



QUEENSLAND BRANCH NEWS

NEWSLETTER of the QLD Branch of the MARITIME UNION of AUSTRALIA

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No. 42 – Friday May 27, 2016

Qube – Kalmar EBA – BMA Destroys Local Jobs - Townsville Volunteers Send Message

In Principle Part A National Agreement Reached With Qube

AFTER NEARLY 9 months of extremely tense and difficult negotiations the MUA National negotiating team of Bob Carnegie, Warren Smith, Gary Keane and Adrian Evans are in a position, when after drafting is complete, to be able to recommend to members the acceptance of an Agreement to members.

The wages agreements below:

01/07/2016	01/07/2017	01/07/2018	01/07/2019
2.0%	2.5%	2.5%	2.5%

We have been able to get Qube management to place meal money onto the group certificate of \$1800.00 which will be a financial gain to members.

This is an enormous improvement from the original offer from management which varied from 0% to -15.00% dependent on the Port. In Brisbane for example, Qube's offer was -2.0% in the first year and CPI for the duration of the Agreement. CPI is currently running at 1.3% so we have been able to move the company's goalpost considerably.

Branch Secretary Bob Carnegie and relieving Official, Damian McGarry addressed members at 0500 at Qube on May 27, Fisherman's Island and the general opinion of members was positive.

All of the national negotiating team feel privileged to represent such a great group of working men and women who are the MUA Wharfies at Qube.

The solidarity shown by members throughout this process has been remarkable and the major reason for the Union Bargaining Committee being in a position where we could prise a result from an exceptionally tough company.

Kalmar EBA

AFTER EIGHT MONTHS of sometimes very difficult talks, members at Kalmar voted strongly in support of a Union EBA which delivers sound wage outcomes and huge improvements to day workers and superannuation.

Two delegates, Rob Hardy and Steve Wildman did an outstanding job. In particular Rob's attention to detail and his bull dog tenacity were a major factor in our Union getting over the line in the talks.

Kalmar is not an easy workplace to be a good Unionist however, slowly the Branch is trying to create a culture of collectivity in dealing with problems rather than individually.

The Branch has an outline of gradually developing a culture of caring about each other we can build the type of Unionism I want to see prosper and grow.

African Alke

FOUR CRANE GEARED bulk carrier has been detained by AMSA due to Ship Officers not being trained or up to date in the use of Electronic Charts.

Bowen Maritime Collision

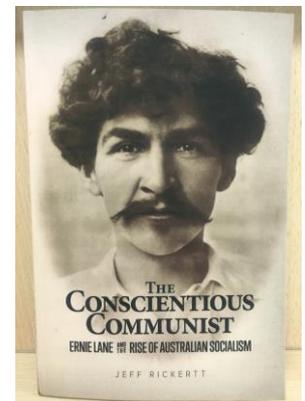
THE UNION HAS all possible professional support assisting members and others in need of help during this most difficult of times.

Book Launch – The Conscientious Communist

BRANCH SECRETARY BOB Carnegie will be launching a new book on Australian Labour History; *The Conscientious Communist*,

Ernie Lane and the rise of Australian Socialism by Jeff Rickert. It will be held at the 1230 at the QCU Building on Saturday June 4 2016.

Jeff is an outstanding fighter for trade union and working class rights and has been for more than 30 years. Jeff was down on the Hutchison Picket Line on many occasions. I urge any member with the time to spare to come and support Jeff and the launching of this book.



BHP'S Union Busting in Mackay

THE FINANCIAL REVIEW'S Conservative commentator Matthew Stevens can even see through the blue tint of his conservative glasses that there is no economic argument for the attack BMA has launch upon Tug workers and our Union. It is only about an ideology of Union busting.

We ask all members to support the Queensland Branch and our Union in the enormous struggle that are ahead as we take on the world's largest coking coal producer It's a fight we DID NOT go looking for BUT it's a fight we must have.

Matthew Stevens

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BHP's union-buster sails into coal

BHP Billiton has introduced a non-union tug boat operator to its Queensland coal terminal in a move that affirms its embrace of the novel employment model used to relieve the Maritime Union of Australia of its coverage of Australia's biggest iron ore port.

BHP has awarded the tug boat contract for its Hay Point coal terminal to Rivtow Marine, the same independent Queensland company that has been running the non-union tug crews out of Port Hedland since November last year.

The gathering success story that is Rivtow in iron ore saw the innovative and opportunistic family-owned operator invited to tender for the towage work required at the coal terminal operated by BHP on behalf of its metallurgical coal joint venture, the BHP Billiton Mitsubishi Alliance.

