

June 2019

Common Cause.



‘JETSTAR’ MODEL LANDS AT BHP MINES



'JETSTAR' MODEL LANDS AT PEAK DOWNS AND SARAJI



PEAK DOWNS AND SARAJI COAL MINES ARE THE LATEST TARGET FOR BHP'S NEW CUT-PRICE WORKFORCE EMPLOYED BY ITS IN-HOUSE LABOUR HIRE COMPANY, OPERATIONS SERVICES.

Workers at Peak Downs have been told that in September, 230 roles will be filled by Operations Services workers to replace jobs filled by contractor HSE Mining.

At Saraji, 130 Operations Services roles will begin next month, replacing services currently supplied by contractors UGL in the washplant and Downer in vehicle maintenance.

The introduction of OS at these sites is a blow to the hundreds of employees of contracting firms who will lose their jobs, said Queensland District President Stephen Smyth.

“DOWNER WAS RECENTLY TOLD THEY HAD A TWO-YEAR EXTENSION ON THEIR CONTRACT AT SARAJI, MEANING WORKERS HAVE MADE COMMITMENTS BASED ON ON-GOING WORK. NOW, THEY WILL LOSE THEIR JOBS. THEY CAN APPLY FOR JOBS WITH OPERATIONS SERVICES, BUT THE PAY IS LOWER THAN THEY ARE CURRENTLY RECEIVING UNDER DOWNER'S UNION-NEGOTIATED EBA. IT'S A DISGRACE.

“If BHP is genuine about bringing work in-house, they should offer jobs to existing labour hire workers and contractors under existing site agreements.”

Operations Services workers have already been deployed at Caval Ridge and Daunia in Queensland and Mt Arthur in NSW, causing division among the workforce.

At Mt Arthur, where BHP has employed no-one under the site agreement for about six years, a team of 48 OS employees has started work. They are on a 7 on 7 off roster and required to stay at a local motel in Muswellbrook during their shift.

The shift pattern is at odds with the 3/2 roster worked at Mt Arthur and is the only arrangement in the Northern District where worker accommodation is provided, to facilitate the

use of a non-local workforce. OS workers are paid more than \$40,000 a year less than those on the Mt Arthur site agreement.

“This is one of the most divisive issues I've ever faced in the workplace,” said Northern District Vice President Jeff Drayton.

“THESE WORKERS ARE BEING TAKEN FOR A RIDE. CANDIDATES ARE TOLD THEY ARE GOING TO WORK AT MT ARTHUR FOR BHP AND THEY ARE EXCITED ABOUT THAT. IT'S ONLY WELL THROUGH THE PROCESS THEY ARE TOLD IT'S FOR OPERATIONS SERVICES.

“It's no surprise they are struggling to keep people in these jobs, they are experiencing a lot of turnover and the 48 roles has shrunk to about 30.”

BHP announced the new subsidiary last December. The CFMEU subsequently became aware of two proposed enterprise agreements lodged with the Fair Work Commission involving \$1 shelf companies fully owned by BHP.

The 'Operations Services Production Agreement 2018' was voted on by 50 employees with 37 in favour. The 'Operations Services Maintenance Agreement 2018' was voted on by 16 employees, with 9 in favour. These agreements designed to cover thousands of workers were voted on by a very few, mostly like in the WA iron ore industry.

Both agreements have a national scope and allow for workers to be transferred to any of the company's operations at any location at any time, including coal and metalliferous mines, allowing the company to avoid paying redundancies when staffing needs change.

Pay rates are \$30,000 to \$50,000 a year lower than site agreements negotiated by the CFMEU and there are no wage rises under the terms of the two four-year agreements.

The Union is challenging the validity of both agreements in the Fair Work Commission, with hearings scheduled later this month. Operations Services workers are currently being employed on common law contracts.

General President Tony Maher said the Union would use all possible avenues fight the 'Jetstar' model that sees coalminers working side by side for vastly different rates of pay and conditions.

