

# 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. 96 – Friday 27 July 2017

## Qld Branch Rallies at Peter Dutton MP's Office – Tony Pappaconstinus Addresses Members Merger Difficulties – Penalty Rates Update – North Queensland Report Back

### Branch Rallies Against LNP Government and Loss of Jobs

AS ALL READERS of the newsletter are aware, the state of the Australian Merchant Fleet is in absolute crisis. We are fighting a rear-guard action to somehow save and resurrect it.

The problem lies in several areas but the most telling of all of the issues that affect the possibility of getting our Merchant Fleet on its feet is the unfettered issuing of temporary licences by the Australian government.

These temporary licences are handed to FOC operators to operate on OUR COAST and allow them to pay crews at approximately 1/5<sup>th</sup> of the rate of an Australian and to victual the ships at 1/10<sup>th</sup> of the rate. We are the only workers in this country whose livelihoods are being stolen from them in such a fashion.

Imagine if a company decided to import a whole industry of truck drivers and pay them on the above scale and then told them 'go and compete'. There would be an uproar.



*Bob Carnegie and Paul Petersen with Qld Members Rally for Jobs*

Imagine if a hospital decided to import its nursing department in such a way. There would be a revolution in the streets.

But because Australians look inwards to the Pioneering Legend the average Joe in the street pays no attention to the need of an Australian Merchant Fleet. It's like

products are delivered to wharves on a magic carpet rather than a merchant vessel for distribution.

On Tuesday, after our Branch Monthly Meeting, members embarked on a protest outside of the office of LNP Federal Minister and well know hater of organised labour and refugees, Peter Dutton.



Members and Officials let him know, in no uncertain terms, what we thought about him, his government, his policies and their anti-worker and anti-human rights. We made sure he knew he was regarded by MUA as a national and international embarrassment.

### Tony Pappaconstinus Addresses Queensland Branch Monthly Meeting

FORMER JOINT NATIONAL Secretary of the MUA



(1993-1998) and the last Federal Secretary of the Seaman's Union of Australia, Tony Pappaconstinus was a guest of the Queensland Branch and addressed our Branch Monthly Meeting.

Tony asked me before the meeting what we would like to hear and I suggested he could speak on any subject he wished but members would be

interested in the work he had done after he had left the MUA. Tony was 100% in agreement with this. His long

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

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time friend and comrade, Peter McClelland was also at our meeting.

Tony spoke on the 17 years he had spent with the CFMEU and the work he had done in alcohol and drug rehabilitation. Really inspiring work. Tony also spoke of the importance of the class struggle. Tony's graciousness, humility and positive outlook was really something all members appreciated and respected.

Tony and Peter both came to our rally where both spoke so passionately and eloquently on the battle for our Merchant Fleet and this government's shameful treatment of refugees.

We wish Tony all the best and the Branch will be writing to the National Council for Tony to be awarded Life Membership of our Union. We wish Tony all the best in a well deserved retirement.

### **Merger Difficulties**

*FELLOW WORKERS, THIS is a story from Work Place Express and I am reprinting it in full as members have every right to be informed on this important issue.*

*I have got a million faults, but I believe in a well informed membership.*

*The only bit I would like to add to this article is that the MUA Queensland Branch is maintaining its position as an affiliate of the Queensland Council of Unions (QCU). It is far from a perfect world, however under Ros McLennan's leadership the QCU's involvement in areas of concern to the MUA in Queensland has been exceptional and at every demonstration we have had in fighting for Australian union jobs, the QCU has been fully supportive.*

*The CFMEU C & G and Mining Division will remain our brothers and sisters in arms – always. The ties forged in over a century of working class battles are not dissolved by who is in and who is out of the QCU.*

*However, from a general philosophical position of “being stronger together” stands true. I hope in the not too distant future this disagreement can be repaired for the counter argument of “being stronger together” is that we are “weaker apart”. Bob Carnegie*

### **Merger Documents Reveal Division Within the CFMEU**

Thursday, July 27, 2017, 3:25pm sourced from:

[https://www.workplaceexpress.com.au/n106\\_news\\_selected.php...0documents%20reveal%20division%20within%20the%20CFMEU](https://www.workplaceexpress.com.au/n106_news_selected.php...0documents%20reveal%20division%20within%20the%20CFMEU) 28/7/17, 08G18

THE CFMEU'S LEADERSHIP is pushing ahead with its planned merger with the MUA and TFCU, despite opposition from part of its Queensland contingent.

