



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. 135 - 15 June 2018

CFMMEU Inaugural National Conference - United We Stand - Moorebank Logistics Park Plastic Pollution - "Honest" Facebook Error No Defence: FWC - Book Review

CFMMEU Inaugural National Conference

THIS WEEK THE Branch leadership, along with delegates from work sites all over Queensland, attended the first Conference of the recently merged union.

Next week comprehensive reports on the Conference will be put in the Branch News for all to read.

Below is a photo of some Branch members with comrades after the First Nations Report. *Bob Carnegie*



United We Stand by Bob Carnegie

THESE ARE SAGE words from perhaps the world's best known public intellectual, Noam Chomsky. A true hero of those who fight for truth and against the rich and powerful of this world.

As your Branch Secretary I've been writing and speaking about this disease of apathy and self interest that has so affected our union and the working class movement generally.

The world does not start and end at your workplace, we are a union which always should think much broader than that. Of all things in our union's 140 plus year history is caring for others and reaching out to those with less has been the single most important part of our DNA.

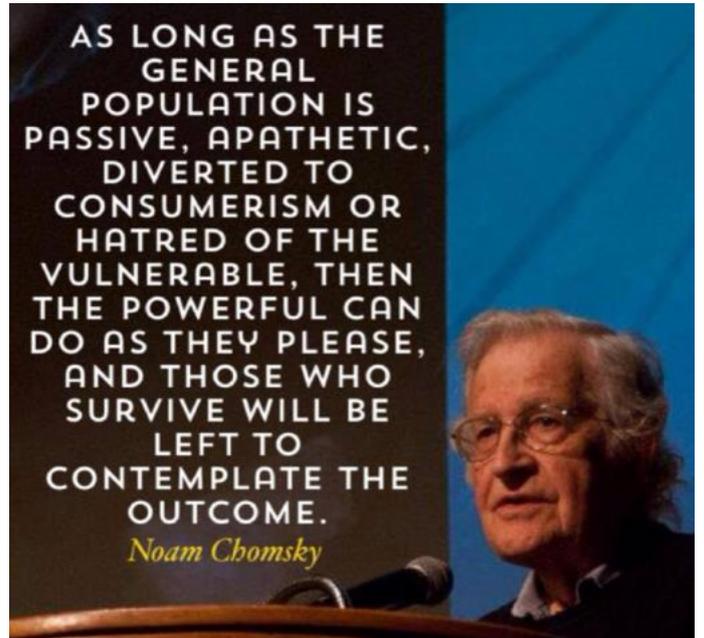
Companies seek to divide; a union should always seek to unite. Companies, for instance, blame workers in the Stevedoring industry if a contract is lost in one area when in fact it is the vagaries of the market place.

In shipping, with the collapse of our merchant fleet, the common refrain is 'MUA crews cost too much.' Rio Tinto has been using this refrain in our battle to get them to honour an MOU. Rio Tinto seems to be suffering from corporate dementia when it comes to understanding what a social responsibility means.

So, fellow workers, if you want things to change, involve yourself in the 'change' by participating in it. The current frustrations one might feel will not be solved by the purchase of a flash car or a Harley or whatever is the latest fad, through going deeper into debt, it is through participating in the common good one can find some of the real answers we all look for.

AS LONG AS THE
GENERAL
POPULATION IS
PASSIVE, APATHETIC,
DIVERTED TO
CONSUMERISM OR
HATRED OF THE
VULNERABLE, THEN
THE POWERFUL CAN
DO AS THEY PLEASE,
AND THOSE WHO
SURVIVE WILL BE
LEFT TO
CONTEMPLATE THE
OUTCOME.

Noam Chomsky



United We Stand

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

73 Southgate Avenue, Cannon Hill QLD 4170

Moorebank Logistics Park – Kalmar

THE FUTURE IS here and it is ominous.

