

**DEATHS, COLLAPSING INFRASTRUCTURE,  
COLLISIONS AT SEA...**



**...MUA CALLS FOR SAFER SHIPS AND PORTS**

**ISSUE # 18**

**LOCAL NT BRANCH NEWS**

# WHARVES AND WAVES

**75<sup>TH</sup> ANNIVERSARY  
BOMBING OF DARWIN**



**OUR LOST SEAFARERS AND WHARFIES REMEMBERED**

**APRIL 2017**

# NT LABOR COMMIT TO NT WORKSAFE RESTRUCTURE

***Safety is union business and it has only ever been united workers who have overcome bully bosses who expect workers to risk their lives for company profit!***

The union was deeply saddened when seafarer Daniel Bradshaw died at one of the notorious Hudson Creek facilities in January. Dan was a father of two, who tragically leaves behind a young family.

Hudson Creek is notorious because of a long record of safety issues. Collapsing infrastructure that has not been built to code, lies to the NT Worksafe Authority gone unchecked, and crew injured and maimed and dumped by some of the operators. The MUA believes and has expressed to NT Worksafe that the operators in Hudson Creek need scrutiny from the safety Regulator.



Following the recent death, the MUA Branch Secretary wrote to the head of NT Worksafe who is the appointed Authority to express the urgency of a thorough investigation using maritime expertise. Yet despite this, upon enquiring with the Harbour Master and AMSA, it is suspected that neither authority was involved in an investigation. The MUA decided enough was enough with the grey areas of maritime safety regulation and the union announced that it would take a demand for change to the offices of NT Worksafe.

Around 60 workers gathered at NT Worksafe's offices where union officials from multiple frustrated union met with the appointed Authority minutes before. Branch Secretary Thomas Mayor informed the angry protesters that he had demanded that the head of the Authority resign because workers have lost faith in the Authority and that they are tired of bad employers not being punished for their deceit and unsafe workplaces. There was a great turnout of CFMEU members who heard their State Secretary Michael Ravbar speak about the many failings to punish dodgy construction companies under the current Authority.



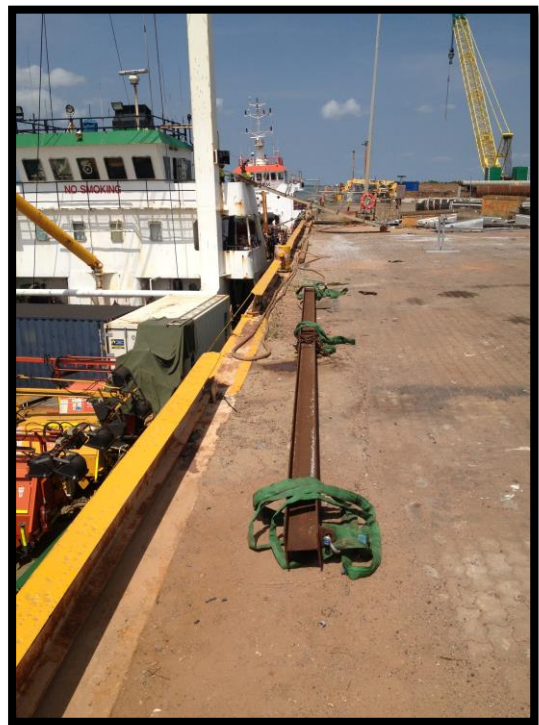


The speakers reminded union members that it was a commitment from the Gunner Labor Opposition that in Government they would reform NT Worksafe and the unions were not going to forget it. The next rally was held on the following weekend at Chief Minister Michael Gunner's office at Parap Markets to demonstrate that the unions would take the fight to his electorate. The message to the people at the market was clear from Thomas, "workers are dying while employers are lying. Workers have no faith in the Authority and the Gunner Labor Government must replace the appointed Authority with urgency".

Then at the recent NT Labor Party Conference the fight was escalated to a massive protest that turned into a celebration that we have a commitment and policy that will see the major reform of NT Worksafe. Workers displayed the many photo's of shocking worksite safety including the quotes from Coroner Judge Greg Cavanagh that identified the disgraceful bungling of safety regulators in the case of the death of seafarer Ryan Donoghue.