The introduction of the Rivtow model to the east coast coal industry will be watched with eagle eyes by BMA's increasingly cost-conscious competitors, just as it will be by the rest of big coal's tug and service boat operators.

Hay Point is one of two coal terminals that share Dalrymple Bay. The other eponymous coal terminal is owned by Brookfield and operated by Glencore on behalf of a group of coal miners. The terminal's tugs are run by a company called Half-Tide Marine. It, too, is partly owned by Glencore, which is Australia's biggest single coal producer.

The financial dynamics of coal mean that the likes of Glencore simply cannot allow a competitor like BMA to generate competitive advantage from anything but the better quality of its coal. Glencore must match or beat BHP on costs. If the introduction of Rivtow to Hay Point generates material and lasting cost reduction, then Glencore just has to follow.

The way it has been explained to us is that the tugs on Dalrymple Bay have historically boasted four-strong crews. The two BMA tugs that Rivtow will operate from July will be populated by crews of three with two deckhands being replaced by one more qualified and highly paid mate. The reforming



BHP has awarded the tug boat contract for its Hay Point terminal to Rivtow Marine and the MUA is fighting against the move in its leaflet, below.

potential of Rivtow's employment model is becoming increasingly obvious to infrastructure owners and operators, offshore service providers and unions alike.

In April, it emerged that Shell was working with service providers to refine further the Rivtow model to deploy non-union boats to service Prelude, the oil super-major's first floating liquid natural gas processor.

The big loser at both Port Hedland and Hay Point was Teekay Australia. It is the local frontier of one of the world's biggest shipping operators. The creep of the Rivtow model to the east coast will doubtless trigger a review of its offering.

As you may imagine, the welcome for the Rivtow model is very much more muted on the union side of the industrial relations fence. The sense of threat is palpable.

This week, for example, the MUA has busied itself with a leaflet campaign announcing the Rivtow threat in Mackay, the nearest urban centre to Dalrymple Bay. The union pitch is that, unlike at Port Hedland where industrial action had eroded trust and dented financial bottom lines, there just is not the history of dispute at coal ports that justifies the introduction of paradigm changing employment models.

Just another name for sham contracting arrangements are not.

Rivtow and BMA have colluded to destroy the employer relationship by creating a complex legal position called Partnership Agreements. These are sham contracting taken to the next level by the world's largest coking coal producer and its underling Rivtow," the union said.

"BMA and Rivtow are only after one thing and that is to destroy the ability of workers to act collectively. This is a RIGHT enshrined in law which BMA believed it can simply walk away over by creating these sham agreements"

Rivtow has been able to bypass traditional union coverage of ocean-going workers by employing its people through a partnership structure that is more familiar to, say, the legal and accountancy industries.

One key product of the Partnership Agreement model that Rivtow has refined to suit its blue-water purposes is that the people who drive and service the Rivtow tug boats are no longer covered by the requirements of the Fair Work Act.

Historically, Australian boat crews are covered by one of three unions with the Australian Maritime Officers Union speaking for tug masters, the Australian Institute of Marine and Power Engineers for engineers and the MUA for other crew.

This legacy of workplace representation is particularly claustrophobic in the case of tugs only because most of them are manned by a crew of three: a master, an engineer and a deckhand or mate.

Rivtow's partnership arrangements, which were revealed in all their complexity in a recent Fair Work Commission case, released it from history. And that made it a preferred candidate when BHP went looking last year for a second operator of its Port Hedland tug fleet.

But BHP's plan changed as the capacity of the new model to remove industrial relation risk and reduce costs became fully apparent. Instead of introducing a second operator to create competitive tension with the union-

covered crews employed by the main Hedland tug operator, BHP decided to deliver all of the tugs to Rivtow partnerships.

With that the tides of reform were released across corners of the offshore services sector that have been radicalised by the maritime unions' routine misuse of the leverage generated by their control of waterside bottlenecks.

Now, while we are talking big coal, BMA and industrial relations, it is worth digressing to record two distinct but related developments in continuing disintegration of relations between the world's biggest metallurgical coal producer and its unions.

The enterprise agreement that once covered most of BMA's mines has expired and its renegotiation is not going well, according to the latest circular from Queensland's three coal mining unions, the CFMEU, ETU and AMWU.

In the wake of Friday's meeting with the company in Moranbah, the unions observed that "it is becoming clearer with each bargaining meeting that BMA are [sic] determined to include in any replacement enterprise agreement, terms and conditions which are drastically different" from the 2012 arrangements.

Outside of continuing resistance to BMA's move to reduce the number of mines covered by the new agreement, the unions expressed particular concerns over proposals to change shifts and rosters with "consultation only" and to redefine shift starting and finishing points.