“It's unacceptable that BHP is replacing a dodgy casual labour hire model with a cut-price Jetstar model. It's just another way of siphoning money out of workers' pay packets back into company profits. All workers doing the same work in a coal mine should be getting the same pay and conditions and we encourage all workers to join the Union and support this fight.”

LESSONS FROM LOCKOUT INSPIRE SCHOLARSHIP WINNER



Aimee Williamson

CONGRATULATIONS TO AIMEE WILLIAMSON AND HALLE BROWN, WHO WERE AMONG 20 SUCCESSFUL APPLICANTS FOR THIS YEAR'S ROUND OF MINeworkers TRUST SCHOLARSHIPS.

Aimee Williamson grew up in the mining town of Tieri in the Bowen Basin before moving to Yeppoon on the coast. Glencore's brutal lockout of coal miners at Oaky North in 2017 and 2018 gave her a unique insight into the importance of fair employment law.

Aimee's dad Shane Williamson is active in CFMEU's Oaky Creek No 1 Lodge and many family and friends were involved in the lockout.

She has recently finished her first semester of an international relations/ law double degree at Bond University, which has been "everything I hoped for."

The \$6250 scholarship has covered many of the costs involved in starting uni including text books and professional clothes required for the networking and practical elements of her law degree.

When she graduates, Aimee is hoping to get her practising certificate and go into an area of law that helps people, like employment law.

"THE OAKY NORTH LOCKOUT PUT INTO PERSPECTIVE HOW SERIOUS IT CAN GET AND HOW MUCH WE NEED TO HAVE THE ABILITY THROUGH UNIONS AND LAW REFORMS FOR PEOPLE TO BE ABLE HAVE A VOICE."

A long interest in law and commitment to social justice

Halle has hit the ground running in her five-year double degree in social science and law at the University of Newcastle, earning distinctions and high distinctions in a 'busy, exciting and challenging' first semester.

Halle has had a long interest in law and commitment to social justice. She hopes to work as a criminal lawyer one day, protecting people and their rights.

The \$6250 scholarship has allowed her to buy text books and cover travel costs between home in Denman in the Upper Hunter and Newcastle.

"THE SCHOLARSHIP HAS ALLOWED ME TO FOCUS ON MY STUDIES WITHOUT THE STRESS OF A FINANCIAL BURDEN ON MYSELF AND MY FAMILY.



Halle Brown

"I now have the have the financial stability to relocate to Newcastle on a permanent basis."

Halle's proud dad Dave Brown is a CFMEU member at BHP's Mount Arthur coal mine.

Mineworkers Trust scholarships are awarded each year to CFMEU Mining and Energy members, family members and dependents who are undertaking study diploma level or higher at TAFE or university. They are assessed independently.

Congratulations to all the successful 2019 scholarship applicants – applications for 2020 will be open towards the end of this year.

2019 Mineworkers Trust Scholarship Winners		
Hannah Bates	North	Abermain
Amy Benson	Old	North Goonyella
Mitchell Benson	Old	North Goonyella
Halle Brown	North	Bayswater
Lauren Cadman	North	Mandalong
Dana Costigan	Old	North Goonyella
Katherine Edwards	North	Eraring Energy
Josephene Everett	North	Wambo Open Cut
Trent Gillespie	Vic	Loy Yang Power A
Justin Gleeson	Old	Kogan Creek Power Station
Madison Hamono	Old	Gladston Port Authority
Amelia Hartin	Old	New Acland
Rebecca Hugo	Old	Oaky North
Cara Jewell	Vic	Loy Yang Power A
Lachlan Jewell	Vic	Loy Yang Power A
Blake Shackleton	North	Bayswater
Reijn Taylah	North	Wambo Open Cut
Aimee Williamson	Old	Oaky Creek Number 1
Leah Wilson	North	Bayswater

2019 Winners List

FAREWELL ANDY HONEYSETT



“WORKING UNDERGROUND THE CONDITIONS ARE TOUGH, BUT THE CAMARADERIE MAKES IT WORTHWHILE. THE FRIENDSHIPS HAVE KEPT ME GOING.”