The MUA will continue to fight until the Authority is changed and a new head of Authority is installed. Unions will stand up for workers and fight for an inspectorate that will not ignore deceitful employers. The MUA is calling for a maritime inspectorate in NT Worksafe to cut through the grey areas and see thorough investigations are carried out. A new Authority with backbone and grit will be invaluable to the safety of maritime workers both on the wharves and on the water and the struggle will be worth it.

## Organised to win



As this article goes to press the fight we have had is seeing results. We have secured in Labor policy that there will be measures taken that comprehensively addresses maritime concerns in the Work Safe Regulation and organisation. We will see a new maritime inspectorate within NT Worksafe with inspectors that understand our industry, both seagoing and waterside worker. We will also see a Maritime Advisory Board with oversight of the Port Safety Plan and that will consider all things maritime in Northern Territory waters, giving advice and recommendation to Government in the interest of safe and healthy ports, and secure jobs.

These outcomes now require implementation and the union is working hard to see it through. This has not been achieved without your financial membership and the hard work and struggle of a united front of maritime workers!!

# SEA SWIFT ISSUES

## ***8 Year Old Terms and Conditions***

When the Fair Work Commission agreed with the MUA in regards to our claim that the 2015 Sea Swift replacement EA did not meet the “Better Off Overall Test” requirement of the Fair Work Act, Sea Swift withdrew the Agreement and ceased bargaining. Instead, they chose to attack the Seagoing Industry Award trying to bring the standards down to a new low. The 2009 Sea Swift Enterprise Agreement that is still in effect is deficient of many of the standards of our industry. There are no travel days. There is no clause for compensation for incidents at sea. And there continues to be no coverage of seafarers flight costs and accommodation.

The MUA wrote to Sea Swift in late March seeking to meet to further negotiations toward finalising a replacement for the now 8 year old terms and conditions. Sea Swift have responded with identified dates in late May. On behalf of members, we will be pushing for a better Agreement for both our seafaring and onshore cargo handling membership.

## ***Sea Swift Cargo Depot Darwin***

In February 2017 NT Branch Secretary Thomas Mayor gave notice to visit members and potential members at the Sea Swift Cargo Terminal. Before the Sea Swift takeover of Toll, the MUA had coverage of workers in the Terminal representing them on a wide range of issues. As with anywhere in the country and as at East Arm Wharf and other Darwin wharves waterside workers handling cargo for the loading and unloading of vessels are the coverage of the Maritime Union. But Sea Swift, true to form, chose to reject the MUA Branch Secretary at the gate.

The MUA disputed the rejected Right of Entry taking the matter to the Fair Work Commission where, at conciliation, the Union and Sea Swift agreed to an arrangement that recognised the MUA right of entry subject to the utilisation of an adjoining training room. The MOU is being drawn up by the parties legal representatives and the union will be visiting the workers on site in April.

## ***Another Tug and Barge Major Incident***

In Weipa recently there was another major incident involving a Sea Swift tug and barge operation. The incident nearly cost the life of a young seafarer. The QLD Branch Assistant Secretary Paul Gallagher has been supporting the effected workers and is pursuing a comprehensive investigation with Marine Safety Queensland. NT Branch Secretary Thomas Mayor is maintaining regular contact with Paul to offer any support. In the NT there have been too many terminations of workers where Sea Swift Doctors are determining that those workers at high risk to return to work. In one case, the worker pointed out the Sea Swift mantra of “Loyalty”. It should be noted that in the NT Branch of the MUA’s opinion, there has been no loyalty shown to Sea Swift workers who are hurt in the service of the company, and Sea Swift members should always put safety first with the unions support, an official is only a phone call away.