The CFMEU is seeking permission from the Fair Work Commission to proceed with an amalgamation without a ballot of its membership, with a preliminary hearing due to be held next week.

The MUA and TCFU plan to hold a ballot of their members to seek approval for the merger.

Documents lodged with the Commission show the

CFMEU's national executive approved the planned scheme of amalgamation at a meeting in Sydney on May 31.

However, the documents include a statement by CFMEU national secretary Michael O'Connor which notes that the secretary of the construction division's Queensland branch, Michael Ravbar, "voted against the resolution."

In contrast, the documents show the MUA's national council unanimously endorsed the merger in April.

The CFMEU's O'Connor declined to comment on the amalgamation plans, including the opposition from Ravbar. Comment is being sought from Ravbar.

Ravbar's opposition to the merger coincides with his branch and the mining and energy division's Queensland district disaffiliating from the Queensland Council of Unions, after arguing the peak body had not pushed hard enough for industrial manslaughter laws.

QCU secretary Ros McLennan has refused to comment on the disaffiliation but has defended the peak body's push for the Queensland Labor Government to introduce tougher safety laws.

Ahead of the planned three-way union merger, the CFMEU has told the Commission that it should be exempted from a membership ballot because, as it is the largest of the entities, it will be less affected by the merger.

Documents lodged with the Commission say the CFMEU has membership of about 128,000 members at June 20 this year, while the MUA has about 12,700 members and the TCFU about 3,600.

The CFMEU argues the combined membership of the MUA and TCFU of just over 16,000 represents about 12.5% of the total membership of the CFMEU.

"As such, the total number of members that could be admitted to membership of the CFMEU on, and because of, the amalgamation does not exceed 25% of the number of members of the CFMEU as at the date of this application." Under the plan, the MUA will become a division within the merged union.

The TCFU branches would be incorporated into the CFMEU's forestry, furnishing, building products and manufacturing division, would be renamed the manufacturing division which would include the TCFU branches.

Meanwhile, there has been speculation that a rank-and-file group within the MUA will oppose the merger at a membership ballot expected later this year.

However, the plan has strong support from the MUA's biggest branch – Western Australia. While the MUA's financial report for 2015-16 shows the union is in a strong position in terms of net assets such as property, but is facing a squeeze on income as membership falls.

In 2015-16, the MUA had an operating deficit of about \$3.1 million, partly due to a 6% fall in membership contributions.

However, it posted a surplus of about \$3.1 million - due to property revaluations during that financial year - and had net assets of \$44 million.

Employment Minister Michaelia Cash has flagged the government will introduce a public interest test on union mergers, but is yet to reveal whether this will proceed before the CFMEU-MUA-TCFU amalgamation. Federal Parliament is due to resume on August 8 and the Government would have to move rapidly to introduce legislation on union mergers if it was to be passed by the end of this year.

A spokesperson for Minister Cash said today that the Turnbull Government is "extremely concerned that two of the most militant unions in Australia are seeking to merge."

"This merger represents a major threat to productivity, jobs growth and economic prosperity," the spokesperson said.

"The Government remains committed to introducing a public interest test for mergers of registered organisations."

The Australian Mines and Metals Association has expressed strong concerns over a tie-up between the militant CFMEU with the MUA, and has sought documents from the Fair Work Commission.

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### **Last Week's Branch News Regarding the Wynnum Manly Leagues Club and the Wynnum Workers Club**

AT OUR BRANCH monthly meeting, fellow worker, Trevor Munday brought up that the article concerning Wynnum Manly Leagues Club and its satellite Club, the Wynnum Worker Club had caused a great deal of consternation amongst some members.

This was not the intent of the article. It was simply to state that the Leagues Club should give a commitment not to cut penalty rates. On THREE occasions, the Wynnum Manly Leagues Club has failed to give this commitment. The morning I wrote the article I spoke to a leading United Voice organiser who advised this was indeed the position.

As your Branch Secretary, I can only act upon the information provided. Fellow worker Munday explained to the meeting that when the Board of the Club was confronted by concerned wharfies they gave an assurance that Club workers wages would remain as is. I have relayed that to United Voice. What I would suggest is that the Wynnum Manly Leagues Club Board relay that to United Voice also and give the commitment required.

The Branch appreciates the work Comrade Munday and other good Comrades in taking this issue up.