Presently, these sorts of changes require union approval or endorsement by Fair Work processes and shifts start and finish pretty much universally at mine gate muster points. The BMA proposition is that payment should start and end at points much closer to where the productive action is. And that can be a long way from the front gate.

The other front of tension between company and union is that BMA has rejected an approach by the Australian Electoral Commission to hold union ballots at mine sites as they had been done in the long distant past.

The background there is that, for the first time since 1996, the AEC is overseeing an election for officials of the Queensland branch of the union's mining and energy division. Its exemption from external oversight of elections was removed by the Fair Work Commission last year after a review of oddities that resulted in the cancellation of an election in 2011.

Early last month the AEC approached BMA with a request to hold attendance ballots. BMA respectfully declined, then rejected with even more prejudice a request to have ballots held in mine car parks.



"For 45 years Maritime Union of Australia members have worked diligently and professionally on tugs at the BMA Terminal in Hay Point," the union complained. "They have worked 24/7, 365 days per year in all kinds of weather and dangerous conditions to provide a world best towage service to BMA. In those 45 years NOT ONE JOB-ZERO has been mislaid by an action of MUA members."

Given this claim to reliability is not contested by BMA, the union's sense of an injustice done seems to be reasonably founded. But, as the Fair Work Commission has found, the union's claim that Partnership Agreements are



Inlandboatmen's Union of the Pacific

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May, 27th 2016

Brothers and Sisters of the MUA,

Greetings from the members of the Inlandboatmen's Union of the Pacific. It has come to our attention that a travesty is occurring at the BMA Terminal, Hay Point. As fellow workers in the towing industry we are appalled by the sacking of union seafarers -- we know the dedication, professionalism and pride all of you bring to the job every day. To be summarily replaced by RivTow through a smoke-and-mirrors legal maneuver is abhorrent to any sense of decency and good governance.

The basic right of citizens to be secure in their jobs, to provide for our families and retirement is a basic tenet of the social contract, and yet the obscenely paid non-productive "Noble Class" has violated that contract through greed and disregard for the dignity of the worker. The members of the IBU stand with you in this struggle for basic workers rights, and we will do whatever we can to support you and your families in this dark time. Only through global concerted effort by all workers will we be able to turn the tide of corporate and government oppression.

We applaud your solidarity and steadfast belief in your union, and your actions in defiance of the Turnbull Government and the employer inspire all of us. Your 45-year record of getting the job done safely and professionally may have been dismissed by pampered elites, but we know better. We are proud to stand shoulder to shoulder with the MUA and the Hay Point workers, and we are united by our common experience and our love of our union, and we will not be divided.

In Solidarity and Comradeship,

Alan Coté
National President
Inlandboatmen's Union of the Pacific

AC/jf
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French Dockworkers Strike

I ASK ALL members to close ranks and support the struggles of the French Docker's and the French Union Movement against Government attempts to change labour laws in France.

I ask every member to write a simple email to the IDC and they will immediately send it to the French Docker's Union.

The French port workers at the call of the National Federation of Ports and Docks C.G.T. and all the C.G.T., are engaged in a fight against a proposed labor law that would greatly impact French workers and would mean an unprecedented social regression.

The French government is trying to force down the implementation of the law without any dialogue in a rather authoritarian manner. Police repression and police violence are on the rise.

The bill would allow employers to waive the application of the French national convention status, a real cement between the French port workers, amongst other alarming issues.

The National Federation of Ports and Docks C.G.T. asks the IDC European that ships diverted from French ports will not be discharged.

We will keep you informed of the names of the ships in the coming hours.

The National Federation of Ports and Docks C.G.T would like to thank all IDC members in advance for the solidarity given to our legitimate struggle.

In unity and solidarity,

*Secretary General
T. HAUTBOIS*

coordination@idcdockworkers.org

Use this link for your email of support.

Townsville Unionists Take the Message to the Football

COWBOYS – BRONCOS NRL matches are always a big night in Townsville and our local unionists were there on the night of Friday 20 May as part of a local ACTU activity.

Volunteers handed out Building a Better Future flyers to members of the local community coming through the turnstiles at the stadium and reminded them that the coming federal election would have a direct impact on jobs, Medicare and education.



Volunteers in Townsville - Building a Better Future Awareness

Townsville Delegate, Paddy Neliman was part of the group and said they were well received by most people in the crowd.

Thanks again for your strong support to your branch and making May Day a success. Also a special thanks to Ron Culliney who did a fantastic job along with the other volunteers and staff who ensured the day was a success.

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