



# POAGS EBA Report

No. 5 | Meetings No. 13, 14 & 15

May 10, 2011

## MUA Moves - Company Doesn't

**A**s indicated in the last EBA report the POAGS media strategy has begun. It is curious how the company told the MUA at that meeting they had not gone to the media yet in *The Age* on May 3 the following was reported; *"POAGS chairman Chris Corrigan told The Australian newspaper that agreeing to the union claim would increase its labour costs by 80 per cent over three years and put it out of business."* A strange comment considering the nature of the last meeting whereby the MUA consolidated its claims and clearly indicated the main issues remain as safety, training, certification and rights being restored that were denied under WorkChoices. Even stranger considering the company were not going to the media!

At the last meeting the POAGS National negotiating committee really made an effort to sort out the main issues in the negotiations and subsequently reduced a total number of claims from 96 down to 20. Only two of those claims have an economic impact.

18 claims are related to safety, job security and democratic rights in a workplace that is unacceptably unsafe and has a poor record of acceptable levels of engagement and consultation with the work-

force. These facts are never reported by the clarions of big business, nor are they even asked.

Clearly an employer agenda is being rolled out that transcends our EBA at POAGS but the facts in the mass media do not tend to accord with the reality. There is a broader political agenda it would seem against the Fair Work Act.

This is reflected in the story in the Australian on April 29 which declared... *"While business, collectively and individually, rages against both the timing and shape of a carbon tax and ponders whether our Treasurer can really believe a long resources boom will not underpin the national and government economies for a good while yet, there are signs the worst fears about the medium-term outcomes of Julia Gillard's Fair Work Act are becoming industrial reality."*

POAGS found their way into this article as well as the current Patrick situation and an attack on any union who has the audacity to seek some

reward for the work members perform in generating the profits gathered by these big business operators.

The reality at POAGS is that the union has consistently moved in its claims while the company position has move little.

**The MUA continues to get reports on a daily basis of unsafe activities on the job.**

We await that movement and a genuine approach to good faith bargaining. We just want to get a deal that recognises the contribution of MUA members to the company's viability.

The fact that POAGS still hides behind commercial in confidence with their costings on our claims makes us question the genuineness of the costings.

In what we have been able to extract from the company regarding their costings we have seen that they have used every single opportunity to cost at the highest level.

We are happy to examine our claims in light of the true costings but the facts are that most of our claims and the most important issues are non-economic claims and are a response to the dangerous work we perform and the unacceptably low level of safety on the job.

The MUA continues to get reports on a daily basis of unsafe activities on the job. We do not accept the big business position that seeks to ignore the unsafe situation on the waterfront that puts our members lives at risk in order for a campaign to be run on the rollback of the Fair Work Act. People must surely be put first.

Let's not forget the recent fatalities on the wharves or the high level of workplace injury. Let's not forget that wharfies are not certificated or adequately trained in a high risk work situation. Let's not forget that WorkChoices was rejected by the Australian people and things like protection for workplace representatives is not a dirty word or an outcome that is out of step within a modern day industrial democracy.

We are about workers being properly rewarded for their efforts and ensuring we come home safe to our families after each and every shift.

There seems to be no one else out there who has those interests at heart except the union.

## Meeting 15

At this meeting on May 6 there were no specific outcomes to report. Good discussions were held

around safety primarily from the union perspective and the company again reasserted their view that the main issue for them is the classification structure. The process of working out when the next meetings are currently underway.

POAGS have again ceased to make provisions for the delegates to be part of the national negotiations. This is unfortunate and the MUA has made it clear that our democratic structures must include the rank and file in negotiations with the company.

After 15 meetings things are slow. This is despite the considerable movement by the MUA. We are still hopeful that we can reach agreement by the expiry date of the current agreement but there will need to be a commitment to good faith bargaining by the company to see that this result is achieved.

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## Crumlin Blasts Ports Australia

Paddy Crumlin has attacked Ports Australia for failing to address safety standards.

Maritime Union of Australia National Secretary Paddy Crumlin has expressed disappointment at Ports Australia's contribution to the debate on the future productivity and competitiveness of Australia's ports.

"Ports Australia should be primarily concerned about safety on our ports," Mr Crumlin said.

"MUA members are currently taking legally protected action at Patrick facilities due to the company's reluctance to improve safety standards or enter into genuine negotiations.

"We never take industrial action lightly and it is an extremely regrettable situation that the Patrick negotiations aren't finalised in the same fashion as the last four.

"Once again operators in Australian Ports have largely failed to address safety issues at a time when safety incidents and near misses are now averaging the alarming rate of one incident each week.

"Nine safety-related incidents have now been reported on Patrick's docks since Christmas. These are very concerning near-misses where our members are always in the firing line."

One man has been knocked unconscious and another has suffered a broken arm and wrist in these latest incidents.

In the latest incidents an auto-straddle tipped over at Patrick's Brisbane Terminal, a ship's crane went haywire in Darwin, a heavy forklift also toppled over in Brisbane, and a straddle lost a wheel in Melbourne.

Similar incidents are being recorded with other port operators.

"Ports Australia has refused to comment on the drastically declining safety standards under their management," Mr Crumlin said.

"It's a disgrace that they are exaggerating the cost of the negotiations while we are still bargaining in a legal and responsible fashion yet they continue to ignore the human damage being inflicted on stevedoring workers under their watch.

"They lack credibility. Many of the deaths in the last few years in Australian ports resulted in fines for negligence against port operators, yet they remained silent.

"They're an industry and international joke and should be disregarded. Their latest comments are merely gratuitous and compound their lack of leadership."