Andy Honeysett

SOUTH WEST DISTRICT PRESIDENT ANDY HONEYSETT RETIRES AT THE END OF JUNE, ENDING A LONG CAREER AS AN UNDERGROUND COAL MINER AND UNIONIST. ANDY IS RESPECTED ACROSS THE UNION AS A DETERMINED FIGHTER FOR MEMBERS AND LOYAL COLLEAGUE.

“Andy was made to be a union official,” said his predecessor, former South West President Wayne McAndrew.

“HE’S ONE OF THE FAIREST PEOPLE I KNOW, A REAL STICKLER FOR FAIRNESS. HE WOULDN’T TOLERATE BULLYING OR HEAVY-HANDEDNESS BY ANYONE, ESPECIALLY THE MINE OWNERS.

“He’d fight to the death for the membership. He’s loyal and supportive, it’s always good to have people like Andy Honeysett watching your back.”

Andy began his working life as a carpenter but joined the coal industry at Ulan Underground in the NSW Central West in June 1985 and quickly became active in the union. He became shift delegate in 1987, a Lodge Vice President in 1990 and Lodge President in 1993. He also served on the district Board of Management and Central Council before replacing Wayne as District President in 2009. He has served on the Division’s Central Executive and represented the union as a director of Coal Services and a member of the NSW Mine Safety Advisory Council.

In 24 years at Ulan Underground Andy was known for his constructive approach and was instrumental in making sure that increased coal production and the expansion of the mine in the mid-90s delivered better conditions for the workforce.

His straight-talking, pragmatic approach to resolving issues and securing the best deal for members has benefited coal miners across the district.

“In bargaining, Andy always puts the members first,” said South West VP Graeme Osborne, who will take over as District President in July.

“He has been a great advocate for our district and our union, his contribution has been enormous. He has done himself and his family proud.”

Whether working underground or in the union office, Andy says the friendships he has made have been the best part of his career. *“Working underground the conditions are tough, but the camaraderie makes it worthwhile. The friendships have kept me going.”*

Now, he’s looking forward to spending time with his wife Kim at their Gulgong farm, putting his carpentry skills to use restoring the farmhouse and welcoming his fourth grandchild.

“Andy will be missed across the whole union,” said General President Tony Maher. *“He is a great listener, he understands the members’ views and concerns and advocates tirelessly for them. He has played an important, constructive role at the national level. On behalf of the whole CFMEU, I wish him all the best in retirement.”*



BOSSES ATTACK ON COAL AWARD WILL HIT LONG SERVICE LEAVE

THE AUSTRALIAN INDUSTRY GROUP IS SEEKING TO VARY THE BLACK COAL MINING INDUSTRY AWARD TO REDUCE THE SCOPE OF WORKERS IT COVERS, AFFECTING IMPORTANT ENTITLEMENTS LIKE LONG SERVICE LEAVE.

The employer organisation has filed an application with the Fair Work Commission to limit coverage of the Award to employees of mining companies. Currently, the Award applies to all workers whose duties are directly connected with the day to day operation of a black coal mine, regardless of the nature of the employer's business.

The variation sought by the AIG would exclude those workers whose daily work is in coal mines but whose employer is a contractor in a related field, like machinery maintenance. The change sought by the AIG would not affect labour hire coal miners.

The CFMEU is vigorously opposing the AIG's application.

General Secretary Grahame Kelly said that if the AIG's application was successful, it would see a significant number of workers in coal mines missing out on the conditions that have been won over many years, including more annual leave and accident pay than other awards. It would also lead to those workers being excluded from the Coal Long Service Leave scheme, a national portable scheme offering 13 weeks paid leave after eight years.

"Coal Long Service Leave is an important benefit for coal mineworkers that our Union has fought to defend over many years.

