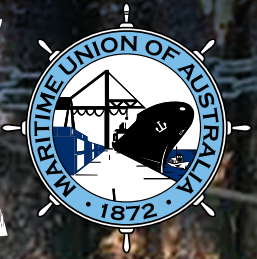


NOVEMBER '19

# UNDER *the* HOOK



## BRANCH SECRETARY REPORT

Comrades, in this edition of Under the Hook, myself, the Branch Officials and staff would like to take the opportunity to wish all our members and their families a happy and safe Christmas and holiday period. We would also like to make a special acknowledgement of all the members that will be working away from their families over this time – their dedication to our industry and our Union does not go unnoticed.

Recently, the Branch Executive has held a Branch a planning day to ensure there is a solid direction for the Branch. We are aiming to increase our communication with members, attend site more often and fight to achieve the values we were elected on. The planning day was followed by another Branch Committee meeting where the plan was tabled, discussed and adopted. To assist with the communication, we ask all members to update their details with the Branch.

This edition contains updates on the ongoing Enterprise Agreements and further industrial matters. There are reports on the recent Branch activities, an update on the social calendar and the upcoming meetings. There is a story about the launch of our Just Transition report and the campaign for an offshore windfarm here in Victoria, we are determined to see jobs created by this project for our seafaring membership!

*In solidarity, Shane Stevens and the Victorian Leadership.*



## LASHING IS WHARFIES WORK

Lashing is the operation which secures cargo (containers, logs, cars etc.) to a ship. The reason it's the work of 'dockers' or 'wharfies' is because it is dangerous and requires specific skills and comprehensive training to complete it safely. The work is also vital in retaining the work of wharfies as the threat of automation, digitalization and artificial intelligence become increasingly popular in the stevedoring industry.

There are global campaigns by the ITF and ETF to ensure that Lashing is Dockers Work. The ITF raise serious concerns about unscrupulous ship owner often forcing seafarers to perform this work. They highlight that a 'frightening number of seafarers are killed because they have no ability say no to risking their lives to make a boss an extra dollar'. There have been significant improvements made by the ITF in the International Bargaining Forum to strengthen and add the Dockers clause to all ships with ITF Agreements.

The MUA Branch here in Victoria have campaigned AMSA to ensure all Masters of Vessels adhere to the Navigation Act 2012 (Cth). An outcome of this campaign has seen AMSA issue an open letter to masters stating that they would consider vessels unseaworthy if cargo was not secured correctly, also citing that it was illegal for ships crew to do lashing if 'sufficient shore labour is available'. Unfortunately, the Branch still hears of ship's crew being forced to do lashing work here in Victoria at the expense of valuable hours of work to our members. If you know of this happening, please contact the Branch!



# EA AND INDUSTRIAL UPDATES

## DP WORLD

An in-principle Agreement has been reached with DP World regarding Part A of the Agreement. The initial drafting for this occurred on 4 and 5 of December. The Stop-Work meeting that occurred around the country saw the attendance of the Branch secretaries from each of the ports. There was robust debate and discussion about the EA negotiations, along with an explanation of why the need to secure a strong automation clause is of critical importance to the members in Melbourne. Negotiations for Part B will commence when Part A has concluded.

## PATRICKS

The ERC have been approached by management regarding the downturn in volumes coming through the terminal. The ERC will continue to work with the company in an attempt to ensure that we don't lose any jobs. We know that contracts come and go, and the work will return to the terminal soon enough. The ERC have been working through the items received in the suggestion box and via email to develop a log of claims for East Swanson dock.

## VICTORIA INTERNATIONAL CONTAINER TERMINAL

The MUA continues to grow at VICT. Site visits by Assistant Branch Secretary Robert Lumsden and Organiser Aarin Moon have been occurring. The last two years at VICT have seen increased workload this time of year. We ask all members to ensure that the safety of themselves and their workmates is at the forefront of their minds. Earlier this month, Worksafe attended site after a container fell onto the ships deck. This could have had devastating consequences for wharfies in the terminal – make sure you and your workmates get home to your families this holiday period and the company doesn't risk your safety in their search for extra profit. Stand up. If there are any incidents you can always contact the Union at any time.

## STAND UP. SPEAK OUT. COME HOME.

The new year is set to see big changes at VICT as the expiry of the Agreement on 20 October 2019 fast approaches. The campaign for industry equivalent pay conditions, job security and the return of offshored jobs, will ramp up and remain a priority for the Union.

## QUBE

On the 2 and the 3 of December, over 30 delegates and officials from around the country gathered here in Melbourne to determine the log of claims for Part A of the QUBE

Agreement, which is due to expire in June 2020. This meeting discussed and debated many claims from around the country and landed on a united position to be further discussed by the members. A report back should have (or are scheduled to) occur in all sites to further discuss and vote on the proposed claims for Part A. The meeting also elected a national Part A negotiating team with a representative from each state being nominated. Meetings with the Company should commence shortly.

