



Bob Carnegie - Branch Secretary | **Jason Miners** - Deputy Branch Secretary

Paul Gallagher - Assistant Branch Secretary

Paul Petersen - Central QLD Organiser | **Glenn Desmond** - North QLD Organiser

24 December, 2015

Dear Comrades/ Fellow Workers,

Please find the following update concerning our battle with Qube over a decent EBA for MUA members.

As I have previously written and said at site meetings, we are in for a fight with this company, they are out to destroy conditions wharfies have cherished for decades.

However, with unity and determination and most importantly rank and file participation and involvement we will defeat Qube Management and their unwarranted and unprincipled attack on MUA members' condition and wages.

All the best for a safe and prosperous New Year to all those you love and cherish.

National QUBE EA Meeting – Grace Hotel - 17 December 2015

Attendees - MUA - Adrian Evans, Warren Smith, Garry Keane - QUBE - Michael Sousa, David Reid, David Wingate

COMMON CLAIMS

- 1. Term of Agreement and % increase on wages and allowances to be determined** – MS stated that each port will receive a wage offer at the next site meeting. Prefer 4 year but open to term. – site based outcomes but any change would require national approval.
- 2. Income Protection and gifting of sick leave** – Not agreed – National
- 3. Redundancy Methodology and selection criteria** – Not agreed - National
- 4. Rollover of hours only by agreement. Should have a suite of options in the event of a downturn. Linked to point 3.** – agreed in principle – National
- 5. Improved notification of change clause** – Not agreed – National
- 6. DRP to permit representation at any stage – need to add to stage 1, also “relevant manager”** – Agreed – MS suggested wording “intent is to resolve issues at a site level but nothing prevents an employee from representation in line with step 2” - National
- 7. Disciplinary Clause** – Not agreed - National.
- 8. Improved Safety clause** – MUA to provide clause for consideration - National
- 9. Reviews – triggers for upgrade through grades and through categories, tighten up replacement wording and standardised data provided. Fixed dates for reviews** – Agreed to fixed dates of April and October unless otherwise agreed at site level. Agreed standardised data (MS to provide sample) further discussion required on triggers and replacement clause - National
- 10. Fatigue Management - max consecutive shifts, max hrs per week, evening to day shift, fewer start times and standardise latest finish times** – agree to get ERC to work through at all sites - local