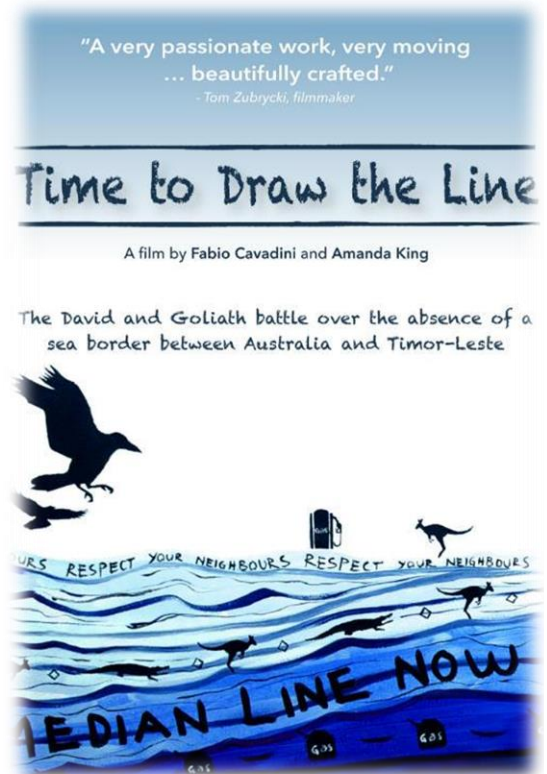
**You can contact Maritime  
Super at  
[info@maritimesuper.com.au](mailto:info@maritimesuper.com.au)  
or by calling Member  
Services staff on  
**1800 757 607****

## TIMOR SEA JUSTICE: “TIME TO DRAW THE LINE”

The MUA in Darwin promoted a hard hitting film about the treacherous behaviour of the Australian Government towards the young country, Timor Leste. Government officials, in cahoots with the Major Oil and Gas multinationals, have been in a long standing border dispute with our neighbouring nation seeking to continue an unfair carve up of the oil and gas laden sea territory between our nations.

The film, “Time to Draw the Line”, was made by the great friends of the MUA film makers Fabio Cavadini and Amanda King. Around 60 people attended the screening with a Q & A session afterwards with long term Timor Sea Justice Campaigner Vanessa Hearman.

Members are encouraged to watch the film, and the Branch is considering supporting another screening during the dry season. The MUA as promoter received a percentage of the money raised from each ticket which has been donated to the Working Women’s Centre in Dili Timor Leste.



## INTERNATIONAL TRANSPORT WORKERS FEDERATION THE NT AS PART OF GLOBAL SEAFARER SOLIDARITY

The MUA Northern Territory Branch has assisted the ITF to help seafarers mistreated on two international vessels recently. In 2016, a delivery crew on a small barge, the Captain Roberts, had provisioning and pay disputes with the new owners. The crew from Vanuatu, with the help of Branch Secretary Thomas Mayor, negotiated an agreeable outcome that saw them sail to Vanuatu with full remuneration. The crew wrote to Thomas to thank the union for assisting them.

Also, in March the ITF contacted the Branch Secretary seeking assistance to investigate issues raised by the family of the crew on the livestock carrier the Barkly Pearl. The vessel had a long wait to take on cargo and the crew were under-provisioned and had issues with pay. AMSA was called to investigate under the MLC, and through national coordinator Dean Summers, negotiations commenced about pay and an ITF Agreement.





## MONTARA FPSO AGREEMENTS

### PTTEP

The MUA members on the PTTEP FPSO the Montara have been negotiating a new Enterprise Agreement with the support of the NT Branch Secretary Thomas Mayor. After more than 12 months of bargaining Thomas reports that a new EA has been agreed with members who are happy with the outcome. The in Agreement delivers a 2.5% salary increase per annum while maintaining all other conditions with the exception of training day rates which were brought into line with the rest of the industry. It also improved the progression stream for the MUA GSO's which in previous EA's saw no progression for MUA members. Under the new arrangements, a GSO has the opportunity to do part of the productions stream, or part of the marine officer stream, to reach a new increment in pay levels. Members will be voting soon to formalise acceptance of the new Agreement that is for a three year term with pay increases backdated to the expiry of the previous EA.

### AOS

PTTEP no longer employs casual labour directly on the Montara FPSO, moving from some labour hire through OGR to giving the contract to AOS and transferring all casual employment to the contractor. In an exchange of letters, AOS has committed to implementing an Enterprise Agreement that covers all conditions for the MUA membership engaged on the Montara. The MUA is drafting the Enterprise Agreement on behalf of AOS members and is seeking to address issues with AOS interpreting the current Agreement differently from their client to the detriment of the members who are now employed with them and not PTTEP.

