses which are advertised in advance, or we are happy to arrange in-house training courses delivered by our experienced trainers and assessors, and customised to meet the needs of particular enterprises, businesses or industry sectors.

You can also register on our website database and indicate the types of training programs and qualifications you are interested in and we will contact you by email or phone when a course is available in your area.



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Joanne Madgen – Director – jo@hypepromotions.com.au
Joanne (answers to most things however prefers Jo) has been a part of the Industry for over 25 years with her wealth of knowledge she will be able to help with any query. Jo enjoys building strong relationships with her clients and suppliers and makes the impossible magically happen, if in doubt, Jo is the GO TO lady!

Fred Madgen – Director – fred@hypepromotions.com.au
Fred has been apart of the Industry for 10 years. He enjoys the challenges the industry brings and is dedicated to serving and building relationships with his clients.



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Thanks to QLD Health for providing funding to ADSS to help carry on our services.

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The contact details for all our corporate sponsors and corporate members are available by ringing the ADSS office on 1800 776 412

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We thank all members for their ongoing support.