Let us await to see how it all pans out. As I hope that the commitment to protecting their employees penalty rates is given by the Wynnum Workers Club so the

Branch can once again hold some meetings at the Wynnum Workers Club and any angst by members who frequent the Club is resolved.

### **Branch Conference – Get Wise Organise**



NEXT WEEK MEMBERS will be sent a letter and a registration form via email outlining some of the activities related to the Branch Conference. Keynote speakers who

have already agreed to participate are:

Christy Cain MUA National President

Jordi Aragunde IDC Co-Ordinator

Raquel Varela Author of Automation Study and European Public Intellectual

Peter Morrissey S.C. Highly Respected Criminal Barrister will speak on the criminalisation of Industrial Relations in Australia

David Peetz Professor of Employment Relations, author

The Conference is part of the Branch development plan. All contributions are respected and on the second day of the Conference after lunch will be devoted to ideas of how we can improve the Branch. I can't stress it strongly enough that it is your Branch and we need more input from members to make a better and stronger Branch of our Union.

It will be a terrific Conference with a great social night on the Wednesday the 15<sup>th</sup> when the Harley Davidson raffle will be drawn.

### **NSS Townsville**

COMRADES, A LOT has gone down in recent times at NSS. The company decided to step away from the EBA bargaining process, declined the offer of a conscious vote on jobs over money and went ahead with a second round of redundancies.

This is now a total of 9 redundant permanent jobs and in a vindictive move, made redundant two delegates including Paddy Neliman, long term wharfie, MUA delegate, EBA negotiator, ACTU ATSI representative for the union and all round good guy. Paddy was possibly the only one of the nine who did not want to leave the job but the company were hell bent trying to prove their point. Paddy worked there for 22 years, is a fine unionist, excellent delegate and good friend we all wish him well and will have a wager that we have not seen the last of him.

I would like to congratulate the newly elected Employee Consultation Committee. Nominated and elected were MUA members Aaron Sperring, Aaron Porter, Norm Morley, Josh Larsen, Garry Moore, Marty Lawler and Brad May. It is a 100% MUA committee. No non-members came forward. A group of them were approached about joining but did not respond.

On the 19<sup>th</sup> and 20<sup>th</sup> the ECC put in two days of

delegate training which turned out a fantastic two days of solidarity and brain storming NSS issues. Among sharpening skills, improving communications with the workforce and planning strategies the focus for the Committee was on three major things:

1. the EBA which is still deadlocked after 2 years
2. the next ECC Committee will include the first labour review in memory to deal with training and grading disputes
3. The current dispute about microster and it not operating within the EBA which seems destined for Fair Work Australia.

Trainer Paul Williams and I are extremely confident with the capacity of the new Committee to take our membership forward with confidence and once again turn NSS in to a good job where everyone is respected and actually enjoys their time at work with their mates and leave the company culture of doom and gloom and internal bickering behind.

Now that the Committee is up and running there will be a 4 hour stop work meeting on Thursday 3<sup>rd</sup> August to get a firm position from the rank and file going in to upcoming negotiations.

### **Vale Thomas William "Billy" Timms**

ON 21<sup>ST</sup> JULY WE attended the funeral of Billy Timms. Billy worked on the wharves for over 50 years. A life long union activist he was the Secretary of the WWF in Townsville, Trades and Labour Council President for 8 years, member of the Communist Party, peace committee, dedicated environmentalist and internationalist forever spreading his views of solidarity and the working class struggle.



*Photo left to right: NSS Delegate Aaron Sperring, Sandra Elliman 1<sup>st</sup> ever female wharfie in Australia, Greame Bugsy Bragg retired WWF & ITF, Paul Gallagher MUA, Butchy Smith retired MUA delegate, Peter Nudgy Nugent retired NSS wharfie*

For those that knew Bill, I passed on our respects and condolences on behalf of the union and our members, it is on the back of huge men like this that our members enjoy the conditions and respect we get on the waterfront today. RIP brother Billy.

### **Townsville Bulk Handling and Storage**

Members at TBSH seem to be ticking over ok. The company has recently been 100% acquired by Flinders Ports from S.A. The current management structure will remain for a two-year transition period. There is still no word if they have been awarded the contract to operate the new \$80 million container facility at Berth 4. The announcement from the State government was due some weeks ago. If successful they will construct a brand new portainer crane at a cost of \$9 million. Internally there is a labour review coming up to discuss permanent positions and shift equality.