## INPEX UPDATE

Work for seafarers in the offshore is looking up with the Prelude and INPEX offshore facilities mobilising to their respective fields in the coming months. The NT Branch has held meetings with companies engaging crew to ensure that there is some local content where vessels are frequenting Darwin harbour. While there has not been any solid commitment from those employers, they have all indicated a desire to ensure that Darwin crew are employed on Darwin based vessels. The Branch is especially interested in seeing local content on vessels that will be working long term out of the Port of Darwin. Recently, Northern Territory Resources Minister Ken Vowles met with Mermaid to discuss local content which has been followed up with a letter. Mermaid has two supply vessels contracted to supply the INPEX offshore facilities, the MMS Brewster and the MMS Plover that both have Darwin as their home port. Another long term supply vessel contract has been awarded to DOF for the Shell Prelude and the Branch is seeking to ensure some local content on them also.



***“Workers are entitled to the benefit of the safety laws that control workplaces. They should not pay with their lives for failures by others to abide the law.”***

***– Coroner Judge Greg Cavanagh in the Ryan Donoghue report that was critical of the Regulatory response to the young workers death at sea.***

## LINX (PATRICK) BULK AND GENERAL DARWIN EA NEGOTIATIONS

The company formerly known as Patricks Bulk and General Darwin, now Linx, has its Enterprise Agreement expiring on 30 April 2017. The current Linx EA was bargained under the Interest Based Bargaining (IBB) framework. The IBB works well where there is genuine engagement from both parties.

Linx Darwin members are putting together their log of claims and the Linx Darwin committee will lead negotiations on the Part B local arrangements. Members moved a resolution at a recent Yard meeting that called for regular communication back to the rank and file should we undertake the IBB process again. A Fair Work Commission Vice President will be rolling out IBB training to both members and management in Darwin in early May with Southern NSW Branch Secretary Garry Keane present one of the main officials with national responsibility for QUBE.

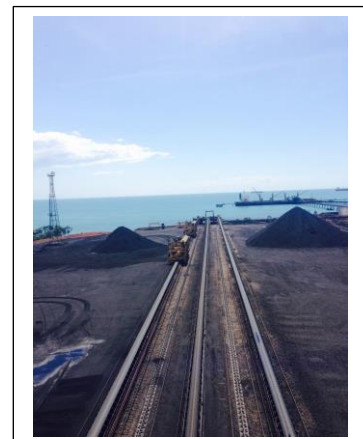
## GEMCO SOUTH 32 TAKES EMPLOYEE RELATIONS SOUTH

Workers at the lucrative GEMCO manganese mine have reported that management appear to be on a warpath against workers. There are multiple reports of terminations over minor incidents, bullying and intimidation, and the undermining of good EA conditions by the use of exploited casualised contractors.

Unions with coverage at GEMCO have surveyed members to find the obvious. GEMCO employees are very low on morale. For one of the richest mines in the world that is reaping massive profit from the Northern Territories resources this treatment of workers is unacceptable.

The MUA has written to the Vice President of Operations Rob Jackson to raise these concerns and to call on the company to change tact. Not content with leaving it at that, the union is following up on a spate of safety incidents at Groote that can easily be assumed to be a result of the intimidation and fear that is now entrenched in the workforce. This deterioration of safety culture is unfortunately an example of NT Worksafe's failure to respond to workers calls for support when a company has continued to do the wrong thing. It is one of the places where the MUA has been critical of inspectors visiting the remote site and not conducting any discussions with affected workers, instead, walking the site with the boss and leaving to report what the boss has told them.

The workers at Groote need to value the great conditions and pay that are a legacy of when the mine was almost was 100% union. Too many are not in their respective unions which invites GEMCO to go on the attack. The tide must be changed. The unions with coverage at Groote will work together to build a strategy to fight back on the GEMCO attack on one of the best union agreements that exists in NT mines and if you are a GEMCO worker reading this, it is time to join, unite, and protect what you have got!



