



# POAGS EBA Report

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April 24, 2011

## MUA Fights for Respect, Safety and Fairness in the Workplace

POAGS spin campaign begins in earnest

**T**he MUA and POAGS have now met on twelve occasions in an attempt to reach agreement on a new EBA for members employed by POAGS around the country. The twelve meetings have found some common ground but the company and the national negotiating committee which contains delegates from various POAGS sites have found significant and fundamental points of difference which will need to be resolved in order to reach agreement. Some ground has been made around some issues.

Over the three day meeting the main issues of discussion centred around the classification structure being proposed by the MUA, the nature and use of extensions, allocation arrangements generally, issues relating to safety, training and Drug and Alcohol testing.

### Classification structure and company spin

The company remains implacably opposed to our claim around this matter. The essence of their opposition is twofold. Firstly they claim economic adversity would arise from the nature of the changes. The MUA would not have sought this change if it wasn't for POAGS manipulation and abuse of the current grading system. Nor if they had not made consistent attempts to reduce FSEs to grade 2. For example in the entire Melbourne workforce there are only 4 grade #6 members. POAGS reliance on upgrades to deny workers their entitlements on leave is astounding penny-pinching. Can anyone ever recall an instance of the company voluntarily upgrading anyone? The union always pushes these matters and any movement in grades is solely attributable to union pressure for workplace justice.

The company's recent spin sheets attempt to paint a picture of excessive pay rises. They claim in their last piece of masterful spin that we are seeking a 51% rise for some members. This claim is total rubbish and is based upon a very political objective. The company openly stated their reports are based on the potential need for submission of evidence should we end up with protected action being sought by the MUA. We are not planning protected action as an option. We are bargaining in good faith around an issue of importance to the membership. The company's admission is

**“Don't take the company spin sheets as realistic or objective EBA reporting.”**

remarkable and in our view indicates that they are planning for a long drawn out process. We want to resolve this agreement and hopefully do that prior to the expiry of the current agreement. Be wary of company newsletters. Further you may note that POAGS have attempted to drive the wedge of jealousy and competition between workers regarding our classification claim. One thing about wharfies is that we treasure fairness and equity. We aren't getting that under the present grading regime and it needs significant overhaul. What that looks like in the end we shall see but the status quo is unacceptable to all members.

### Some positive developments

Useful discussion took place about the nature of the flawed allocation process and the question of equity. Rolled up in discussed outcomes on equity are the following issues:

- Regular and locked in ERC meetings
- Two labour reviews
- A quarterly higher level EBA review meeting
- A commitment to rectification of allocation and equity anomalies arising from these meetings.

A useful discussion around selection took place which will see a more transparent and objective selection process undertaken. More details of this will have to be thrashed out but it is clearly a step in the right direction around the current rorting of selection by the company.

Progress was also made on the safety clause. There is still one major issue to deal with here and that is the method for dealing with safety issues. The

union wants to de-industrialise safety and the company are rejecting a parallel process for this purpose. The company spin sheet also makes the assertion that safety is not for negotiation. as well as having the structural and fairness related quality of life issues dealt with throughout the process.

The MUA has a completely opposite view to this. In essence everything outside of economic matters in an agreement is related in one way or another to safety. It must be a primary issue especially considering the unacceptably unsafe nature of the waterfront today. POAGS have consistently tried to remove the concept of genuine consultation with its workforce around safety issues.

They presented a document from their policies which enables management to side-step elected HSRs during safety disputes. This was rejected by the MUA and must be fixed. HSR and delegate's rights remain high on the MUA agenda

The company have conceded (finally) accrual of hours for a public holiday where a worker is on annual leave. A decision to revoke this right was made by POAGS throughout the current agreement. One of the many unilateral and unjustifiable management acts in dishonouring our agreement throughout its term.

## **Wages**

The MUA reduced significantly its original and ambit wage claim. We have modified our claim to 7% but have stated that there is room to move on the basis of the entire package.

The company are attempting to use wages as a means of portraying the union in an unreasonable light. We have stated that wages are not the main issue. We want to see parity amongst workers as some ports are getting less than others for the same work.

Where this will end we do not know at this stage but surely any reasonable person must agree that equal pay for equal work should apply. The realignment of parity between workers can present a skewed look around wages.

We are not concerned about this and the main issues remain safety, training, democratic rights and real engagement of workers in their working life. These matters cost the company nothing and in our view create harmonious workplaces which result in significant productivity outcomes.

The company are still generously offering us 2.5% in wages with an equally generous offer that we can have more if we sell off the farm. That is if we sell our conditions of work.

The MUA team has rejected this flawed concept and will continue to campaign for a reasonable wage rise

Time was also spent on the question of excessive hours of work. In Darwin for example members can work fourteen straight 12-hour shifts. Often in 40+ degrees heat. This recipe for disaster must stop and the MUA has called for a maximum of three 12-hour shifts to be worked in a row.

Another issue being pursued by the union is for oral fluid testing for drug and alcohol. We support impairment based testing regimes not the detection type of arrangements that don't measure impairment and are invasive of workers rights.

Many issues remain to be resolved. The EBA sheets have been consolidated for the next meeting and have the following headings:

- Economic
- Allocation/extensions/availability/hours of work
- Safety/training
- Rights
- Leave/public holidays
- Gradings / mobility / triggers/ VSE/GWE/SUPP

The many issues still needing resolution will be dealt with at meetings 13 & 14 on the 28th and 29th April.

## **Company spin sheets**

Take careful note of the company EBA reports. They are deliberately divisive and full of misinformation. What you can expect in the next round of company propaganda is:

- The union's claims will send us broke
- POAGS is committed to safety and consultation
- There is no accredited oral fluid drug testing regime

Expect also attempts to play off categories of labour. Don't take the company spin sheets as realistic or objective EBA reporting. As POAGS have stated they are being used to set the scene for legalistic purposes and should certainly be read in that light and taken with a grain of salt in terms of their objectivity.

The EBA process is a long and difficult one but the negotiating committee remains strong and united and determined to get an agreement acceptable to all members and one which will guarantee members acceptable levels of training and certification and a workplace which is safer than it has ever been.

Stay united comrades and keep our eyes on the prize... a safe and harmonious workplace for all.