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February 2023



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Energy Workers are up

MEU delegates from coal-fired power stations and domestic thermal coal mines across Australia met in Sydney last week to discuss the challenges facing their industry and the need for co-ordinated federal support for workers.

About sixty delegates from 25 work sites in Western Australia, Tasmania, Victoria, Queensland and NSW attended the meeting, where they heard from Climate Change and Energy Minister Chris Bowen, industry experts on hydrogen and carbon capture storage and representatives from all Districts about recent industry developments.



Climate Change and Energy Minister, Chris Bowen

Delegates endorsed the following statement:

This meeting of National MEU Energy Delegates has had two days of fruitful discussion regarding the substantial challenges facing Australia's coal power industry.

Delegates have shared their concerns about the lack of co-ordinated support for energy workers and communities in a period of rapid transition, including:

- Prospects for future secure, well-paid jobs
- Economic and social decline of coal communities as mines and power stations close
- Pressure on the way coal-fired power stations are operated due to the influx of renewables to the grid
- Lack of employer investment in maintenance as facilities move towards closure, compromising worker safety
- Lack of political and investor support for coal-related industries and technologies
- Security of energy supply.

Delegates appreciate the attendance and contribution of Federal Government representatives to discuss worker transition support and industry experts to discuss potential application of hydrogen and carbon capture and storage technologies.

We call for urgent establishment of a federal Energy Transition Authority to fund and co-ordinate support for workers, families and communities affected by the closure of coal power stations and associated coal mines.

We call on mine and power station operators to maintain the highest standards of safety during the period of transition and commit to holding them to account for keeping workers safe.

General President Tony Maher addressed the meeting about the urgent need for an Energy Transition Authority, as the timeline for power station closures accelerates.



“Given the speed at which coal fire power stations are now accelerating toward closure the Federal Government has to establish an Energy Transition Authority this year or it will probably be too late.

“If Australia doesn’t get an Energy Transition Authority established in time it would be a moral failure, because it’s wrong to expect blue collar workers to bear the brunt of the nation’s climate change action when the costs could easily be shared.”

Peter Compton from Mt Piper power station said it was a great opportunity to meet with others from across the industry to discuss achievements and frustrations as well as ask questions and share views with decision-makers.

He said workers had a front seat view of the immense changes facing the industry, but their interests were not being taken into account in government planning.

“Coal-fired power station closures are going to have an enormous impact on the grid and need to be planned for. Closures are also going to have an enormous impact on our lives and communities and these outcomes need to planned for too.

“I support the call for a Federal Energy Transition Authority. It has been great to speak with other energy workers from around Australia about how we navigate all the changes ahead.”



Carmichael workers organise and win

Coal mineworkers at the Bravus Carmichael mine in Queensland's Gallilee Basin have unionised their workplace and won an industry leading Enterprise Agreement.

Workers have gone from being some of the lowest paid workers on individual contracts to having some of the best pay and conditions in the Queensland coal fields.

In a new Enterprise Agreement voted up before Christmas – the first collective agreement at the site – workers have secured:

- **13% pay increase over three years including 6% in the first year**
- **\$18,000 retention bonus over three years**
- **Guaranteed free flights and accommodation locked into the EA**
- **78 weeks accident pay**
- **Pandemic leave**
- **Outlined salaries including double time for non-rostered overtime and triple time for Christmas and Boxing Day.**

They also improved their conditions in a range of other areas including payout of personal leave, disputes and representation, training and development, and natural disasters.

District Vice President Shane Bruncker said that many workers at Carmichael had been labour hire workers or contractors for many years. He said that many workers were ex BHP OS or from Workpac and were motivated to organise their workplace to win better pay and conditions through a collective Agreement.

Representatives from the Mining and Energy Union started attending the work site from January 2021 and began organising the workforce. After months of conversations, a strong Delegate network was established.

In 2022, the Union put out a petition regarding a future Agreement not having arbitration and representation clauses. The petition received overwhelming support and was signed by around

380 workers at a work site with around 400 workers.

"We started off with about three members at the work site a couple of years ago, and now we have coverage of the workforce of around 400 members.

"Winning the Agreement also wasn't the end of it, we have now been able to run disputes on things like backpay for higher duties, WorkCover, and assisting members who haven't been remunerated properly.

"Workers have been commenting about how successful and effective the Union has been on site, and we have seen that reflected in membership.