"Under the scheme, employers are required by law to pay into a fund to make sure all coal miners can take paid leave after eight years. It is only fair that if you work in a coal mine, you get industry standard long service leave.

"WE HAVE BEEN WORKING HARD TO MAXIMISE COVERAGE AND MAKE SURE THAT CONTRACTING COMPANIES WHO HAVE WORKERS IN COAL MINES ARE PAYING INTO THE FUND. UNSURPRISINGLY, SOME OF THESE EMPLOYERS WOULD RATHER KEEP THE MONEY FOR THEMSELVES."

The AIG is seeking to backdate the variation to the award to 2010 as a means of wiping the debts of those employers who were supposed to be paying into the fund but have not.

A hearing into the matter is set for October.

MORANBAH CADETS KEEP THEIR COOL WITH LODGE DONATION



WELL DONE TO OUR GOONYELLA RIVERSIDE LODGE FOR THEIR GENEROUS DONATION OF A TRANSPORTABLE CAMPING FRIDGE TO THE LOCAL MORANBAH ARMY CADETS.

Lodge Vice President Robert Oram said the Engel fridge was a practical contribution to support the community's youth, which the Moranbah Army Cadets 145th Unit could otherwise not afford. The Army Cadets is open to kids aged 13 to 18.

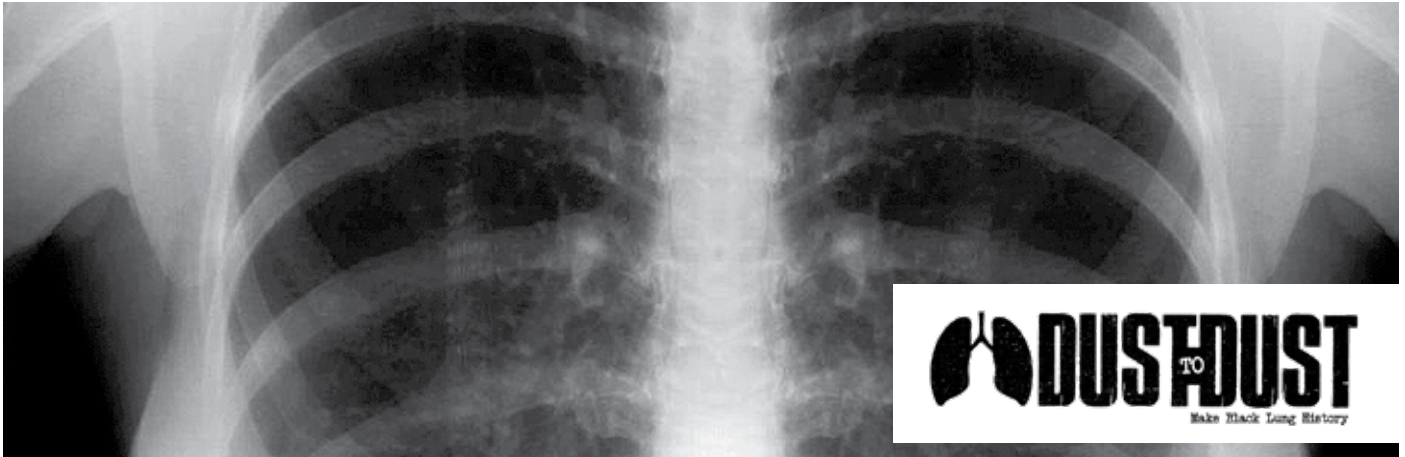
"The portable fridge not only carries food and drink for field exercises, it is also important for carrying medicines that

must be refrigerated. Without a quality refrigeration system some of the cadets are excluded from activities."

The Lodge partnered with Unity Bank in buying and presenting the fridge and embroidered cover.

"The Engel fridge will last for years and provide an ongoing reminder about the role our Union plays in supporting the community," said Robert. "It is a direct support to the community and that's why we thought it was a great fit for our sponsorship."

