



# QUEENSLAND BRANCH NEWS

NEWSLETTER of the QLD Branch of the MARITIME UNION of AUSTRALIA

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## DP World Yard Meeting - ASP EBA – QUBE Negotiations – Branch Monthly Meeting Hanjin Receivership – CFMEU Victory - DP World Profits Up

### DP World Yard Meeting

A SUCCESSFUL YARD meeting was held on Thursday September 1 at the Wynnum Workers Club with some 65 members in attendance.

Lively and constructive debate took place on a variety of issues including the very real problem on the job with the overbearing type of HR management which is sadly a part of DP World these days.

### ASP EBA

THE FIRST DISCUSSIONS between the Union and ASP over the Gladstone-Weipa run EBA are being held in the Union office. Rank and file delegates are heavily involved in talks.

The number one issue in this EBA as far as the MUA is concerned is security and expanded job opportunities on this run.

*Jason Miners – Deputy Branch Secretary*

### QUBE Part A

In Sydney late on Friday night, the MUA national negotiating team and QUBE management reached agreement on Part A. This is the culmination of 25 meetings over a 12 month period, however it will be left to membership to decide whether what has been negotiated is acceptable. This, as it should always be, is a functioning, democratic Union. Part B (local) discussions will commence next week.

### Hanjin File for Receivership

THE BRANCH WAS advised by Patrick Terminal delegates of this major South Korean containership line going into receivership.

In a move that certainly would not happen in Australia, the South Korean Government's Financial Services Commission will "promote the sales of Hanjin Shipping's core assets to Hyundai Merchant Marine in a bid to maintain competitiveness of the shipping industry."

### Branch Monthly Meeting

AT OUR BRANCH Meeting on Tuesday August 30, Craig Buckley of the Meatworkers Union and Juan

Ramos spoke on the struggle of the union movement in Central and Southern America.



*Craig and Juan addressing the Branch Monthly Meeting*

Out of this meeting came a renewed commitment to support unions and workers in this area.

The Branch is proud to be part of this struggle.

### Great Victory to the Miner's Union Adverse Action Case

THIS IS ONE of the most significant victories in a case of a worker unlawfully dismissed from his job. The member and the union took on the second largest mining house in the world, Rio Tinto and won.

Rio Tinto's behaviour was beyond disgraceful. The MUA salutes our brother union in the trenches. Solidarity won.

### Rio Tinto Victim Awarded Million-Dollar Compensation

THE FEDERAL COURT has ordered more than \$1,272,109 in damages and compensation, and \$24,600 more in interest payments, be paid to a Hail Creek coalminer victimised and stood down by Rio Tinto, an amount nearly unprecedented in workplace disputes.

Michael Haylett injured his neck while driving a bulldozer in 2010; an injury that Rio Tinto admitted was caused by the company's negligence.

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

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Mr Haylett continued to work at the mine for three years, and it was not until the Queensland District Court awarded him \$630,000 in November 2013 as compensation for his injuries did Rio Tinto stand down Mr Haylett.

The case, run by the CFMEU and Hall Payne Lawyers, was described by the unions Mining and Energy Division Queensland District President, Stephen Smyth, as a David and Goliath battle against a mining giant.

“This has been a long and hard fought case. Michael Haylett is finally getting justice after three years of fighting one of the worlds biggest mining companies for his unfair sacking,” Mr Smyth said.

“While the payment of \$1.3 million in damages and back pay will go some way to compensating Mr Haylett for the pain, suffering, and poor treatment he’s endured over the years, it shouldn’t have to be necessary.

“This was a vendetta against Michael Haylett that Rio Tinto has been running for years. The way the company acted in this matter, beginning with the heavy-handed and illegal sacking of a worker, to ignoring a Supreme Court order, is completely unacceptable and the additional penalty of \$50,000 ordered against them reflects just how appalling the treatment was.

“Mr Haylett was injured at work, and then sacked through no fault of his own – these three years of legal proceedings have been difficult for Michael, but today is his victory. Finally, Rio Tinto will be held to account for their behaviour.”

Mr Smyth said that the case showed that workers aren’t alone and can stand up to improper and illegal treatment in the workplace.

“The Federal Court found that Rio Tinto’s decision to stand down Mr Haylett was done in retaliation for him winning his damages claim, and was in breach of the Fair Work Act. Justice Reeves highlighted the lack of remorse that the company had for their actions as a major factor in his decision,” Mr Smyth said.

Solicitors from Hall Payne Lawyers said that they had seldom seen worse treatment of an employee by a company, with Rio Tinto’s defiance of Supreme Court orders and arrogance nearly unprecedented.

## DP World Profits Up

DP WORLD’S GLOBAL net profit for the first half of 2016 was US \$608 million, up from \$405 million in the first half of 2015.

In a world of stagnant overall volumes, it managed to handle 2.5% more teu, gaining in Europe and India, despite finding it difficult in Australia and Latin America and in its home port at Jebel Ali, Dubai, which at 7.4 million teu in the first half of 2016 was down 6% year-over-year.

It is continuing heavy capital investment at London Gateway and at Prince Rupert (on the northern end of the coast of British Columbia, Canada), but it has delayed 1.5 million teu of capacity expansion at Jebel Ali’s Terminal

3 and expansion of Terminal 4.

The medium-term prospect is for heavier pressure by shipping companies on port operators to cut costs, and not much growth in traffic to compensate. The union needs to be prepared for that.

Even in these conditions, though, DP World is coining huge profits. It does not reveal how much it pays to top bosses like DP World Australia's Paul Scurrah.

## Cartoon Corner

FELLOW WORKERS THIS cartoon is for members to think about. Running a nation's economy is not the same as running your own personal finances. One good example is that as an individual you can't print your own money and to a degree control the supply side of it.

One of the major problems with the Turnbull and the Trumps of this world is that they try to bring out some homespun simplistic answer to the complexities we face as working people fighting conservative Neo Liberal agendas. I hope the cartoon is of interest.

Bob Carnegie Branch Secretary



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