"Workers were willing to take a stand and now they have gone from being paid below Award level rates to enjoying some of the best pay and conditions in Queensland, in some classifications."

This win demonstrates how powerful workers can be when they remain united and strong.

"We kept up the fight to win an industry leading Enterprise Agreement. Even before we won the Agreement, Carmichael delivered three pay rises to try to placate workers because they were feeling the pressure.

"Many workers got involved and we had Delegates from across the pit with us. We stood together and we got a great win."



Peree puts mining front and centre in NSW election

Growing up in a mining union family inspired Peree Watson to get involved in charity and community work. Now she's running for NSW Parliament.

Peree Watson is Labor's candidate for the seat of Upper Hunter for the NSW Election.

Peree is the daughter of Mick Watson, former President of the Mining and Energy Union Northern Mining and NSW Energy District.

With her strong ties to our Union and coal mining communities, Peree chatted to us about the upcoming election and what she's hearing from mining communities.

Can you tell us a bit about yourself, and your personal connection to the Mining and Energy Union?

I was born and bred in Branxton NSW. When I was a kid, half of the town worked in coal mines, the other half in manufacturing. My father, Mick Watson was the Northern District President of the former United Mineworkers Federation, now the Mining and Energy Union.



Peree with her father, Mick Watson, former President of the Mining and Energy Union Northern District

My grandfather was also a coal miner, I know that conditions for coal miners used to be appalling, and I know that the only way we achieved the conditions we have today in the industry is thanks to the very hard work of a long line of miners campaigning and



striking together. Everyone rallied together to make sure miners and their families were looked after and to ensure the industry was better for future miners.

This inspired me growing up, which is why I got into charity and community work. I have worked at the Leukaemia Foundation, Hunter Medical Research Institute with the Mark Hughes Foundation, and Got Your Back Sista. I have worked with amazing organisations and donors to fund these crucial services, the vital medical research and the critical supports for people when they most need it. Charity work is about identifying a problem, a community putting their hand up to help, finding a solution together and then delivering that change.

Representing your community should be the same: listening, working hard and delivering.



Why do you want to represent Upper Hunter?

I've been a Branxton girl my whole life. What I love about Upper Hunter is all the unique communities which make it up.

What I hear from people is that they feel their voice isn't heard in Sydney. And I get that; because I have lived it my entire life.

We have challenging times ahead, but we also have awesome opportunities before us, and I want to shout out loud about how great the Upper Hunter is and focus on the opportunities we can create together.

Each of us love living in Upper Hunter and we want our children to thrive here. It's about having good jobs. It's about having great local schools. It's about having hospitals close to you that are fully resourced. I cannot believe that in the year 2023 we have mums who can't even give birth in Scone and Muswellbrook because of the crisis in our health system under the current government.

Regional communities are resilient, we are tough, but sadly we have become used to having poor services. It's simply not good enough and it's something our community shouldn't have to put up with.

The problem is that we have had the wrong people representing us for 140 years, we keep voting the same way and expecting a different result and they have been letting us down. It's time for a change. I will be that strong voice for our community.

You have spoken a lot about the importance

of mining to your community. Why is it so important to you personally?

I have worked in small business and charity throughout my career. Part of working and living here is knowing that the benefits of mining is not just siloed to those who work in it, but that the benefit extends to local businesses, and communities. A strong mining industry brings enormous value to all of us.

Mining is also close to my heart with my dad's background. When I was a kid, if the phone rang in the middle of the night, it was because a miner was seriously injured or killed. It gave me a great appreciation of the work that goes into mining, but I also learned from my dad that we need to look out for one another.

Even for my own family, when my children's father was injured in a mine, he was flown to the John Hunter Hospital. He was air lifted there by the Westpac Rescue Helicopter Service, which the Mining and Energy Union sponsors. Having the certainty of this emergency healthcare support was incredibly important and I'm very grateful for that service supported by the Union.

Mining communities are strong communities, and I want to deliver a positive future for the Upper Hunter so that it can continue to be a place we want all want to live and work in.

I will not stand by and let vested interests talk down our future to suit their agenda, we have great opportunities due to our existing infrastructure and skills base and we can continue to thrive as a region.

What feedback are you hearing from residents on the campaign trail?

The Upper Hunter has unique communities, but the same main issues do come up everywhere.

