

VOTE NO

BHP OS PRODUCTION EA 2023

Members,

17 July 2023

OS workers are being asked to vote on another proposed Agreement from BHP.

Voting opened on 17 July and will close on 21 July.

MEU members in BHP Operations Services (OS) should be proud that their actions have moved the Company on a number of items:

However, there is still more work to do.

We believe that OS workers deserve nothing less than what other BHP employees have in place.

After all - you are working alongside each other.

BHP's proposed Agreement still does not provide OS workers with enough transparency or security, with a number of items still left up to Company Policy which can be changed at anytime without your involvement.

The Company's current proposal even allows for you to be stood down for unlimited periods without pay.

If something's not set out in your Agreement, it's at the discretion of BHP.

The MEU encourage all OS workers to take the time to properly read through the proposed Agreement before you cast your vote.

Read the MEU's position on the clauses contained within the proposed Agreement. **We encourage all OS workers to vote No.**

**WE'VE WON A LOT
FROM VOTING NO
AND TAKING ACTION.**

- ✓ **FIXED WAGE INCREASES**
- ✓ **ACCIDENT PAY**
- ✓ **LONG SERVICE LEAVE**
- ✓ **PAID FLIGHTS**
- ✓ **PROGRESS ON QLD HUB**

WE CAN WIN MORE.



**Mining &
Energy
Union**

VOTE NO

BHP OS PRODUCTION EA 2023

Clause	MEU Position
1. Title	Not agreed – The MEU are seeking a coal only Agreement.
2. Coverage	Not agreed – The MEU are seeking a coal only Agreement. The proposed Agreement applies to both coal OS workers and OS workers in other mining (iron ore for example) who are covered by another Award.
3. Relationship with other Instruments and the National Employment Standards	Not agreed – The MEU are seeking for a coal only Agreement and the inclusion of a number of policies (such as the Bonus) to be included in the Agreement. Policies not included in the Agreement can be changed at any time, without your involvement or agreement. Some of those policies include the Bonus and payment for Christmas and Boxing Day.
4. Term of Agreement	Not agreed – The Company want a 4-year Agreement, we are seeking a 3-year Agreement.
5. Type of Employment	Not agreed – As the proposed Agreement will apply to 2 different awards, the ordinary hours of work are also different. If the Company agreed to a coal only Agreement this clause would be agreed.
6. Duties	Not agreed – The Company do not agree to the inclusion of a clause that would stop them assigning tasks that promote de-skilling. Essentially this clause would ensure that all OS workers use and retain their skills. This clause also contains information on the hubs. Whilst MEU OS members have been able to move the Company there is still concern about how the Company can still essentially move you to any other mine within Queensland without your agreement. The MEU are pressing for this clause to be tightened up further.
7. Remuneration	Not agreed – Whilst the Company have now agreed to include a minimum of 4% increases to your annualised wage rate, they still have not been transparent and have not supplied the formulas and calculations for the rates.



Mining &
Energy
Union

VOTE NO

BHP OS PRODUCTION EA 2023

17 July 2023

	<p>The MEU does not agree with the proposed above Award Guarantee. All OS workers deserve to know what they will be paid, and the calculations the Company used to determine that pay rate. This also impacts on other matters such as the correct overtime rates, allowances and penalties. The Company expect that all OS workers should simply “trust them” when it comes to their wages, this is the same Company who was caught out underpaying workers by \$430 million for public holidays.</p>
8. Superannuation	<p>This clause is mostly agreed. The only outstanding issue relates to which default fund the Company are using.</p>
9. Hours of Work	<p>Not agreed – This clause relates to a number of matters such as start/ finish times, start/ finish places, rosters and changing rosters or crews, overtime when changes on rosters occurs, and notice. Again, OS workers deserve transparency in relation to these matters and these issues should be spelt out in the proposed Agreement.</p>
10. Public Holidays	<p>Not agreed – The MEU continue to press for the same provisions that BHP already provide the rest of their workforce. Items such as the correct payment for working public holidays, Christmas and Boxing Day as non-working days, requesting leave on public holidays. This same Company was found to be in breach of the National Employment Standards and still they continue to expect OS workers to be treated differently to the rest of the BHP workforce.</p>
11. Annual Leave	<p>This clause is mostly agreed. There are still some issues with how other types of leave impact on an OS worker’s ability to take their entitlement.</p>
12. Personal Carer’s Leave	<p>Agreed.</p>
13. Compassionate Leave	<p>Agreed.</p>
14. Parental Leave	<p>Agreed.</p>



Mining &
Energy
Union

VOTE NO

BHP OS PRODUCTION EA 2023

15. Long Service Leave	Agreed.
16. Community Service Leave	Agreed.
17. Leave to deal with Family and Domestic Violence	Agreed.
18. Leave without Pay	Not agreed – The decision to take unpaid leave should be up to the worker once they have exhausted all other leave entitlements, not the Company.
19. Inclement Weather	Not agreed – Again the OS workforce are treated differently to the rest of the BHP workers. The Company do not agree to include provisions for payment when you are unable to access the site because of inclement weather or providing a notice period so you can leave site in a timely manner to make preparations at home in case of inclement weather. If you can't access the site because of flooding or need to get home because of an incoming cyclone the Company want you to use your leave entitlements.
20. Accommodation and Travel	Not agreed – The Company have not been specific enough in these clauses. For example, the type of accommodation and the location of accommodation is left entirely up to the Company which flows into their proposed hubs (transferring workers from one site to another without agreement). The Company have not agreed to lock in any other travel points for QLD based OS workers outside of Brisbane – meaning they can include it and take it away at anytime. The Company have also not agreed to include “non-share” accommodation.
21. Stand Aside and Stand Down	Not agreed – The Company are treating OS workers as guilty from the start of any investigation. The Company need to provide a better process and criteria for dealing with any investigation process.



Mining &
Energy
Union

VOTE NO

BHP OS PRODUCTION EA 2023

22. Issue Resolution Procedure	Not agreed – The Company do not agree to take a dispute to the Fair Work Commission, unless it's with their agreement. What Company is going to agree to go to Fair Work when they know they could be penalised? They will never agree, and that means they will continue to get away with whatever they can at your expense.
23. Individual Flexibility	Agreed.
24. Management of Change/ Consultation	Agreed.
25. Redundancy	Not agreed – The MEU are seeking a process that ensures the Company have taken every other step available before making workers redundant.
26. Termination of Employment	Agreed.
27. Reconciliation	Not agreed – The MEU seek the inclusion of rates of pay and the calculations for the rates in the Agreement. If the Company agreed to that, this clause would not be needed. The MEU do not trust BHP to pay their workforce correctly – especially when they owe BHP workers \$430 million in underpayments.
28. No Further Claims	Agreed – This is a standard clause from the Fair Work Act.
Bonus	The Company does not agree to include the bonus or set clear criteria for the bonus into the Agreement. As this is a policy it can be changed at anytime without your agreement.



Mining &
Energy
Union