11. **8 Hr Minimum shifts linked also to sick leave and public holidays** – Not agreed, Rejected on the basis of flexibility but prepared to consider if we agreed to a 40 hr week. - National
12. **35 hour week protection and Penalty rates protected** – Not agreed - National
13. **Job classifications inserted into agreement** – Not agreed - National
14. **VSE and GWE OT after 1820 inclusive of leave** – Not agreed - National
15. **CPDs Tighten up closed port day provisions** – Further discussion required, MUA to respond to QUBE draft clause - National
16. **Remove GWE classification or implement GWE allowance, and increase Guarantee** – National position is reject removal of GWE classification. Guarantee can be dealt with at local level
17. **Move to full 25% casual loading on composite rate** – Not agreed - National
18. **Double hrs for extension if not pre allocated beyond 8 hrs** – Not agreed - National
19. **All public holidays and closed port days to be paid at double the composite hourly rate** – Not agreed - National
20. **D & A to implement swab test regime.** – Agreed to get experts in at next national meeting. - National
21. **Clarify sick leave on a P/holiday – if sick still get hours and don't lose sick day as per NES** – Was previously agreed, now not agreed – National. MUA notified we will lodge in the federal court as it is an NES requirement. QUBE to get further legal advice
22. **clarify union training leave and induction presentation – consider total number of days pa** – Not agreed - National
23. **Domestic Violence leave** – Not agreed, QUBE now have company policy, committed to collaborating with the MUA but don't want clause in the EA (QUBE to provide policy for review) – National
24. **Accountability Clause & Roster Rep to ensure order of pick maintained and equitable shift patterns and earnings** – Agreed in principle on all aspects apart from roster rep which is not agreed - National
25. **Shift Manager / PIC to be hands-off** – QUBE to get legal advice re PIC requirements for incidental work - National
26. **VSE/GWE guarantee fortnightly hours** – Not agreed – National
27. **Any upgrade to be paid for full shift including extensions** – Not agreed - National
28. **Manning levels to be in agreement** – Not agreed - National
29. **Contractors clause/scope** – MUA to provide clause - National
30. **Working elsewhere as casuals** – Agree that it is illegal to threaten an employee for working elsewhere but need to manage priority of work and fatigue issues, Qube to draft clause - National
31. **60 minute break per 8hr shift as per Award** – Not agreed - National
32. **VSE Roster – regulated time off** – Local
33. **Mutually agreed EAP provider** – agreed to joint presentation of current provider and Hunterlink at next national meeting round – National
34. **VSE's and GWE's shall accrue leave entitlements, at average graded rates of pay applicable for the composite hourly rate, consistent with the work performed in the previous 12 mths** – Not agreed due to cost - National
35. **Earlier notification times for allocation of shifts - 3pm** – Not agreed due to loss of flexibility - National
36. **FSE Overtime to be 1.25 x composite rather than 2 x award.** – Not agreed - National
37. **Sick leave evidence to allow stat dec in the absence of medical certificate with pre booked sick leave and 7 days without an evidentiary requirement.** – Not agreed - National
38. **Sick leave paid out on termination of employment** – Not agreed - National
39. **Annual leave and long service leave to commence anytime during the week. Not just a Monday commencement.** – agreed, full week basis, eg Thursday to Wednesday – National

40. **Superannuation clause 21.3, 2nd and 3rd sentence to be removed in 2011 EA.**
Employees should be able to adjust voluntary contributions when they want – QUBE propose half yearly – MUA quarterly, Qube to reconsider position - National
41. **Info on payslips - Long Service leave accrual and balance, FSE hours accumulation** – QUBE developing app for hours accrual and allocations, LSL not a legal requirement but looking at options - National
42. **Microster - Internet access, all leave and PTO to be available on the kiosk, hours and earnings owed by employees available on kiosk** – QUBE looking at options - National
43. **Meal money on group certificate** – not opposed, Qube want to investigate further to ensure employees are better off. - National
44. **VSE/GWE composite rate to be 1/1820 of permanent salaries for each respective grade for each hour worked, whichever is higher** – Not agreed due to cost - National
45. **FSE will retain their salary rate or the rate at the location they have transferred to, whichever is higher including composite rate for VSE/GWE & Supps** – Not agreed, Qube will agree if compulsory transfer - National
46. **Meal allowance for call ins and 4 hour extensions** – Not agreed due to cost - National

CLAIMS SUMMARY

- Claims that local managers can determine (3) – 10, 16 (in part) and 32. All other claims need to be dealt with at a national level.
- Claims agreed in Principle (6) - 4, 6, 9 (in part), 24 (in part), 30, 39
- Claims to be discussed further (15) - 2, 3, 8, 9(in part), 15, 20, 21, 23, 25, 29, 33, 40, 41, 42, 43,
- Claims not agreed (23) – 1, 5, 7, 11, 12, 13, 14, 17, 18, 19, 22, 26, 27, 28, 31, 34, 35, 36, 37, 38, 44, 45, 46

NEXT MEETINGS

- Agreed to do round 3 in each port where Qube would provide a wage offer.
- Agreed to hold yard meetings immediately following round 3 meetings at each site.
- Agreed that the next National meetings will be held after Round 3 complete in all ports
- Agreed to do Hedland meeting number 2 & 3 together as hedland meeting 2 was cancelled due to delegates non release.

Note – Qube stated they have had 6 sections of the business take a wage freeze – Bulk and energy divisions took a wage freeze in year 1 then cpi or 1.9% whichever is higher



Bob Carnegie
QLD Branch Secretary