Bad roads are costing each of us money, I've heard stories of people having to replace tyres roadside, of trucking companies having vehicles off the roads for major repairs, or businesses in small towns missing out because travellers are simply avoiding driving on their road, enough!

I'm hearing that people are struggling to access healthcare, nurses are at breaking point, paramedics are spending hours in emergency department queues and patient transport rather than the vital emergency work they are trained to undertake.

I'm hearing that the privatisation of our electricity network has been a disaster and it's costing us every time we get a bill. As a state we should be investing in energy and returning the dividends back to the community.

The resounding message is that we deserve better and after 12 long years we need a change.

There is a party right now that pretends to represent us, but all they care about is shiny buildings and big announcements, not the things that really make a difference in people's everyday lives. A vote for minor parties will not deliver change it just keeps the same bloke in.

It's been really important to me to get out there, and knock on doors and talk to people, because if you don't do that you can't represent the community.

We noticed that you have been campaigning a lot with Dan Repacholi. Do you have a favourite food spot in your electorate?

It has been awesome campaigning with Dan, he is hard to miss! I haven't been able to keep up with his burger consumption though!

I'm a coffee and sandwich girl personally. Worn Out Wares in Singleton does an incredible reuben sandwich.

You also can't go wrong with Double Picc in Muswellbrook. They are sensational. My go to for a double shot espresso.

I'll leave the burgers to Dan!



'Justice and accountability at last': Energy Australia fined \$1.5 million over preventable death at Yallourn

Graeme Edwards' family and workmates are relieved Energy Australia has finally faced consequences over his preventable death in a workplace accident at Yallourn Power Station in 2018.

Energy Australia fined \$1.5 million after 2018 workplace death at Yallourn Power Station

ABC Gippsland / By Bec Symons

Posted Mon 13 Feb 2023 at 11:49am, updated Mon 13 Feb 2023 at 1:43pm



Graeme Edwards worked for the power station for more than 30 years. (Supplied: Edwards Family)

An experienced operator and long-term MEU member, Graeme was killed during a routine maintenance task when an arc flash occurred while installing a high voltage circuit breaker.

WorkSafe initially declined to press charges but initiated a prosecution three years later after the MEU, with the support of Graeme's family, made a formal request under provisions in Victorian OHS legislation.

Energy Australia pleaded guilty to three counts of failing to provide a safe workplace. Yesterday they received three fines totalling \$1.5 million during sentencing in the County Court of Victoria.

MEU Victorian Secretary Mark Richards said there was a great sense of relief among Graeme's family and tight-knit community that Energy Australia had been held accountable at last.

"We were devastated by the initial decision not to prosecute. Energy Australia admitted that Graeme

had done nothing wrong, he was performing a routine task that should not have cost his life. "Finally, we have seen some justice and accountability.

"Nothing can compensate for the tragic loss of Graeme; but his family, friends and workmates deserve to know that those responsible will face consequences.

"While this tragedy unfortunately predated industrial manslaughter laws; Monday's conviction and fine will make it harder for Energy Australia to dodge responsibility for accidents and safety failures in future."

Mark Richards urged the Victorian Government to take action on a 2016 review of OHS compliance and enforcement in Victoria, which found that provisions for requesting prosecutions (Section 131 of the OHS Act) were unclear and confusing.

"This case demonstrates that on some occasions, authorities will only do the right thing when they come under pressure. The Government must ensure there are transparent processes in place to request prosecutions if people believe there's been a failure by the regulator to hold employers to account over safety.

"With the pressure to close coal power stations the MEU has serious concerns that power generators may not adequately maintain their plant, which could lead to safety concerns.

"These three convictions will serve as notice that safety is paramount."



JUSTICE FOR MINERS

After a shocking start to 2023 in the Queensland mining industry, our Queensland District is urging everyone to back a campaign for greater justice and accountability over worker deaths.

A spate of dangerous dozer rollovers in coal mines was followed by the tragic death of two miners at MMG's underground zinc mine near Mt Isa in February.

The bodies of 36-year-old Trevor Davis and 33-year-old Dylan Langridge were found after their vehicle fell fifteen metres down a stope, sending shockwaves through the mining industry.

Concerns about safety were already high after the series of dangerous vehicle incidents. A worker at Saraji suffered serious internal injuries after his dozer rolled several meters. At Curragh, a dozer backed off a bench into a body of water. At Moorvale, an operator was trapped inside the cab of a rolled dozer for eight hours. Another dozer rollover occurred just days later at Moranbah North just hours after the Union issued a safety alert regarding the preceding incidents. An additional incident occurred when two vehicles collided at Poitrel mine in Coppabella, west of Mackay.

