

QUEENSLAND BRANCH NEWS

NEWSLETTER of the QLD Branch of the MARITIME UNION of AUSTRALIA

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To be truly radical is to make hope possible, rather than despair convincing - Raymond Williams No. 141 – 27 July 2018

Changes in the Branch and the Fight Ahead – Nile River Report Back – Lashing - Workplace Surveillance - Three Stevedores Lose Lives from Oxygen Depletion - Superman: Death Benefit, What Happens? – Book Review

Changes in the Branch and the Fight Ahead

by Branch Secretary - Bob Carnegie

SINCE THE ELECTION of Paul Petersen to Assistant Branch Secretary I have made some changes to work sites Officials look after.

I have replaced Paul Petersen in Gladstone with myself. Paul has done a good job in Gladstone however he has heavy work commitments in Brisbane particularly with the Hutchison EBA about to be renegotiated.

Gladstone holds a particular relevance for the Branch and is a key area in the Branch plan to breakthrough with Rio Tinto.

Jason Miners has been given the primary position of looking after DP World to be assisted by Paul Petersen. DP World are also beginning their EBA discussions in September and Jason's experience in doing the Patrick's EBA will hold him in good stead in these discussions.

I appreciate the support I received from members at DP World over the last three years and did my very best to defend and look after the interests of every member.

As your Branch Secretary I'm going to be very involved in the lobbying and creation of jobs in both the seagoing areas and already it is bearing fruit. This will be time consuming and difficult but also enjoyable.

We have moved 10 members off the data base and onto employment with Dredging International. This was by direct negotiations with the company and the Branch.

Come along to the Branch Monthly Meeting on Tuesday and hear the story.

Unlike many in a position like mine, I know how devastating long periods of unemployment can be. I know about the depression it brings on, the frustration and sense of personal failure. It's why I fight so hard for jobs for our members.

In the Cruise industry I will be working closely with Comrade Cain, Mark Jones, Paul Keating and other comrades in our quest to breakthrough in this massive industry. It was the major reason I travelled to the USA and attended the South Atlantic and Gulf Ports Convention. I was treated like a long lost brother by both the rank and file and leadership of the ILA at the South Atlantic and Gulf Ports Convention.

The International President of the ILA, Harold Daggett, is a tough, no nonsense leader with a heart of gold who I can proudly call him a friend and fellow worker.



Allan Robb, the president of the South Atlantic and Gulf Ports area was simply outstanding. An understated, two metre tall Texan. His daughter spent a year in Brisbane so there was an instant connection.

Dennis Daggett, one of the ILA's international VP's is one of the most impressive young union leaders I have ever met. A serious, intelligent man. He and the leader of the IDC, Jordi Aragunde (a great friend of the Queensland Branch) make a formidable pairing and are great mates.



Dennis Daggett

It will be through working class leaders like these in the ILA and the ILWU and the IDC that doors will be opened for us in the Cruise Campaign BUT for us to succeed our membership must become more active. There are hundreds of potential, long term, good jobs for the taking if we are prepared to fight.

LET'S UNITE AND FIGHT!

Authorised by Bob Carnegie, Maritime Union of Australia (MUA) Queensland Branch Secretary

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Nile River Report Back

THANKS TO QUEENSLAND ALP State Government legislation and local community insistence, dredging work for Maroochydore airport extension will begin around late July/early August. MUA Queensland Branch Secretary, Bob Carnegie and Deputy Branch Secretary, Jason Miners head the negotiations for the dredging industry for the Branch and ensured the future employment of ten Queensland MUA members for this project. Bob and Jason were able to extract this significant number after heated discussions and insistence with Dredging International Australia (DIA).

Six of the total of twelve Queensland MUA workers were assigned to join the ship and flew up and joined the DIA trailing suction hopper dredge, *Nile River* in Singapore on Monday 2nd July.



Luckily the delay in some critical work in the dry dock saw us not actually joining till Wednesday, where we still had finalising DD work to complete before departure on Sunday 8th July. Like all dry docks it is a busy time for all, particularly new MUA members to the dredging industry and many of us who had been unemployed for quite some time. This vessel was a very welcome appointment and as usual finding your way around is a task of its own.