We are proud to announce that Kalmar and Navis will deliver a state-of-the-art fully automated intermodal terminal solution for Qube's Moorebank Logistics Park in Sydney, Australia. The order includes the supply of the OneTerminal integrated automation solution comprising Kalmar's automated train handling, automated yard crane and automated horizontal transportation equipment as well as the Navis N4 terminal operating system (TOS). The solution will be delivered by one project team and under the OneTerminal contract. <https://lnkd.in/exu9Fvc>



Plastic Pollution

The Branch News has highlighted the threat to the world's oceans by plastic pollution. Here is another poignant photo and comment. *Bob Carnegie*



Image: Rafiq Maqbool/AP

Mumbai rubbish chokes a polluted canal in the Indian city. Last week marked World Environment Day and World Ocean Day, which both highlighted plastic pollution as the most urgent problem facing our planet.

“Honest” Facebook Error No Defence: FWC

Sourced from: www.workplaceexpress.com.au

Members should read this recent Decision by the Fair Work Commission. Social media can be a useful tool, however no matter how high the privacy setting may be, once it is out ‘there’ it can be utilised against you if it is related to your work. So, comrades, be careful.

Bob Carnegie

IN A BROAD warning to employees mixing social media and work, the FWC has found that a BHP Billiton

mineworker was justifiably sacked despite upon realising his error quickly deleting two Facebook posts mistakenly asserting shifts were cancelled.

Upholding the January 22 dismissal of the Mt Arthur coalmine crew's health and safety representative for breaching BHP's [Code of Business Conduct](#) and [Charter Values](#), Commissioner Tony Saunders observed that the mineworker "was not simply using Facebook as a means of 'letting off steam' or expressing his personal views about his manager, employer, or clients/customers of his employer".

"One distinguishing feature between this case and many [others]. . . concerning posts on Facebook is that the information. . . had the potential to affect [the] employer's operation."

The misleading Facebook posts on December 22 and 24 last year came as Mt Arthur management was establishing whether enough it had sufficient emergency rescue team (ERT) coverage for employees and contractors voluntarily working on Christmas and Boxing Day.

In his capacity as a health and safety representative for his 200-strong crew, the mineworker had initially been involved in assessing whether enough ERT employees had volunteered for the shifts, but once he began holidays on December 22 he was no longer included in management communications.

Final confirmation of whether work would go ahead remained fluid over the days ahead of the December 24 overnight shift beginning at 6.30pm, with the mine's acting general manager first on December 22 informing the leadership team and superintendents that they would not be operating, before reversing the decision the following day after recruiting ERT employees from another BHP mine in Queensland.

At 3.08pm on December 24, however, a CFMMEU safety and health representative directed the acting general manager to [suspend operations](#) on the basis the company hadn't adequately assessed the risks involved in bringing in an ERT team unfamiliar with the mine.

Mt Arthur management chose to ignore the direction, a decision currently being investigated by the NSW [Resources Regulator](#).

In the background, relying on what the commissioner called "third-hand" information, the mineworker first on December 22 posted and then deleted "All Xmas and boxing day shifts are off", before at 4.30pm on December 24 posting "Xmas & Boxing days shifts are off for good" after hearing about the CFMMEU direction.

After then learning from others that they hadn't been informed work would cease, the mineworker on three occasions called the mine's head office, only to be diverted to an answering machine.

On the last occasion at 6.26pm he left a message explaining who it was and asking "Can you please confirm whether the shifts are going ahead?"

Receiving no reply, at 6.45pm he phoned a contractor from his crew who confirmed he was working. He deleted his earlier post shortly afterwards.

Should have sought verification

In evidence to the tribunal, Mt Arthur's production overburden manager said she became aware of the mineworker's Facebook post at 6.07pm, and that over the next 10 minutes she contacted the leadership team in order to "squash the rumour".

While the Christmas Day and Boxing Day shifts proceeded without event, the production overburden manager dismissed the mineworker on January 22 for multiple breaches of BHP's Code of Business Conduct and Charter Values.

Considering Mt Arthur's evidence, Commissioner Saunders said he accepted that it was difficult to "plan and implement a coordinated response" to the Facebook post so soon before work began.

Ultimately, no employees or contractors had been misled by the post, said the commissioner, but the post still had the potential to confuse them and "inconvenience[d]" Mt Arthur, "because it had to engage in further, last minute, communications with workers who had been rostered to work on Christmas Day and/or Boxing Day".

"I accept that [the mineworker] honestly assumed that Mt Arthur would comply with the direction after it was made, as Mt Arthur had in the past," continued the commissioner. "[But] I reject the explanation given by [the mineworker] that he made the 24 December Facebook post to 'stop confusion' or to 'reduce annoyance, inconvenience and needless anxiety of the work groups'.