## SEAROAD

The Union has been in and out of the Fair Work Commission (FWC) with Searoad as they advertised externally for a PGE, both before an internal advertising was done and before the conclusion of the Labour Review. After several bouts in the FWC, we finally received the company's data for the Labour Review. The company offered 2 full time positions. The Union believed that, from the data provided during the Labour Review, 8 full time jobs were warranted. The Union also acknowledges that there are several positions that need to be backfilled as people have left. Discussions will continue with the company.

## TOLL STEVEDORING

Negotiations have continued weekly for the Toll Agreement which expired on 19 December. Negotiations have largely been centred around; an updated roster that will provide better work life balance for wharfies, more permanent jobs for MUA members, protections around the outsourcing or contracting out of work, and returning of job already transferred out. Negotiations are continuing while the workforce consider the outcomes achieved thus far.

## TOLL SHIPPING

The current Enterprise Agreement has been rolled over for 12 months. As part of the roll over, the MUA was able to secure 12 additional jobs for IR's and caterers on the two new Toll vessels. There has also 3 more trainee IR's picked up by Toll for the vessels. The Agreement that has been rolled over will expire in March 2020.

## SVITZER TUGS

The MUA had hoped that after several days of negotiations, we could report we were close to reaching an Agreement with Svitzer. Unfortunately, this is not the case. Whilst the company has made some movement on a few claims, there are many which have seen none. Significant delays to the national negotiations have been caused by the inability/unwillingness of local management in various ports to resolve issues in the POPs. The three unions will be back at the negotiating table with Svitzer on 16 and 17 December. It seems unlikely an Agreement will be reached before Christmas.

## ENGAGE TUGS

Engage has tugs operating in Geelong, Port Botany and Port Latta. The company has been attempting to push their workers onto Co-Op Agreements which have the same issues we have seen in Partnership Agreements in other parts of the country. We have seen these alternate employment models reduce conditions and put workers at risks in other states. The Union, at both a Branch and national level has been fighting to secure a traditional EBA for our members, to protect them and the industry standards. The company have agreed to enter into an interest based bargaining arrangement. Training for the process took place in the Fair Work Commission on 11 December, the training was attended by the MUA, AMOU, AIMPE and Engage.

## AUSPORT/1-PORT – LINES

A Negotiation meeting with AusPort/1-Port took place in late November of this year. The companies third party IR firm seemed more interested in discussing ways to exclude members in the democratic processes of negotiations than the issues at hand. The IR firm insulted the intelligence of the workers and attempted to derail the meeting. The Branch found this very surprising considering AusPort's reputation for engagement the workforce and their respect for the ability for employees to work effectively and autonomously. At the time of writing, we are awaiting a response from the external IR firm. The Branch wants to see a swift conclusion to the negotiation and a pay rise in the pockets of members before Christmas. This outcome would be easier to achieve (and cheaper) for AusPort if they would meet directly with the Union and delegates and removed the obstructive, external IR firm from the negotiations.

## TT LINE

MUA members, along with the Branch, have been doing a great job to organise all members on Spot 1 and Spot 2. They have recently got back all meals for all crew on board after management attempted to take them away – 8 weeks ago.

There was a process to secure more permanent jobs for TT Line wharfies. The review has concluded with the Union winning more full-time jobs, with hopefully more to come.

## GIPPSLAND PORT AUTHORITY AND THE TOMMY NORTON

Both Dave Ball and Robert Lumsden recently held meetings with members in the Gippsland Port Authority and on board the Tommy Norton. It's great to see a bunch of passionate Union member out in the regions and MUA looks forward to assisting and working with these members in the future.

## OFFSHORE

On 6 December the Branch attended the Offshore Conference in Western Australia. The Branch was represented by Assistant Secretary Robert Lumsden and seafarer Damien Molar. The conference discussed and debate the strategy for the upcoming Enterprise Agreements and determined a process for developing a log of claims for these negotiations. Meetings to debate and determine the final log of claims will be held at all Branches in the new year. The Branch will notify members of the dates for the Victorian meeting once a date has been determined.

## Further Reports

## OFFSHORE WIND AND PUTTING THE 'JUSTICE' IN A 'JUST TRANSITION' REPORT LAUNCH

In a joint report launched by the Victorian Trades Hall Council on 8 November 2019, The MUA, ETU, AMWU and Gippsland Trades and Labour Council have outlined a series of steps to not only encourage the use of offshore wind to reduce carbon emissions, but take advantage of the emerging industry to diversify the job opportunities for workers and communities which are currently reliant on coal, oil and gas.

Putting the 'Justice' in 'Just Transition': Tackling inequality in the new renewable economy focuses on the Star of the South project, Australia's first proposed offshore wind farm which would use 250 turbines between 10 and 25kms off the Gippsland coast to generate up to 20 per cent of Victoria's electricity.