Resources Safety & Health Queensland have since issued compliance directives to the mine operators regarding the dozer rollovers and are investigating the fatalities at MMG underground mine.

The Queensland District continues to use every avenue available to improve safety systems across the industry. Meanwhile, the District has launched the 'Justice for Miners' campaign to ensure that those responsible for the serious injury or death of our workmates are held to account.

Since 2019, six coal miners have been killed at work (this doesn't include zinc miners Trevor Davis and Dylan Langridge) and many more have been seriously injured, yet there has been a consistent failure to prosecute in the wake of devastating accidents and fatalities.

No charges were laid against Anglo over the horrific explosion at Grosvenor in May 2020. No charges have been laid over the death of Graham Dawson at Crinum mine in 2021. Charges were dropped in the matter of David Routledge, killed at

Middlemount mine in 2019. Charges were lodged but later withdrawn over the death of Donald Rabbitt at Curragh mine in 2020. No charges have been laid over the death of Gavin Feltwell at Moranbah North in 2022. And the family of Bradley Hardwick, killed at Moranbah North mine in 2019 is still waiting for justice.

Mining and Energy Union Queensland President Stephen Smyth said that the Queensland Government cannot keep saying that the state has the world's best safety legislation while nothing happens.

"We celebrated a victory when Queensland's industrial manslaughter laws were extended to cover the mining industry in 2020. However, these laws are only valuable if there is an appetite by our regulators and political representatives to use them.

"At the moment, mining communities are feeling let down that as workers are killed and injured, companies and executives don't appear to be facing consequences."

Leesh Dawson the daughter of Graham Dawson who was killed at Crinum mine in 2021 also said that the lack of justice only compounds the grief felt by loved ones, and that more needs to be done by political representatives.

"Each time we get an update, it's just okay, you know a few more months, three months, six months... the grief is delayed and we're not able to grieve properly.

"It's not fair that just because these are large organisations that nothing gets done.

"We elect these people and put them in power to be our voice."

The Justice for Miners Campaign calls on the Queensland Minister for Resources, and the Minister for Industrial Relations to use their powers to ensure that the industry regulator and workplace health and safety prosecutor are held to account for their repeated failures to prosecute individuals and companies over incidents which have killed and seriously injured mineworkers.

Add your voice at JusticeForMiners.com.au

BHP brings in US\$25.7 billion in 6 months, but continues to complain about royalties

It's that time of year again. The world's major mining and resource companies are revealing exactly how much money they've been able to add to their coffers over the past six months – or over the past year, for those operating with a January to December financial year. One announcement that has been generating a lot of news coverage is the BHP half-year results for July to December 2022.

BHP turned a profit of US\$6.6 billion in the space of just six months, with revenue for the period surpassing US\$25 billion. Remove last year's stratospheric result (which was helped by extraordinary prices for hard coking coal), and BHP profits over the past few years remain on a consistent upward trajectory. While BHP's average sale price for metallurgical coal has dropped about 37% since the first half of 2022, average thermal coal prices soared to US\$354.30/t.

Australian coal continues to be a consistent money-spinner within the BHP portfolio. Revenue for BMA's Queensland metallurgical coal mines was US\$3.6 billion, leading to a cash profit of US\$1.4 billion and a margin of 40%. Mt Arthur thermal coal fetched more than US\$2bn in revenue, supporting a cash profit of US\$1.3 billion and a margin of 62%. In fact, profits for the NSW Energy Coal unit were up 175% on the second half of 2021.

Meanwhile, iron ore revenue was US\$11.8 billion, and it achieved a cash profit of US\$7.6 billion on a very healthy 65% margin. While iron ore prices were down substantially compared to last year, solid earnings were assured due to a record half-year production result.

BHP has also made headlines, announcing that it will sell two of its Queensland mines, Blackwater and Daunia. This decision aligns with BHP's broader plans to diversify away from coal assets over the long term, and comes after recent divestments of its interest in the BMC coal mines and Cerrejón in Colombia.