Many of the deck/engine crew had been regular/irregular employees of DIA and came from various MUA Branches in Australia, as was the case for two out of four caterers. It was pretty apparent to us that we were undermanned in our sector and discussion led for a need to communicate that to the Skipper and other DIA personnel. Of course, those concerns were passed onto Bob Carnegie and Jason Miners, who were going to meet up with the Company the following Monday. We held our first MUA meeting a few days later, with appropriate positions of Deck Delegate, RF, Minute Secretary, and Caterers' Delegate all elected and accepted.

Company to Union discussions and outcomes by the Queensland Branch had been forwarded to us and reported at the full meeting that Bob had secured great breakthroughs during those negotiations and had agreement for an additional Day Cook for both swing periods on the project, additional three MUA members on the database to assist with stores on arrival Brisbane and

an increased MUA presence on the service vessel for the duration of the project was also a new achievement. These extra positions helped struggling MUA members on the database and unemployed, providing work in both the vessels for project time and on the shore-gang to assist with storing. This was also a first after strong determination by Bob, Jason and the Branch.

Arrival Brisbane saw the usual activity, tie up, customs, immigration and quarantine processes. We expected a lot of perishables and dairy products to be rejected and dumped, but believe some items were a little over the top. Luckily new stores were arriving that day (July 19th). The failure to provide the agreed full three R&F Queensland Branch members to assist in the storing, saw heavy intervention during the discussion with Delegates and Branch, by Bob who was in the USA at an ILA/IDC conference. Bob's intervention at USA 01.30am local time ensured the agreed number were supplied. Everything went well in loading the replenishment stores, and the satisfaction of knowing that we had helped our comrades on the database who were provided with a day's work and pay, as they continue to struggle during these difficult unemployment periods.



Acting Branch Secretary, Jason Miners attended the vessel and reported to the MUA members during that busy period. Members who attended agreed with Jason's assessment that with all that had been achieved, it was a breakthrough and provided struggling MUA members with work for the day and those who would be appointed to the vessel during the Project time.

We left Pinkenba wharf around 10.30pm that night and headed out to anchor to await the orders to proceed from the client, John Holland and the Local Government who were behind the project to provide enough back fill to extend the building of a second runway for Maroochydore airport on the Sunshine coast. We are still at anchor at the moment, but it is nice to be 'home' in Australia, watching the sun come up and go down off Redcliffe Peninsular each day, as we wait for the Project to start.

Everyone is very friendly, cooperative and works in well in a sector where things are raised and resolved pretty quickly with issues aboard and personnel links

ashore. We are looking forward to getting our teeth into the project in the time frame allotted. Most swing off this first swing late July/early August. More reports at the next Branch Monthly Meeting. Thanks are extended naturally to the Queensland Branch Officials for all they have achieved with management at DIA and feel certain that handover time will be as smooth and easy as it has been aboard to date.

Mike Barber Queensland Branch Member, Caterers Delegate, Nile River

Workplace Surveillance

THE QUEENSLAND BRANCH fully supports this enquiry and is demanding that the 'Orwellian' nature of the workplace, particularly on the wharf, is rebalanced so the rights of working people are considered and not just management who, on the balance of probabilities, use workplace surveillance not as a tool for prevention of accidents but for behavioural modification. *Bob Carnegie*

Workplace surveillance to be scrutinised: Minister

Sourced from: www.workplaceexpress.com.au

The Queensland Law Reform Commission will examine the need to strengthen legislation around the use of surveillance devices and technologies in the public sphere and the workplace.

Announcing the review, State Attorney-General and Minister for Justice Yvette D'Ath said: "Each and every day we are seeing advances in smartphone technology, drone capability as well as tracking and data surveillance devices.

"This begs the question whether the right balance is in place between protecting the privacy of Queenslanders and the legitimate use of these technologies.

"The QLRC will examine ways to achieve this balance as technologies become increasingly sophisticated."

D'Ath said Queensland's [Invasion of Privacy Act 1971](#) included a number of offences relating to the use of listening devices to monitor, listen to or record a person's private conversations, but the Act did not regulate optical, tracking or data surveillance devices.

"Often a person will need to rely on offences contained in the [Criminal Code Act 1899](#) or common law actions such as trespass and nuisance to bring action against the misuse of surveillance devices and technologies," she said.