MOBILE SCREENING UNIT LATEST WIN IN DUST DISEASE FIGHT



A MOBILE SCREENING VAN TO TEST QUEENSLAND COAL MINeworkERS FOR DUST DISEASES INCLUDING BLACK LUNG IS THE LATEST WIN IN THE UNION'S CAMPAIGN TO STEM GROWTH IN THE DEADLY CONDITION.

The Queensland Government last week announced \$1.2 million for a mobile service for regional Queensland in communities including Moranbah, Emerald, Rockhampton and Mackay. It will provide x-ray and spirometry services to current coal mineworkers as well as those who have left the industry or retired.



Queensland District Vice President Steve Pierce attended the announcement with Mines Minister Dr Anthony Lynham, saying the independently operated service would be welcomed by mineworkers who had lost trust in company doctors to diagnose and manage the condition.

The CFMEU has been leading the campaign to improve detection and management of dust diseases for mineworkers, with the mobile screening unit being the latest success. Outcomes include:

Lower dust levels: Legal exposure limits for respirable dust were lowered from 3.0 to 2.5mg/m³ from November 2018 and there are commitments to further reductions this year.

B-reader training: Training programs have been developed for radiologists to achieve the 'B-reader' qualification specifically for identifying pneumoconiosis.

Improved screening: All chest Queensland coal mineworker chest X-rays are now dual read to ILO standards and are assessed by a qualified B-reader. X-rays were being sent to the US for assessment, now they are being assessed by Lungscreen Australia.

Scrutiny of company doctors: New legislation gives the Mines Department the power to investigate compliance by company doctors with health standards.

Independent dust monitoring: The Mines Department has appointed the first of several dust technicians to monitor coal and silica dust levels in Queensland underground and open cut mines, with the ability to perform unannounced inspections.

Dust disease register: The Queensland government has established a Notifiable Dust Disease Register to officially record cases of occupational dust disease, recognising the seriousness of the issue.

District President Stephen Smyth thanked the current Queensland Government for taking dust diseases seriously after government and industry neglect saw Black Lung return to the state's industry decades after it was believed to have been eradicated.

“THESE MEASURES WILL SAVE LIVES. THERE’S CERTAINLY MORE TO DO AND THE UNION WILL KEEP OUR FOOT ON THE PEDAL SO PROGRESS DOESN’T STALL,” HE SAID.

“Priorities are to keep lowering allowable dust levels and ensure greater access to independent, quality medical advice for coal miners.

“We need better legal protections for affected workers. At the moment, workers are worried that a diagnosis means they’ll be thrown on the scrapheap – because they frequently are.

“And we also need the industry to step up and contribute to a fund for victims. All the action we’ve seen over the past three years has been funded by taxpayers through government. It is the mining companies who have caused this tragic situation, it’s time for them to contribute.”



HINT: NOT WHILE IT'S MAKING SO MUCH MONEY.

There was media coverage recently that the world's biggest listed mining company, Australia's BHP, was getting out of thermal coal. So what did the company actually say, and what did they mean? Perhaps not what you think.

BHP is one of the world's largest coal producers – but most of it is metallurgical or coking coal for steelmaking. It is the world's largest supplier of coking coal in international markets.

While coking coal is an essential component in the making of iron and steel, and cannot be replaced for decades to come, thermal coal is mainly used for power generation and is facing price competition from renewables, and public pressures over carbon emissions causing global warming.



BHP owns two major thermal coal mines – all of the Mount Arthur Coal mine in the Hunter Valley, producing around 20 million tonnes per year – and one third of the Cerrejon project in Colombia that produces 30 million tonnes per year. These are large coal mines in world rankings.



In a presentation to investors on 22 May, BHP said:

“ENERGY COAL ASSETS ARE CHALLENGED”, THAT THE COMPANY HAS “NO APPETITE FOR GROWTH IN ENERGY COAL REGARDLESS OF ASSET ATTRACTIVENESS” AND THAT ENERGY COAL GLOBALLY WOULD BE PHASED OUT “POTENTIALLY SOONER THAN EXPECTED”.