## INPEX TUGS ENROUTE TO DARWIN HOME PORT

The NT Branch Secretary has been to Istanbul in Turkey in March to inspect the two new tug's destined to work the INPEX Gas Plant when the first gas leaves the port.

The tugs, the Svitzer Palmerston and Svitzer Stokes will be delivered to Darwin via heavy lift ship, due to arrive in late April. Most aspects of how operations will change for Svitzer with the new work have been settled, however further discussion will be had in April when INPEX passes on reviewed forecasts of their expectations of gas plant completion, first gas, and the ramping up of vessel visits.

The union is working to ensure that there is the best possible outcome for our members on the tugs and in the recruitment of additional crew. We also have agreement with INPEX and employers that will see Larrakia traditional owner maritime trainees that will be spending part of an IR traineeship on the new tugs.

It is also now ensured through the INPEX Agreement with the MUA on Australian employment that there will be no attempt to have Darwin towage move to Partnership Agreements. This is a great outcome that can only be attributed to the strength, discipline, and effectiveness of the Maritime Union.

# MAY MONTHLY MEETING

**10am Tuesday 30<sup>th</sup> of May**

**@ Stokes Hill Wharf**

**National Deputy Secretary**

**WILL TRACEY**

**National and Offshore Report**

**Also officials with National Linx and QUBE responsibility  
will be in attendance**





# Unity Bank

*your bank at work*



We are excited to announce that we have officially changed our name from Maritime, Mining & Power Credit Union to **Unity Bank**.

We remain a Member Owned organisation and will continue to provide outstanding service, competitively priced products and support for the communities we serve. We are very proud of our industrial heritage and look forward to growing even stronger for the benefit of our existing and future members.

Thank you for your loyalty and support throughout this process. If you have any questions about our new name please feel free to contact us.

## What's New?

- Apple Pay
- Extended Call Centre Hours  
8.00am-7.00pm AEST



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# MAY DAY MARCH 2017

**Darwin, Monday  
1<sup>st</sup> May**



**Gathering at 38 Woods Street, Darwin from 3.30pm. March starts at 4pm. A free community concert with live music, food and drinks, as well as a children's area with games and activities, will be held afterwards in Bicentennial Park.**

**FOR MORE INFO CONTACT- THOMAS MAYOR 0437 650 221**



# QUBE CORPORATE VEIL

## ATTACKS WHARFIES JOBS!

**Wharfies jobs in Darwin are under threat since Landbridge, the Chinese company that were handed a discount 99 year lease by the Country Liberal Party allowed QUBE Energy to move in on traditional stevedore work.**

While QUBE Energy and QUBE Ports share the same website, under the corporate veil that companies use to undermine workers rights, when it comes to work at East Arm Port they are “different entities”. Pipe destined for the Jacana Energy Pipe Line is being unloaded by QUBE Ports wharfies, but in a first in the history of the Darwin wharves a “non-stevedore”, QUBE Energy, is receiving, stowing, and on-delivering the pipe on the wharf after discharge from the vessel.

This move creates great risk for the job security of Darwin’s stevedore workers who have already suffered redundancies from a downturn in work. The nature of bulk and general ports like Darwin is that they are exposed to large peaks and troughs of work. The preparation, receiving and delivering of cargo is the work that helps maintain employment between vessel arrivals. With the QUBE attack, wharfies may be forced to leave the wharf because they will not get enough hours of work to remain in the employ of a stevedore. This inevitably leads to a high turnover of workers starting and leaving the wharf, leading to inexperienced stevedores, which leads to the port having a higher level of health and safety incidents and lower productivity. For a port that has had a great reputation for stevedoring quality and safety, there is much at stake.