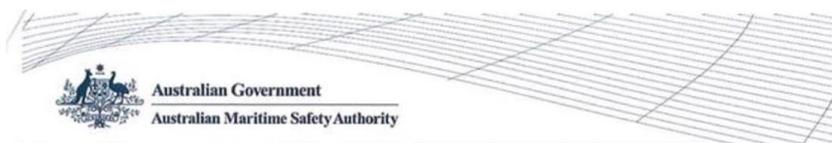
"This is why the QLRC will explore the adequacy of the laws and consider whether there is a need for specific legislation that covers all aspects beyond just listening devices."

Confirming that the QLRC's review would include the use of surveillance devices in workplaces, D'Ath said employer used optical surveillance, data monitoring and tracking devices "for a number of legitimate reasons, including to ensure employee health and safety, protect property from theft and damage, prevent fraud and monitor employee performance".

"However like any other surveillance, it is vital this is considered against an employee's reasonable expectation of privacy.

"We need to ensure legislation strikes the right balance." The reviews of civil surveillance and workplace surveillance will not cover the already-regulated use of surveillance devices by law enforcement agencies. The QLRC's report on civil surveillance is due by July 1 next year, and on workplace surveillance by June 30, 2020.

Lashing is Wharfies Work – Be Vigilant



Date: 1 March 2018

To the master:

Re: CARGO SECURING

Dear Captain,



The purpose of this letter is to clarify AMSA's position in relation to securing of cargo and the importance of ensuring all cargo is fully secured before leaving the berth.

As you are no doubt aware, both SOLAS and Australian legislation requires that:

"Cargo, cargo units and cargo transport units carried on or under deck shall be so loaded, stowed and secured as to prevent as far as is practicable, throughout the voyage, damage or hazard to the ship and the persons on board, and loss of cargo overboard."

It has come to our attention that some masters have recently been allowing their vessels to depart the port of Melbourne with the intention of either completing the securing of cargo whilst traversing the bay; or some other point en-route to the next port.



Please be aware that unless cargo is fully secured prior to departure, AMSA cannot consider a vessel to be seaworthy.

As you are probably aware, AMSA takes a very strong position in relation to unseaworthiness and have no hesitation in detaining vessels failing to comply with the above should it be necessary.

Please also be aware that s94 of the *Navigation Act 2012* requires:

94 Employment of seafarers in loading and unloading

- (1) A person must not employ a seafarer at an Australian port in handling cargo in connection with the loading or unloading of a regulated Australian vessel or a foreign vessel:
 - (a) if sufficient shore labour is available; or
 - (b) if sufficient shore labour is not available—other than in accordance with any requirements prescribed by the regulations.

Fault-based offence

- (2) A person commits an offence if the person contravenes subsection (1).

Penalty: 100 penalty units.

Civil penalty



Three Stevedores Lose Their Lives – Oxygen Depletion

Could members please read this article. This horrible tragedy highlights the dangers of stevedoring.