BHP was also at pains to point out that thermal coal was just 3% of its assets, unlike the broader coal business which is one of the major pillars of the company.

On the other hand, the company is making loads of money out of its A\$2.5 billion of thermal coal assets. In its half year report to December 2018 the company reported over A\$600m (A\$1.2 billion on an annualised basis) in cash flow after deducting operating costs. The cash margin ranges from 30 cents to 50 cents in the dollar. These are very profitable assets. The company is not offloading these assets while they are so profitable.

FROM THE PRESIDENT

Tony Maher



“WE ARE AS FOCUSED AS EVER ON FIGHTING FOR OUR MEMBERS’ JOBS AND RIGHTS.”

Tony Maher

ADANI JOBS MUST BE PERMANENT, LOCAL AND WELL-PAID

There's no question that coal was at the centre of May's federal election. Green activists and the 'stop Adani' campaign made sure of that, with their convoy into Queensland backfiring when it turned out that people in coal regions support our second largest export industry and the jobs it provides.

One of the outcomes of the focus on coal during the federal election is that the Queensland Government announced tight deadlines for approving outstanding approvals for Adani's Carmichael project in the Galilee Basin, with the final approval before construction can commence to be announced this week.

If its groundwater management plan is approved, construction may proceed within weeks – but it's just as likely there will be further delays due to legal challenges or other hold-ups. Adani still has to navigate building a rail line and negotiating a royalties agreement.

Adani has become a symbol of the coal industry's future due to aggressive campaigning for and against it. Our union supports coal developments that can meet required approvals and industry standards, Adani included. But a 10 million tonne per annum coal mine will not change the face of Australia's coal industry. If it doesn't go ahead, that volume of coal will be produced elsewhere to meet market demand, along with the 800-1500 on-going jobs it anticipates creating.

During the election campaign, the Queensland Government announced its approval of the 15 million tonne Olive Downs coal mine with 1000 on-going jobs and fast-tracking of the 8 million tonne Winchester South coal mine with 450 on-going jobs, to little fanfare.

Our focus now is on making sure that any jobs the Carmichael project does create are local, permanent and well-paid and we have sought assurances from CEO Lucas Dow. If half the jobs are casual labour hire with no holidays, no job security and 30% less pay it will be a slap in the face for locals who have supported the project in good faith.

OUR UNION CAMPAIGNED FOR A CHANGE OF GOVERNMENT BECAUSE WE ARE ALARMED AT THE SPREAD OF CASUAL LABOUR HIRE THROUGH OUR INDUSTRIES, A RORT DRIVEN BY EMPLOYERS TO DRIVE DOWN WAGES AND CONDITIONS. FEDERAL LABOR HAD COMMITMENTS TO END CASUALISATION OF PERMANENT JOBS AND TO ENSURE 'SAME JOB SAME PAY' FOR LABOUR HIRE WORKERS. WE WILL KEEP FIGHTING THE CASUAL LABOUR HIRE RORT, BUT THERE'S NO QUESTION IT WILL BE A MORE DIFFICULT BATTLE.

However, we understand there was real concern in coal communities about Labor's energy policy and a perceived lack of support for the coal industry that hurt Labor's vote in coal regions.

Labor's new resources spokesman, Hunter MP Joel Fitzgibbon has conceded that Labor didn't spend enough time talking up the value of mining. Even though it has always been Labor's policy to support the export coal industry and for coal power to be a significant part of Australia's domestic energy mix, they were reluctant to talk about it. Joel's appointment is a good outcome and he will be a great advocate for the industry and for the workers and communities who rely on it.

Meanwhile, we will be making sure that all MPs who won their seats on a platform of supporting coal are held to account for supporting coal workers, not just company profits. Coal mining should be a source of good, local well-paid jobs, but as we all know, the bosses are always looking for ways around it. We are as focused as ever on fighting for our members' jobs and rights.

TONY MAHER,
General President

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