This encroachment on traditionally unionised stevedore work is also concerning given it has happened not long after the Chinese owned company Landbridge has taken over the port in a long term privatisation arrangement. With privatisation comes the hunger to make a dollar, regardless of social outcomes, and all too often without regards to the wants and needs of workers. The union has been unsuccessful in discussions with QUBE as well as the private port operator Landbridge. *(continued next page...)*





## QUBE Corporate Veil Continued...

The matter has been raised with the Northern Territory Government Minister for Transport and Deputy Chief Minister Nicole Manison. The union position put to the Minister is that the work that QUBE Energy is doing is the work of a licensed stevedore and that because QUBE Energy is not a licensed stevedore, QUBE Energy is in breach of the NT Ports Management Act. The Minister wrote back to the union stating that the advice the Minister has from the Department of Transport is that the work QUBE Energy is doing is not stevedoring as defined in both the NT Ports Management Act, and further, that the 'ordinary meaning' of stevedoring only covers the 'loading and unloading of cargo into or from ships'. The MUA has responded acknowledging the deficiency of defining stevedoring in the Ports Management Act, proposing that this matter be addressed by way of amending the legislation.

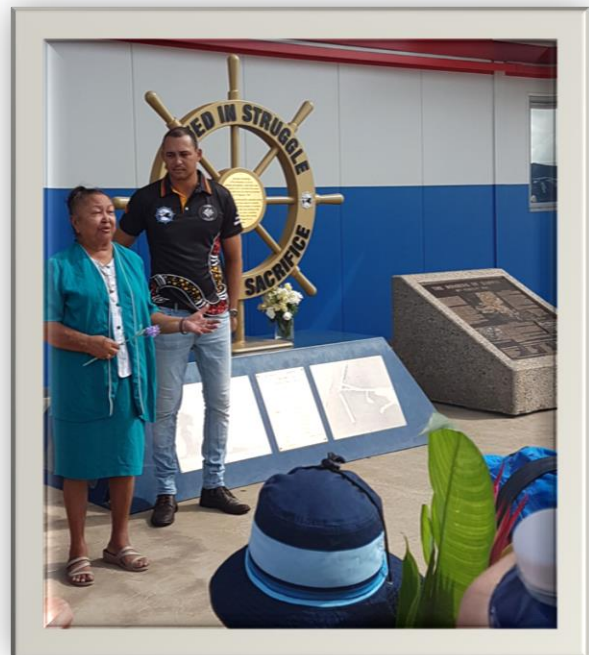
After many meetings and much strategic work under the leadership of the Branch Secretary, the MUA has had a break through with the Government agreeing to develop a Bill that adds a definition of stevedoring to the Ports Management Act. This commitment is one that can only be gained from a Government that listens to workers. The union will now commence the work of seeing the commitment through to implementation.

## BOMBING OF DARWIN 75<sup>TH</sup> ANNIVERSARY UNITED IN SACRIFICE

The MUA held its traditional Bombing of Darwin service on 19 February which this time marked the 75<sup>th</sup> anniversary. Over 100 people were in attendance including the families of those lost 75 years ago, with wharfies, seafarers, and members of the Darwin community.

The Branch Secretary Thomas Mayor spoke at the service, traditionally ensuring that those at the service consider a sobering political message. This year Thomas spoke of the importance of wharfies and seafarers in times of conflict. He spoke of the merchant seafarers having the highest percentage of lost life and how as a union, the SUA lost around 10% of our membership carrying troops and cargo in the war efforts. Mayor pointed out that if as many Australian ships were destroyed today as there were on 19 February 1942 in Darwin, we would have no Australian flagged vessels left.

The Royal Flying Doctor Tourist Facility kindly opened their doors to the gathering so that they could experience the amazing displays. The Branch thanks Brian Manning Jr for playing the Last Stand, and the RFDS Tourist Facility management for their support.



Contrary to popular belief, merchant seamen were not well-paid, did not have comfortable working hours, and their living conditions were often very poor. Industrial action did occur but it did not benefit seamen as much as has been said and was almost always entered into on the basis of pay, extreme danger, or working and living conditions. Figures published by the Seaman's Union of Australia (SUA) in 1972 indicate that 386 members of the union lost their lives during the Second World War. Given the union's claim of a total membership of 4,500 at the beginning of the war, the overall fatality rate among seamen members of the SUA during the Second World War was 8.5 percent, a rate higher than that sustained by Australia's fighting services. **Source: Don Fraser, "Men of a service": Australian merchant seamen", *Wartime* 5, Summer 1999, pp. 53–57**