



Qube Quarterly Review

Report to members

Meeting held 24 February, 2014

The Qube quarterly review was held in National Office on Monday 24 February. Branch Officials from every branch and National Office met with the company to deal with current disputes and issues raised from the workforces across the country. There were many important issues raised and this bulletin will deal with the major national issues.

Downturn in hours

The company gave a grim economic assessment of the current Bulk and General (B&G) stevedoring situation. This flows on from the mad job destroying policies of the current Federal Government. Qube have identified significant downturns in available hours of work in some ports and have started the process under the EBA of dealing with accumulated hours targets in anticipation of rollover of hours where it is obvious hours targets will not be met.

The company declared a redundancy at Appleton Dock while we sat around the table. They have subsequently published misleading information in Melbourne regarding what Qube intend to do about the shortfall in hours despite having committed to meet on March 11 to consider the matter. Their propositions are completely outside of the EBA and are rejected by the MUA. We will collectively discuss what needs to be done and we do not accept the company acting like dictators and spreading trouble in situations that affect the lives of all Melbourne members.

Branches, where members are significantly behind hours, which seems to be Melbourne, Port Kembla, Newcastle and Brisbane, are preparing for meetings in those affected ports that will deal with the problem and seek to fix it without redundancies.



The Appleton Dock situation is based upon loss of contracts, shrinking cargo volumes and

exacerbated by Victorian Government berth restructures associated with creating a third container terminal and a dedicated car facility. This has meant that AAT is coming into the port in a similar fashion as we have seen in other ports causing changes in the structure of port operations. There will be a meeting involving the committee to deal with Appleton Dock separately in Melbourne on 11 February.

Meetings will need to examine the real facts and work through any allocation smokescreen designed to remove the fixed cost of FSE positions.

In a further attempt to stand over the union Qube has declared if there is any redundancies arising out of the restructure then they will pick heads. They are saying no voluntary but straight to the bad old days of the bull system and picking those they don't like. This position is rejected and will be fought against.

Drug and Alcohol

Qube's new drug and alcohol policy is near finalisation with only a couple of issues remaining. Four issues were disputed. They were cut-off levels, alcohol content, two strikes vs three strikes and swab vs urine.

The Fair Work Commission (FWC) made clear that Australian Standards should apply for cut-off levels and they agreed with zero alcohol levels, especially riding on stipulations from contractual obligations. There will now be a three-strike policy instead of two-strikes, which is a win for MUA members.

The MUA and Qube have differing views on swab vs urine. We are awaiting the soon to be handed down FWC decision for the DP World arbitration. Swab testing is fairer and about non-impairment not the social trawling that is epitomised by invasive urine testing. Social weight is slowly

turning to swab testing. The MUA has clearly reserved its position on this matter and WILL prosecute legal options to secure swab testing as soon as the first viable opportunity arises.



Safety

Our experience has been that Qube talks safety but is reluctant to move to the best possible standards. Their consistent bombing of a code of practice being produced by Safe Work Australia is testament alone to that. It is imperative that we act collectively and stick together on the job with anyone who raises a legitimate safety issue. These matters are won on the job. Sticking together means involving the entire workforce so we can win and not be carved up and hived off by Qube as they tend to do. Insist on your rights to be represented by a branch official and get your state regulator in (Workcover, Worksafe etc) if required.

Availability

This issue arose as Qube decided every VSE, GWE and Supp would have to be available at Qube's instant desire 24/7.

The matter has been lodged in the FWC. Qube's contractor was as dodgy as they come and has far exceeded their timeframe for the project. The commitment to change microster was Qube's responsibility anyway and I'm sure you note the double standard. The reduction in work has fortunately eased the problem significantly for the time being.

Labour reviews

It is agreed that the company shall discuss with committees the times and dates of meetings and lock them in regularly a year out. This applies to Site and Safety committees.

Public Holidays

This accrual of 7 hours pay or debit from hours on Closed Port Days was discussed at length. The only day that we are apart on is Picnic Day. We say that if you are available and do not work Picnic Day you get the payment or debit. Make no mistake this is an attack on Picnic Day itself (where it doesn't fall on a gazetted Public Holiday).

The dispute had been identified to be around the word available. We say if you're available to be compelled then you are available and should get the payment. The company says you are only available if you volunteer.

The matter will be taking a trip back to the FWC.

Long Service Leave (LSL) Accrual

The dispute on this issue has been identified as follows.

We say a Supp, GWE or VSE accrues full LSL on the basis of each year of service as long as they have been reasonably available. The company says you accrue on the basis of pro-rata hours worked per year of service. This matter is also in dispute and will be actioned through the FWC.

Training Licences

Qube had rejected paying for fork lift licences but they have conceded this point and members will have fork lift tickets paid for as per the EBA and reimbursed where previously not paid.

Resources clause

The company maintained their position on the application of the resources clause, which is being challenged in WA. Currently the MUA is legally challenging Qube who we believe have not adhered to the intent and meaning of the clause after an influx of Gorgon project work into the Bulk and General area.

Qube remain a difficult and hardline employer. The review revealed that clearly and members are advised to act carefully but use collective activity to protect ourselves. We must continue to fight for our rights that are under attack by Qube.