



No. 55 – Friday August 26, 2016

Patrick EBA End in Sight - Qube Update – Offshore Disallowance Motion - Reorganising at Hutchison Merchant Mariner's Day

Conclusion in Sight for Patrick EBA with Over a Year of Struggle

AFTER MORE THAN a year of negotiations and industrial action, the EBA with Patrick Terminals in Brisbane is almost finalised.

Nationally, Part A and locally Part B are almost agreed upon with the final pieces of the puzzle falling into place.

It was never an easy battle and Patrick were intransigent from the beginning and industrial action was required in Brisbane and nationally to show the company the union was serious about the protections and rights the workers wanted contained within the new Agreement.

Notably this dispute brought about the first national stoppage since the infamous 1998 dispute.

The show of strength and solidarity by wharfies at Patrick should be commended. If everyone had not worked as one union, staying staunch, it was unlikely a resolution would have been achieved.

The committee, in particular, should be applauded for its unwavering unity and militant position in the face of pressure from a company with its HR playbook.

The EBA itself delivers several notable outcomes for members some of the highlights include:

- Income protection for everyone
- 100% permanency with the introduction of the G2P category which sees every worker on a roster with a guaranteed salary
- A fairer and more transparent selection criteria for promotions, training and employment
- The ability to pursue the company policies through the dispute resolution procedure
- A clause which enforces more consultation and compensation as a result to technology changes in the workplace
- Remuneration increases
- A deed which sits outside the agreement which ensures that prohibits subcontracting of current jobs

It was a well-structured EBA campaign, competently led by Deputy National Secretary Will Tracey and backed by the members. The intent of the membership

was cemented when the company tried to undermine the union, putting the Agreement out for a vote. Patrick was left licking its wounds when more than 98% of the membership rejected the substandard Agreement.

The efforts of Chris Swanick, Steve Elliott and Trevor Munday were stellar. Comrade Munday should be congratulated for working hard on the committee after returning to the Patrick's workforce.

Once the final draft is agreed meetings will be organised and members are strongly encouraged to attend and raise any outstanding concerns or questions they may have.

Once meetings have taken place we will seek endorsement of the agreement and arrange the ballot. The time and date of that meeting will be determined shortly.

The MUA showed once again that despite having to operate in a hostile political landscape with emboldened bosses, we will not shirk from a fight to ensure the rights and conditions we deserve are entrenched into our collectively bargained Agreements.

In Unity - Jason Miners Deputy Branch Secretary

Qube Update

AS THE BRANCH News goes to print Adrian Evans – WA Deputy Branch Secretary, Warren Smith – Assistant National Secretary and Bob Carnegie – Qld Branch Secretary are involved in attempting to finalise the Qube Part A Agreement so the Agreement can go to the membership to either vote up or vote down.

Bob reports that negotiations are very difficult in these final stages but hopes an outcome can be achieved.

Bob and Paul Petersen will be down on Qube sites next week reporting back to members.

Offshore Disallowance Motion

DEPUTY NATIONAL SECRETARY, Will Tracey reports the following ACTU Executive Resolution. The ACTU Executive condemns the Turnbull Government's concerted campaign to remove offshore workers who work from in the offshore oil and gas industry from the Australian Migration Zone. The Turnbull government's actions will remove the industry

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from the applicable Australian labour and migration laws and in effect creates a lawless regime in the industry. Executive warns that these actions will result in the eventual exclusion of Australian workers from this industry and the destruction of thousands of Australian jobs.

This situation is a direct result of Ministerial Determination "Determination IMMI 15/140" made with effect from 3 December 2015 had regulations attached to it. The relevant Regulation is Migration Amendment (Offshore Resources Activity) Regulation 2015.

A notice of motion was lodged in the Senate by Senator Carr on Thursday March 17 to disallow the motion. Under normal procedures the motion would be heard within 15 days. It was then withdrawn and due to the Turnbull government's decision to dissolve the 44th Parliament for a double dissolution the motion was not debated.

The Executive notes that on May 2 Senator Carr publically committed to proceed with the disallowance motion.

The ACTU calls on the Australian labor Party to proceed with the Disallowance Motion in the opening sitting days of the 45th Parliament and for all senators to support the motion and protect Australian workers in the offshore oil and gas industry.

Moved – MUA

Seconded – TCFUA

Carried Unanimously

Reorganising at Hutchison

EARLY IN AUGUST 2015, Hutchison Ports sacked 97 workers overnight, almost half their workforce at their Sydney and Brisbane container terminals. After a long battle, the workers and the MUA won a deal which included voluntary redundancies but saved most jobs and gave other workers "flexible casual" status, with a right to permanent re-employment when they get up to an average of 30 hours work a week over three months. A worker at the Brisbane terminal talked to Branch News about what has happened since the return to normal working on 18 November 2015.

We've come a long way since last November, and especially in the last couple of months. When we started back, it took a good month before the workload rose off rock-bottom. Now we're more or less back to pre-dispute levels, and a few of the casuals are coming near to qualifying for permanent re-employment.

It looks like we will get another contract. If that happens Hutchison will need all our workers back, and then more. We lost all the "Phase 2" jobs in 2015, so no-one now has a really regular roster. If we get the extra contract, we may be able to press for workers to go on to regular rosters.

Crane 4, which was damaged before the dispute by a dredger hitting it, has returned from repair work and should be running again in about two months.

Our work is limited by space on the wharf much more than by the cranes. We've said to the management that they should develop more space in Berth 12 (currently undeveloped), but they say they'll do that only after winning more contracts.

Hutchison said they were losing money, but they have appointed three new shift managers, on high pay.

Before the dispute, our own shift leaders pretty much ran the job, and the managers stayed in the office. Then we lost the shift leaders. The new shift managers started by trying to run the job. We got new shift leaders trained. Still, the managers sometimes try to bypass shift leaders, and we have to watch that.

The company has also said it will install technology to require a thumbprint to get through every door in the terminal. Their excuse for that is that it will make it easier to keep payroll records.

At first almost no casuals were hired, and then management tried to control who was hired. Now there is more casual work, and we've got a fairer system for who gets hired from the pool.

As you might expect, there have been some tensions between those who have stayed as permanent workers, and those who are now casuals. Permanent workers thinking that the casuals got a voluntary redundancy payout and wanting to keep the work for themselves, casuals feeling that the permanents got there only because they took the redundancy.

I think at first people were still scared for their jobs and wanted to do whatever they thought would help them stay on. There is still a bit of that.

We have lost any trust we had in the management, and we don't know what Hutchison's plans are. They say they are still running at a loss, as they were before the dispute. The new EBA signed last year did not change much on pay and conditions from the previous one.

We speculated last year that maybe Hutchison's plan was to link up with the Filipino operator ICTSI, which will start operating its new terminal in Melbourne from January 2017, to offer a Melbourne-Sydney-Brisbane service. There is no more clarity about that now than there was then. But maybe next January things will become clearer.

Merchant Mariner's Day Memorial Day

MUA MEMBERS ARE cordially invited to the Greenbank RSL Memorial Gardens on Saturday September 3 2016 starting at 10.30am for the service followed with refreshments in the Greenbank RSL. The service has seen numbers of attendees growing over the last few years and we would like to see this continue.

It is an emotive commemoration and enables comrades to catch up and remain in touch. All members welcome.

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