



## **Offshore Update – 13<sup>th</sup> May 2020**

Attention Offshore Members

This Offshore update comes as more Collective Action is delivered to rogue Employers that insist on pushing the boundaries to suit themselves. Once again, COLLECTIVE ACTION Delivers outcomes!

### **Toll Offshore is on course for the Grubbiest Employer of the Year!**

#### **If They Get To The End of the Year...**

It's been reported that the Toll Group is in serious financial trouble. Rumours suggest that this logistics outfit is searching high and low for a new owner!

Five years ago, Japan Post paid \$8 billion for Toll Holdings. Reports now suggest that Japan Post are looking for an entity that may be interested in a new owner and/or investor. The view would be so they could get out of the business in its current position.

Much of this is to do with the fact that Toll reports lower than expected earnings and has only just survived another major cyberattack. The cyberattack saw Toll shut down their vital online systems and process freight manually until they could clear out the virus.

As previously reported, all MUA members working for Toll should ensure that they keep a personal log and use it!

#### **East Coast Members Sacked**

Approximately 2 months ago, 2 long time Toll Employees had their engagement with the company terminated. Why? Because they lived on the East Coast of the country. An outrageous reason to sack any Employee!

These 2 members were provided with flight details as per normal practices. Then the restrictions came into place, so our members contacted the office to be flown over earlier to ensure that they comply with the isolation requirements imposed by the WA Government. No answer nor return calls, no response to emails. A few days later, they were notified that their flights had been cancelled due to the quarantine periods and no other further updates nor details were provided.

After a few weeks of making calls, sending emails, etc the guys were finally contacted and told that their employment has been terminated. Rather than telling them as soon as they get off the vessel or when their flights were cancelled, Toll decided to wait until all their leave has been used and any chance of searching for other work in the previous weeks was gone. Very considerate of this company!

We believe that given the recent financial reports and suggestions that Toll are looking to be sold is the reasons that these workers have had their employment terminated. Put simply, they didn't want to pay for the additional flight worth a few hundred bucks!

Now we are running unfair dismissal cases on behalf of these members and expect that the associated costs for their lawyers and possible outcome will cost them thousands.

### **Toll Try to Swindle Our Members**

Peter Swingler is the current IR Boss at Toll Energy. This is the low individual who we believe is driving the Swindle campaign.

Toll is now the ONLY employer that are pushing back on paying for the isolation periods as dead days and insist that our members draw from their accrued leave entitlements. Of course, we have and shall continue to dispute this as we have with most of the other operators. To date we have been successful in ensuring that our members are paid for the time that they are spending away from their loved ones.

Peter Swindler is the **GENIUS** that is driving this anti-family campaign at a time that loved ones are sceptical of even having to leave their homes.

Shame on Toll and Shame on Peter Swingler!

### **Maersk Supply Service– The White-Collar Criminals**

As reported in our last update, the MUA sought to have the Maersk application struck out by the Federal Court. Through this process, the Federal Court declined to do so and as a result we now are required to have the Maersk Application heard by the Court. Considering we have already invested much time and money into this case, we will not be simply sitting nor forgetting about this.

What is interesting, however, was that earlier on in the dispute Dave Kearney from Maersk gave a signed undertaking to the MUA that if they were unsuccessful in their appeal to the Full Bench of the Fair Work Commission they would pay shorthand pay for the steward's role from the date of the order under the Full Bench made their decision. They were unsuccessful at the Full Bench but still no shorthand pay. I guess we know how much Dave values his integrity in this industry.

To date, our members have not been paid a cent as Maersk defy a legal decision that should have been paid months ago.

### **NT Members Beware**

NT Secretary Andy Burford has advised that their Border Force/NT Police agency that checks through the exemption application forms are approximately four weeks behind in processing your exemptions, should you be returning to the NT.

It is our strong advice that any NT Seafarers leaving the state to join a vessel elsewhere, immediately submit their exemption application forms within a few days of joining their vessel. Also, these members should ensure that as soon as they leave the NT they contact their Employer (in an email) to advise them of the delays and that they submit their paperwork immediately to avoid any issues upon your return.

Individuals can be expected to pay approx. \$2,500 which is intended to cover food and accommodation costs.

Andy Burford will be speaking with local government agencies regarding this matter.

### **Restrictions Begin to Lift But is it too soon?**

Last Friday, National Cabinet met again with the view of beginning to start easing the COVID-19 restrictions. The full implementation of the 3-stage plan was to be in place by July.

Each state and territory will choose when they implement each stage.

1. Allows for 5 visitors at home, and 10 people in businesses and public places;
2. Sets to increase and allow gatherings of 20 people in their homes, in businesses, and public places, and;
3. Sees the most significant increase that allows up to 100 people, therefore, meaning that pubs, clubs other businesses can open their doors again. It is expected that interstate travel will resume, and the National Cabinet will be considering cross-Tasman and Pacific Island travel exemptions as well.

Easing of restrictions could lead to the country needing a longer lockdown. Other places in the world have eased restrictions too early and as a result, there was a second wave that saw cases jump up to nearly 1000%.

Australia has recorded approximately 7,000 cases of the Virus. Let's be clear about this – not everyone that has the virus has been tested and this figure could easily be doubled. Our total death toll (which is accurate) sits at 97 nationally which is a positive result compared to other countries such as the US.

One thing is for sure, the war against coronavirus has a long way to go.

Stay safe comrades!

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***“Australian Democracy was built on Civil Disobedience”***

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