But BHP is not ready to let this reality stand in the way of a good media beat-up. It's prepared to take every opportunity to complain about any government decision which dares curtail its windfall profits. Whether it's a new royalties regime in Queensland, or a coal reservation scheme in New South Wales, any imposition in support of the public good is being used to cover the tough decisions that BHP was always more than willing to make anyway. And CEO Mike Henry has been quick to reaffirm BHP's commitment to its six other Queensland coal mines, which produce some of the highest quality coking coal in the world.



WA Government provides \$20 million bailout to state's principal coal supplier, Griffin Coal

The WA Government has provided almost a \$20 million bailout to Griffin Coal in order to protect the state's electricity supply.

In September, Griffin Coal mine which operates near Collie went into receivership with debts of almost \$1.4 billion and declining reserves.

This follows Premier Mark McGowan's announcement in June 2022 that all remaining state-owned coal power generators would close before 2030.

This may mean that the only remaining coal power could be the privately owned Bluewaters 1 and 2 stations, which is linked to their sole coal supplier, Griffin Coal.

The \$19.5 million bailout is a significant intervention aimed at keeping the lights on.

Mining and Energy Union Western Australian

Secretary Greg Busson cautiously welcomed the announcement by the Government.

"We have known that Blueswater 1 and 2 have been in significant trouble in recent years regarding coal supply, which has been concerning as within a matter of years they may be the last coal power station in the state, and Griffin is their sole supplier.

Supplies from Griffin Coal play a key role in servicing the grid that powers Perth and south west of WA, so continuing to have this supply will help provide stability to the grid over the next few years.

This is welcome news for workers in the short-term, however we are still calling on the WA Government to secure the future of Griffin Coal in the long-term for affected employees and the broader community."

The Government has stated that they intend on recouping the \$19.5 million when Griffin's commercial arrangements are resolved.



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Message from the General Secretary

Long service leave win for coal contractors



A recent Federal Court judgment has upheld the principle that if you perform coal mining work in a coal mine, you should receive coal mining entitlements. It sounds obvious, but some contractor employers have been arguing that if their primary business is not coal mining, they shouldn't have to stump up.

The February 8 judgment concerns a long-running attempt by equipment supplier Hitachi to avoid paying the Coal Industry Long Service Leave Scheme levy for some of their employees who work in Hunter Valley coal mines maintaining machinery. Hitachi argued that because their business is not primarily in coal mining, they should not have to participate in the scheme. Hitachi are backed by the Australian Industry Group who want to narrow the scope of the scheme to exclude mechanical and electrical contractors working in coal mines.

The Coal Industry Long Service Leave scheme is administered by the federal statutory body Coal Long Service Leave (Coal LSL) and requires employers to pay a levy for eligible employees based on hours worked. The levy goes into a fund to cover the cost of their access to thirteen weeks' paid leave after eight years of service in the industry for each eligible employee. It's a portable scheme, meaning workers maintain their entitlement regardless of whether they have changed employers during that time.

The Coal Industry Long Service Leave scheme is unique. It was fought for by coal miners in our District over 70 years ago. Born from the bitter seven-week coal strike of 1949, it was the first scheme in Australia for blue collar workers. It remains one of the most comprehensive schemes in Australia and is considerably more beneficial to employees than National Employment Standards and State based long service schemes.

Under the Coal Long Service Leave Act, a worker becomes eligible for the scheme either if their employer's primary activity is mining black coal, or if the employee's duties are directly connected with the day-to-day operation of a black coal mine.

In the matter brought by Coal LSL against Hitachi Construction Machinery, Justice Raper found that even though Hitachi is not primarily a coal mining company – only a small fraction of its overall revenue comes from the industry – its Muswellbrook branch does primarily service the black coal industry through major machinery service and repair contracts at local coal mines.

She found that four workers, representative of employees of the Hitachi Muswellbrook branch had worked as mechanics carrying out or overseeing the repair and maintenance of mining machinery at Hunter Valley coal mines. They were eligible to be covered by the scheme due to the nature and location of their work duties being connected to the daily operation of coal mines.

This judgment is important because it adds to the weight of legal opinion that eligibility for coal mining entitlements, including coverage by the Black Coal Mining Industry Award, should be based on the activity of the employee, including their work tasks and environment, and not solely the industry of the employer.

It affirms the right of mechanical and electrical contractors in coal mines to be covered by the Coal LSL Scheme and the requirement for their employers to contribute to the scheme.

Hitachi may appeal this decision and employers will always find new ways to try and wind back worker entitlements, but it's always worth celebrating when our justice system delivers a win for workers.



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