The Branch along with National Office have been meeting with the Star of the South, the relevant Victorian government ministers and federal politicians to progress the campaign. We are enthusiastic about the campaign and encourage all members to get involved. This can be done by simply signing the petition at <https://www.megaphone.org.au/petitions/put-the-justice-in-just-transition>. You can also find the report on the MUA website.

## ITF REPORT

The ITF are currently now in dispute with Simosa Shipping Taiwan where it has been found that they are in breach of their ITF Agreement over a three year period which has resulted in a back wage claim of 279K against their Panamanian flagged vessel, the FS Bitumen No 2, which is a regular visitor to the Port of Geelong.

We are seeking immediate arrangements for the crew to be paid through our London Office and their failure to do so will lead to arrest.

This is just another example of the corruption that is rife amongst Taiwanese Shipowners at present and the Australian ITF will not rest until they are weeded out of the Industry.

There have also been further incidents whereby Charterers and Shipping Agents are attempting to get foreign crews to attempt lashing or hatch cleaning duties whilst alongside



## Further Reports Continued...

This work is clearly our members work and is protected by the "Dockers Clause" in the ITF Agreements and the Australian Navigation Act section 92. If you suspect anything, you should contact the Branch immediately

We will be conducting an ITF training session early in the new year and if you are interested please contact myself or Branch Officials in order to participate

Finally, ITF Australia wishes all members a happy and safe Christmas period

## REGIONAL SAFETY COMMITTEE – JAKARTA

The Branch Secretary Shane Steven recently attended the Stevedoring Regional Safety meeting in Jakarta. The regional committee was established by Hutchinson workers only a few years ago. It is great to see such a display of international solidarity and struggle. Unsurprisingly, the wharfies in Indonesia, Malaysia and all through the Asia/Pacific region face the same pressure and safety risk as us here in Victoria. All because ruthless employers are determined to push the envelope to gain any extra dollar in profit – even at the expense of workers lives.

## PORTLAND

Despite a slight downturn in volumes, QUBE ports still load/unload logs, woodchips, fertilizer, ingots, paper pulp, livestock and rig tenders. Majority of the ships that berth in Portland are loading logs. Livestock have declined significantly.

Port of Portland work the cruise ships, which is expected to spike during the warmer months. This has only started in the last few years and is appearing to become a regular route for some cruise line.

Long term port honorary secretary Warren Finck retired. We all wish him the best for his retirement. This position is now held by Chae Heaver. Memberships are still coming through and the MUA in Portland remain united!

## GEELONG

Geelong had a great AGM with representatives from across the port in attendance. There was some great discussion and debate that followed the national report delivered by Branch Secretary Shane Stevens. Currently, the Windmill contract is going well. However, we have seen instances of the ship's crew being forced to do the unlashing. If you see or hear of this, please contact the Branch. Negotiations around a deed for port workers and their overtime payments for off-roster work are continuing. The MUA attended the Geelong Trades Hall president night which was addressed by Mark Craven.

## ALP STATE CONFERENCE 2019

The 2019 State Labor Conference was held on 16 and 17 of November at Moonee Ponds. The MUA delegation consisted of Assistant Branch Secretary Robert Lumsden, Organiser Aarin Moon, Wharfie Vince Hourigan and Retired member Alan

Guihenneuc. Over the two days there was some interesting debate and discussion around industrial issues and broader social issues. The MUA was successful in having four urgency resolutions adopted by conference, the resolutions were;

1. Audit of Cyber-Security Infrastructure of the Port of Melbourne
2. Offshore Wind and a Just Transition
3. Partnerships and Co-Ops
4. Port Licencing

The Branch was also successful in having both Robert Lumsden and Aarin Moon elected to the state transport policy committee. This will give the Union the ability to have input into the ALP policies that most impact our membership. During the conference the fifth resolution the MUA was seeking, the shipping policy, was referred to this committee for the state ALP to better understand the complexities of our industry.

## EVENTS CALENDAR DECEMBER NEWSLETTER

### Branch Picnic Day

WHERE: Flemington Racecourse

TIME: 10am – 3pm

WHEN: 14 January 2020

### Monthly Meetings

WHERE: MUA Victoria Branch, 46/54 Ireland St, West Melbourne

TIME: 9:00am

DATES: 28 January 2020

25 February 2020

31 March 2020

### Branch Committee Meeting

WHERE: MUA Victoria Branch, 46/54 Ireland St, West Melbourne

TIME: TBC

DATE: 11 February 2020

### MUA Quadrennial National Conference

WHERE: Jupiter's, Gold Coast, Queensland

TIME: All day

WHEN: 2 – 6 March 2020

### Branch Delegates Training

WHERE: MUA Victoria Branch, 46/54 Ireland St, West Melbourne

TIME: 08:30am

WHEN: Late March (TBC)