### **TOLL Shipping**

TOLL SHIPPING (NOW merged with Toll Energy) have gone in to direct competition with Bhagwan for work on the Amrun project in Weipa. Their fleet consists of Toll Endurance landing barge operating locally between Humbug and HRT on the south side construction site.

On the run bringing in construction goods and equipment is the Toll Osprey landing barge, Toll Osbourne tug and tow and the landing barge Toll Firefly about to come on line. They have also cross hired Pacific Tug PT Fortitude to run a barge. This is welcomed work up in the deep north and the company has agreed with our Branch to employ our members off the beach.

### **First Nations Workers Alliance**



AT THE RECENT Cairns general meeting we had guest speaker Wayne Costello from the ACTU to talk about First Nations Workers Alliance. FNWA has been set up by the unions to organise indigenous workers being discriminated and exploited under the Turnbull governments Community Development Program (CDP).

The CDP covers about 33,000 unpaid workers of which 80% are Aboriginal or Torres Strait Islander. The problem is that CDP workers are not classified as workers. They work for the dole for 25 hours a week (3 x longer than city based welfare recipients at \$11.60/hour). They are not covered by the Fair Work Act, have no federal OHS protections or workers compensation and they cannot take annual leave, sick leave or carers leave.

Fines for not showing up, for this tiny fraction of the population, account for more than half the total penalties

across the entire welfare system. Hardly an inspiring scheme. Since 2015 very few have moved on to a full time job. Under these conditions the best these workers can aspire to is working for the dole.

The meeting unanimously endorsed the motion that the MUA Queensland Branch join and support FNWA and the union movement's campaign to have the CDP removed as a matter of principle. To personally join FNWA it is \$26 per year for indigenous union members and \$52 per year for non-indigenous supporters. See website: <https://fnwa.org.au/>

### **Sea Swift EBA**

THE MUA TOGETHER with the other maritime unions attended a meeting with Sea Swift management on Tuesday 4<sup>th</sup> July to begin bargaining the Enterprise Agreement (EA) to cover Sea Swift employees.

As previously reported, the long delay in progressing the EA was brought about after Sea Swift made application to vary the Seagoing Industry Award (SGIA) and the Ports, Harbours and Enclosed Waters Vessels Award after the Full Bench of the Fair Work Commission agreed with the Maritime Unions that the SGIA should apply to marine employees in the Better Off Over Test (BOOT).

The MUA reiterated the following claims on behalf of the membership. Managements response to the claims follow each claim.

- Equal time roster
  - *Management agreed the equal time roster will apply to all employees that work in operations covered by the SGIA.*
- All work related travel and accommodation paid by Sea Swift
  - *Sea Swift will consider and respond at next meeting*
- Classifications and rates of pay fully defined in EA and reflect work carried out
  - *Agree to cover in words regarding even time roster and descriptions in EA regarding the various operations in marine*
- Minimum manning defined in EA
  - *No agreement for specific manning numbers to be inserted in EA. However, management agreed to propose words for inclusion in the EA that outline the process including a risk assessment that applies before any reductions to normal manning are applied.*
- Indigenous employment and training
  - *Management advised that this matter is covered by company policy and don't agree for it to be included in the EA. MUA to propose words at the next meeting*

- Stevedoring Industry Award (SIA) to apply to shore based workers handling cargo
  - *Not agreed. MUA to develop a clause to present at next meeting*

As illustrated above we've made significant progress on the EA that was voted on in 2015.

The next meeting will be held in Cairns on Tuesday the 1<sup>st</sup> August.

### **TSHD Brisbane EBA**

NEGOTIATIONS ARE NEAR complete for the Port of Brisbane dredge. Standards have been locked in by way of policy on dry docking and refits, travel and amenities. Wages are CPI with 1% floor for 3 years. Outstanding item is the capitol works bonus which has caused disagreement on its implementation. This issue is looking set to go to arbitration.

### **Merchant Mariners Day Brisbane/Gold Coast** **We will attending 2 ceremonies this year:**

GREENBANK RSL SATURDAY 2<sup>nd</sup> September commemorative service – 10.30am followed by TAB NABS unveiling of a new memorial at Point Danger (Coolangatta) Sunday 3<sup>rd</sup> September.