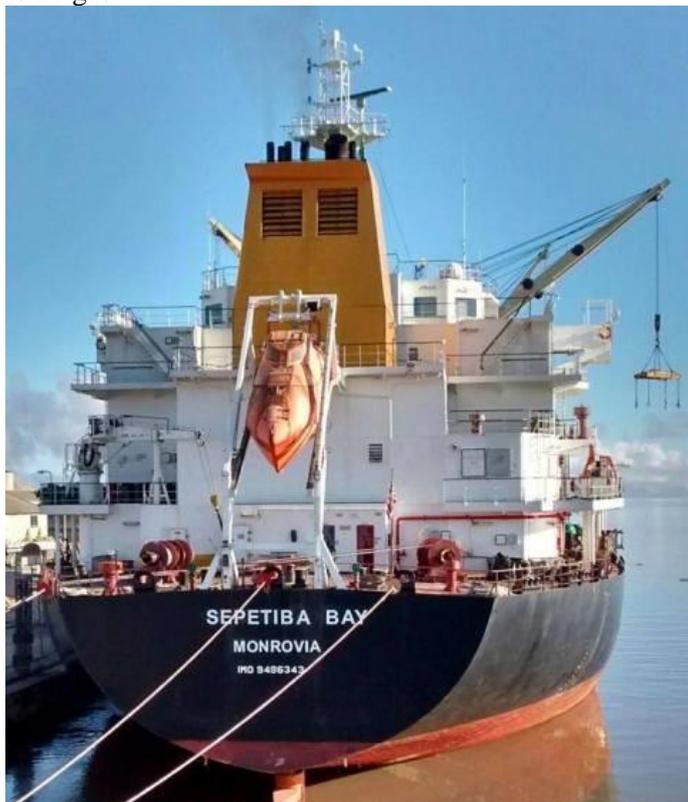
Bob Carnegie

THREE LONGSHORE WORKERS died today aboard MV SEPITIBA docked at the Protocol facility in the State of Espirito Santos, Brazil, in what appears to be an oxygen depletion/deficiency circumstance within a hold of that vessel, which was carrying a cargo of eucalyptus logs. The text of the article appearing in the Logistica Portuaria blog is presented in Portuguese. We offer a rough translation:

The Dark Side of Port Hazards - 24 July 2018

Severe accident in the port complex of Vitoria do Espirito Santo in Portocel, in the bar of the river at the Port of Aracruz has tragic end for 3 families of the State of Espirito Santo.

The stevedores boarded the ship M/V SEPITIBA BAY docked in Berth 102 around 12: 25, for the discharge of eucalyptus logs from the port of Rio Grande. They entered the lower hold of the ship. When arriving there one of the dockers attempted to pick up equipment and felt a strong odor and then came to passing out with a toxic gas.



Three other stevedores went to meet his friend and to help him after passing out. The rest of the suit to see the situation ran after rescue, behind oxygen mask and tube for the rescue that of beginning was provided by the crew soon was attended by the equipment of the Portocel.

The firemen arrived at the place count made the rescue following the protocols, the four stevedores sending them to the hospital.

The ship was evacuated and the Activities of Portocel are paralyzed after an accident in the basement.

Unfortunately three died and the fourth remains hospitalized in serious condition in the Hospital. The causes of the accident are being investigated by the terminal's health and safety team, fire brigade and area-related technicians.

Our sincere condolences to the TPA family, Adenilson S de Carvalho, Clovis Lira da Silva, Luiz Carlos Milagres.

Cargoes of logs stowed below deck can rapidly deplete the oxygen content of the space they are stowed within.

That's why it's so important to allow such spaces to air out (through natural or forced ventilation) and to take

tests in order to ascertain oxygen content before entering those spaces.

Superman - Death Benefit Nominations: What Happens to Your Super?



Typically, 30-40% of super members don't have a death benefit nomination in place – are you one of the 40%?

Super is one of the biggest investments you'll probably ever have. In fact, for many of us, after the family home it's our second-largest asset! Because it is such an important asset, there are decisions you need to

make about your super (the most important probably being how to invest it) – but another important decision is to work out who receives your super if something happens to you.

Unlike your other assets, super doesn't automatically form part of your estate – in other words, it's not distributed as part of your will. Just as you nominate beneficiaries in your will, you need to do the same with your super.

It's not a topic that we like to think about, but the fact remains that writing down your wishes for your super should be a priority – especially if you have dependants. Unfortunately, one in three people fail to provide instructions regarding their super, which can cause their beneficiaries even more stress and uncertainty at an already difficult time.

If you're worried about how your super will be distributed on your death, a properly executed binding death benefit nomination can give you peace of mind.

Who can receive your super?

Your death benefit (which consists of your super plus any life insurance cover you have in place) can only be paid to your dependants or your personal legal representative (to form part of your estate).

There's often confusion about what a 'dependant' is - under super law, a 'dependant' is:

- your spouse (including an opposite or same-sex de facto partner)
- your children
- anyone who is financially dependent on you; and
- anyone with whom you share an interdependency relationship.

Types of nominations you can make

You have two options:

1. you can make a binding beneficiary nomination, which lets you determine with some certainty who receives your death benefit (as long as it's valid at the time of your death); and
2. you can make a non-binding beneficiary nomination, which identifies your preferred beneficiaries, but it is not binding and will be used as a guide only when distributing your death benefit.

What happens if you don't make a nomination?

