



DPW EBA Report

Enterprise Agreement 2011

Meetings No. 1 & 2 - April 6 & 7, 2011

The first meeting of the National Part A negotiations for a new Enterprise Agreement between the MUA and DPW commenced on April 6 with a second meeting on April 7. The meeting was primarily focused on elaborating on the positions of the two parties coming into the negotiation process.

Logs of claims tabled

Both DPW and the MUA outlined in a comprehensive fashion the nature of the claims made and reasoning behind our respective positions. Both sides have entered the discussions with fairly thorough positions. Needless to say the negotiations at this stage are at an extremely premature point.

Adelaide in the mix

In a first the DPW EBA will be negotiated across all five terminals and the comrades from Adelaide are welcome additions to the negotiating team. It is a good initial result to see the inclusion of Adelaide in the Part A negotiations and having all five terminals involved only serves to strengthen and streamline the process of finalising all DPW EBAs in terminals.

Some major issues identified

The MUA has placed particular emphasis on safety, training and certification issues as well as on the question of general rights. A range of economic claims were also tabled by the union. All claims arising from the DPW delegates conference have been put to the company and in the initial stages no formal response was given, with the company indicating they would have to go away and give consideration to our position in totality. On every issue the MUA explained in detail the reasoning as to the basis and the meaning of the claim. The company considered our views and left with a detailed understanding of what the nature of the MUA claims were.

Company discussion paper tabled

No detailed position was elaborated on by DPW. The company issued a discussion paper as

opposed to the traditional list of specific claims which are usually tabled in negotiations. Regardless of this it is clear that although the DPW claims are not specified, the intent of the company in what it seeks to achieve is fairly clear.

The company claims can be categorised into five main items.

They are:

- Improved labour value/efficiency.
- Flexibility of labour arrangements/ability to respond to industry volatility/challenges.
- Standard terms and conditions - changes under the new Fair Work Act 2009 and Stevedoring Industry Award 2010.
- Ensure that the commitments, limitations and obligations in the Agreements reflect the needs of the business moving forward and have relevance to the existing workforce.
- Update machinery provisions and ensure compliance with Fair Work Act.

While the five DPW points are relatively vague it is the assessment of the MUA that the five points translate into a considerable number of tangible claims when the essence of them is broken down. Some points were specifically raised by DPW in elaborating on the five issues as outlined above.

The company was clear to point out that they were not glued on to any of the outcomes but were clearly seeking discussion around these matters but were prepared to look at other areas to deliver the fundamental core essence of the various discussion points.

The matters identified that may come under scrutiny arising out of the five points raised by DPW were as follows:

- Improved labour value
- Flexibility
- Grading structure
- Consolidated allowance
- Notification times
- Rosters
- Productivity
- Cost reduction
- Ability to change EBA
- Technical Issues (FWA)
- Annual leave for day workers
- Award items – national standards
- Reduce sick leave
- Closed port day remove
- Redraft various Salary cap
- Labour reviews clauses
- Permanent part time
- Replacement clause
- Establishment numbers
- Third operator

As can be seen there are a broad range of issues the company is urging consideration of. They have stated that they are not locked in to any specific claim but clearly the nature of their five categories opens up a considerable number of issues that can and will come under scrutiny during the forthcoming negotiations.

This of course is part of the bargaining process and there is much ground to go as the parties have not yet really engaged in a negotiation process nor has either side confirmed in a direct manner which of the claims are priority issues for conclusion

of the agreement. The initial matters nominated by the MUA do however remain fundamental to the attainment of an agreement and those important matters relating to safety, certification and training are actually not major economic issues. Of course we will pursue our range of claims vigorously and this will have to include a pay rise that is deserving of the work we perform and the fact that we have demonstrated some restraint and reform during the period of the Global Economic Crisis.

The program going forward

The process that has been agreed for the ongoing negotiations is as follows:

Next Part A negotiations -
23 and 24 May and;
6 and 7 June

In the first two weeks of May branches and terminal committees will meet terminal managements in their ports to table claims relevant in port specific Part B negotiations. These meetings will be more focused on elaborating the nature of claims so all parties have a detailed understanding of what is exactly on the table in each port.

Adelaide

There is more work to be done in terms of Adelaide which as yet is not part of the current Part A structure and meetings will be held there involving National office, the Branch and committee to work through the more complex issues of transitioning DPW Adelaide terminal into a position consistent with the other four terminals.

Brisbane Automation

An issue of significant importance for wharfies in this country is the impending automation of the Brisbane terminal. The onset of the new operational mode in Brisbane is extremely important for the MUA and wharfies across the country. Hutchison, the new third operator, will enter with similar technology and the MUA is insistent that any new work created out of automation must remain the domain of MUA members. We reject outsourcing operational functions, regardless of them being new work and the same need to protect maintenance workers in this development is high on the agenda for the union in this round of negotiations. DPW is the biggest stevedoring employer in the country and this agreement is an important one for the membership.