### **Upcoming NQ Meetings**

Townsville: Thursday 3<sup>rd</sup> August

Mackay: Thursday 10<sup>th</sup> August

Bowen: Friday 11<sup>th</sup> August

Cairns Wednesday 16<sup>th</sup> August

### **Jason Miners on Leave and Getting Hitched**

DEPUTY BRANCH SECRETARY, Jason Miners is going on leave to tie the knot, in the US, with his beautiful wife Bree and also to spend some time on a south sea island.

The Branch and all members wish Jason and Bree all the best.

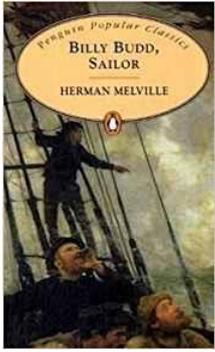
The Branch thanks Jase for all his hard work and is insistent that he enjoys his leave and deactivates his email and Facebook.

Any of Jason's current responsibilities should firstly be run through me and I will filter them through to other organisers and officials whilst he is off. Good luck Jase and Bree.

### **Relief Official**

Damien McGarry will be relief official during Jason's absence from 1 August 2017 until 8 September 2017.

## Book Corner



**Billy Budd, Sailor** by Herman Melville, written 1890, published 1924.

IN 1797, DESPITE losing the American war of independence, Britain still had a navy that was indomitable. Or was it?

The navy was fighting against revolutionary France and in 1797 alone it faced three serious mutinies.

There was a mass strike on HMS "Spithead", a bloody revolt on HMS "Hermione", and a mutiny on the HMS "Nore". The sailors on the "Nore" were inspired by the new radical ideas of the time, such as Thomas Paine's idea of "the rights of man".

Melville chose this year, 1797, as the moment when young Billy Budd is press-ganged from his American merchant vessel, "The Rights of Man", onto the British warship, HMS "Indomitable". This could be the setting for a political allegory or a tale of action on the high seas. Instead, Melville tells a tragic tale of fatally-flawed characters.

The novel was adapted successfully for stage and screen, but you have to read the book to get Melville's idiosyncratic musings on psychology. These give depth to the contrast between the naturally good Billy Budd and the naturally psychopathic naval cop, Claggart.

Does the human drama make the political setting irrelevant? Of course not. The allegory may not be simple, but Melville deliberately places Billy's clash with the naval officers within this historical clash between the old feudal mindset and the new way promised by democracy.

## Poets Corner

### Freedom's on the Wallaby

By Henry Lawson

Australia's a big country, and freedom's humping bluey  
And Freedom's on the Wallaby, oh, can't you hear her  
cooey?

She's just begun to boomerang, she'll knock the tyrant  
silly

She's going to light another fire and boil another billy.

Our fathers toiled for bitter bread while loafers toiled  
beside them,

For food to eat and clothes to wear, their native land  
denied them.

And so they left their native land in spite of their  
devotion

And so they came, or if they stole, were sent across the  
ocean.

Then freedom couldn't stand the glare of royalty's regalia  
She left the loafers where they were and came out to  
Australia.

But now across the mighty main the chains have come to  
bind her

She little thought to see again the wrongs she left behind  
her.

Our fathers grubbed to make a home; hard grubbing 'twas  
and clearing

They wasn't troubled with the lords when they were  
pioneering;

But now that we have made this land a garden full of  
promise

Old greed must crook his dirty hand and come to take her  
from us.

So we must fly a rebel flag as others did before us

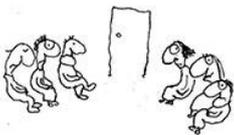
And we must sing a rebel song and join in the rebel  
chorus.

We'll make the tyrants feel the sting of those that they  
would throttle,

They needn't say the fault was ours if blood should stain  
the wattle.

## Cartoon Corner

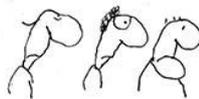
There they were  
in the doctor's waiting  
room; each with their  
own sickness.



Each of them suffering  
from being who they are:  
each seeking a cure for  
the ordinary address  
of existence.



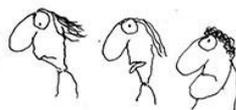
Bob with his bobolosis.  
Emma with emmaditis  
Peter with peterenteritis



But alas, the doctor  
can't see anyone  
today. He's slumped in  
his chair suffering from  
acute doctorphobia.



Freda with Fredamania.  
Mavis with mavis Fever.  
Harry with harry's syndrome.



There is no cure for anyone.  
Eventually everyone  
becomes FULL BLOWN.



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