"If [his] real objective was to stop confusion and reduce inconvenience etc, I am satisfied he would have posted additional clarifying posts on his Facebook page."

It was significant, said the commissioner, that "in circumstances where [the mineworker] had a limited understanding of the legislative power invoked by [the CFMMEU safety and health representative] to make the direction, including whether there were any grounds on which Mt Arthur might have a right not to follow it. . . that [the mineworker] took no steps to find out from an authorised source of information whether Mt Arthur would comply with the direction".

No control over post's distribution

Commissioner Saunders agreed with Mt Arthur's finding that the mineworker had breached the company's charter values of respect and integrity, along with Code of Conduct obligations to "never. . . [d]istribute material that is likely to cause annoyance, inconvenience or needless anxiety to your colleagues".

The mineworker had further breached the Code's obligation to "never . . . [d]isclose information to the public, including the media and members of the investment community, unless you are specifically authorised to do so", he said.

"Although [the mineworker] had the highest level of privacy setting on his Facebook account, a number of [his] Facebook friends did not work at the mine and. . . he could not control the distribution of [the December 24] post to a broader audience than just his Facebook friends."

And while Mt Arthur does not have a separate policy dealing with social media, said the commissioner, the mineworker "ultimately accepted that. . . his obligations under the Code extended to certain conduct outside work hours".

Another relevant element in the mineworker's dismissal was a final warning he received in December 2015 for refusing to perform work as directed, a [matter](#) that had also found its way before Commissioner Saunders (see [Related Article](#)).

[Marc Waters v Mt Arthur Coal Pty Limited T/A Mt Arthur Coal Pty Limited \[2018\] FWC 3285 \(5 June 2018\)](#)

Book Review by *Craig Buckley*

Bullshit Jobs: A Theory - David Graeber



JUST ABOUT EVERY book I pick up these days seems to be about alienation. I hope that says more about the miserable nature of the current stage of capitalism than it does about my reading habits. This time, I am reviewing the new book by David Graeber, an American anthropologist and anarchist activist in the "Occupy" movement, entitled, "Bullshit Jobs: A Theory." The book has its origins in a long essay Graeber wrote for Strike! magazine, about the increasing number of pointless and meaningless jobs being performed by people in modern capitalist society, and the impact it has upon those compelled to perform them.

From the outset, it is important to understand that Graeber is not talking about "bad" jobs – jobs that might have poor pay and conditions but which nevertheless involve some socially useful work. He is talking about jobs so meaningless that even the workers performing them cannot see the point of doing them, even though they often have to pretend otherwise. Graeber lampoons the supposed "efficiency" of free-market capitalism, as he highlights the growth in jobs of flunkies, box-tickers, goons, duct-tapers, and of course, the ever-expanding layer of middle-management task masters.

The author makes liberal use of first-hand accounts from workers (some well-paid, others not) and their experiences, emphasising the harmful psychological effects inflicted by such pointless work. These accounts certainly stuck a chord with me, some of them virtually identical to stories told by a friend of mine who worked in an IT section in a government department. He described useless work undertaken for no better reason than to demonstrate to senior management that work was being done, while work which was actually crucial for the organisation was subjected to cutback after cutback.

Graber does not examine deeply why such BS jobs proliferate, although he suspects the aim is to keep unnecessary workers preoccupied with mindless labour rather than allow them greater free time that might allow them to develop their potential in other fields (including their revolutionary potential to overthrow the system).

Graber has a very readable style, but his anarchism generally precludes him from offering solutions. He has some interest in exploring the possibilities that a “universal basic income” might offer, without being blind to its dangers. You don’t have to agree with his proposed remedy to enjoy the analysis and insights in his book. Graber is at his best when questioning the fundamental assumptions of our society (just as he did with his book “Debt: The First 5000 Years” in which he asks, “so why should we have to pay our debts anyway?”). He examines history to explain how many of our social assumptions (about work and labour) do not reflect eternal human values but are the ideological product of the development of class societies. Graber’s ability to challenge commonly-held perspectives and reframe them makes the book a worthwhile read on an increasingly familiar topic.

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Drawn at Branch Monthly Meeting
26th June 2018

No.0001