If you don't make a nomination, it's left up to the Trustee to decide who will receive your death benefit, based on your circumstances at the time of your death.

How to nominate

Visit our website at www.maritimesuper.com.au and go to the 'Forms' page to download a copy of either the binding or non-binding beneficiary nomination form. Alternatively, you can make a non-binding nomination online by visiting our logging in to your Member Online account.

If you're unsure, give Member Services a call on 1800 757 607 and they'll help you get sorted.

Learn more about beneficiary nominations

It's worth taking advantage of the many resources available to you to learn more about death benefit nominations:

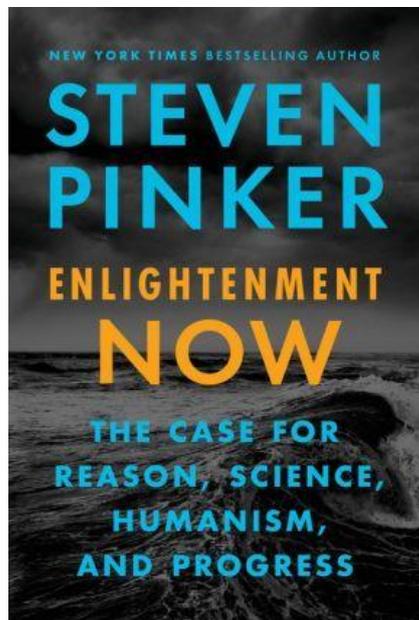
- read the fact sheet about death benefit nominations available from our website
- watch the video 'Who'll get your super' available from our website;
- ask a financial planner for advice regarding super and estate planning – call 1800 757 607 to make an appointment with a financial planner.

Book Review

Enlightenment Now: The Case for Reason, Science, Humanism, and Progress by Steven Pinker

Review by Melissa White

EVERY GENERATION HAS a tendency of believing



the world is going to hell, of believing that moral and cultural standards are falling, of suspecting that what comes later is invariably worse than what came before. But our own age is marked by histrionic prophecies of doom, the belief that an inevitable malignant dystopian future follows and by profound cultural pessimism and

voluntary disenfranchisement by young people. The author tries to get to the bottom of all this and to examine and disprove the prevailing easy willingness to wreck the "precious institutions of liberal democracy and global cooperation". Steven Pinker, a Professor of cognitive psychology at Harvard, attempts to explain the reasons the 'Zeitgeist' is very distorted and so wrong.

In approximately 70 graphs, Pinker demonstrates that

the human race has improved steadily on important indices of progress and life satisfaction – life expectancy, child mortality, famine, calorie intake, poverty, sustainability, pollution, social spending, death by war, genocide, homicide, suicide, hate crime, education, leisure time, life satisfaction – and attempts to prove that it is simply untrue that the human race is headed for deterioration and decline. The opposite is true. The incremental but undeniable improvements of the human lot are due to Enlightenment ideas prevailing over large parts of the world and gaining traction in human sensibility. He argues that the Enlightenment principle that we can apply reason and sympathy to enhance human flourishing is no longer obvious, trite or old-fashioned. We take the gifts of Enlightenment thinking for granted, almost as if we've forgotten them: that we will live for many more decades, that markets overflow with food, that clean water is available on tap, that medicines cure us, that young people are not slaughtered in wars, that we walk the streets in safety, that when we criticise the authorities we are not jailed or shot, that important human accomplishments are available on a device in your shirt pocket.

The book is embarrassingly politically naïve, equating both fascism and socialism with the enemies of reason, and the author pays absolutely no mind to the actual struggle between classes to wrest social advances from one another. But the author does try to explain that cognitive biases are such that to make public discourse more rational, issues should be depoliticised as much as is feasible. The book also makes for repetitive reading at times because Pinker's conclusion is a foregone one. Nevertheless it was interesting to read such an emphatic positive endorsement of scientific literacy, truth in reporting, evidence-based medicine, an expansion of 'critical thinking' in educational curricula, a culture of solving problems rather than giving up, a secular culture, humanism, anti-populism and the expansion of markets and the goods of globalisation.

I would recommend the book to 'magpie readers', who are people who likes to peck at facts and factoids and furnish their intellectual nests; people who like to compare and contrast ideas for the fun of it.

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