

OCTOBER 2021

# Common Cause.



## TRAIN DRIVERS ON TRACK TO REORGANISE THE PILBARA

Authorised by T.Maher CFMEU Mining and Energy Sydney

[commoncause.cfmeu.org.au](https://commoncause.cfmeu.org.au)





Rio Tinto Pilbara President Rodney Slapp

## Organising the Pilbara

Iron ore train drivers in the Pilbara are exhausted. They've borne the brunt of a sector booming in the middle of a pandemic - leaving some stuck over east chewing up leave and some doing double the work in 45 degrees in the west.

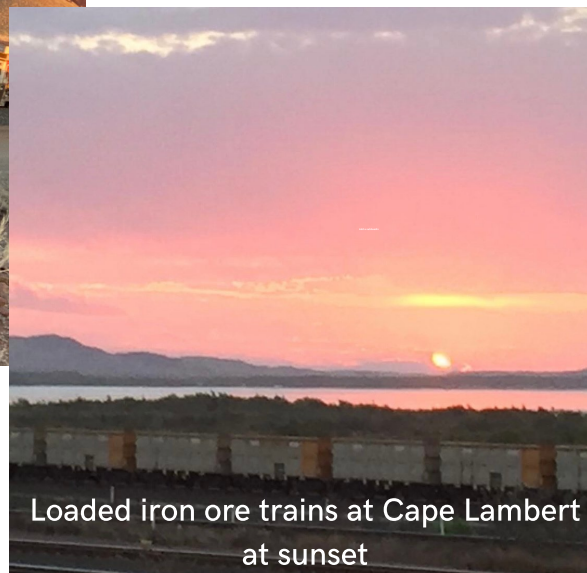
Now, train drivers in the Pilbara are getting organised to address long-running issues including inconsistent rates of pay, demanding rosters, automation and camp conditions.

Our latest podcast looks at what is happening for iron ore train drivers, who drive gigantic trains carrying millions of dollars of ore from mine to port and are an important part of our union's membership.

Meet our new Pilbara Lodge Presidents – Rodney Slapp at Rio Tinto and Justin Parry at BHP – as well as our new WA Rail Organiser Warren Johncock, who drinks a lot of expensive airport coffee as he keeps in touch with FIFO train drivers doing the regular commute from Perth to the north-west.

Rodney, Justin and Warren are leading a committed effort to rebuild union strength in the iron ore sector after the anti-union push by Rio Tinto that destroyed collective bargaining and forced workers onto individual contracts in the 1990s.

Warren is regularly in the Pilbara for meetings with workers and all Pilbara train drivers are encouraged to follow the Pilbara Rail Round Up (@railroundup) page on Facebook for news and meeting details.



Loaded iron ore trains at Cape Lambert at sunset

**Listen at:**

**[commoncause.cfmeu.org.au/podcast](https://commoncause.cfmeu.org.au/podcast)**

**Or search 'Mining and Energy Union' on your favourite podcast platform.**

## JOB OPPORTUNITY

Our organising and campaigning team is growing.

We are seeking experienced organisers based in Central Queensland to work with our members in underground and open cut coal mines, power stations and coal ports.

- Good wages, generous leave and great conditions
- Ongoing career development
- Interstate applicants welcome

Find out more and apply here:

<https://www.seek.com.au/job/54575523>



# MANDATORY COVID VACCINATION UPDATE: CHALLENGE AT MT ARTHUR AND LEGAL STATE OF PLAY

**A challenge to BHP's mandatory vaccination policy is underway in NSW, but legal options vary from state to state due to public health orders.**

Our Union is challenging BHP's Covid vaccine mandate at its Mt Arthur coalmine in the Hunter Valley, lodging a dispute in the Fair Work Commission arguing it is not a lawful and reasonable direction. Mt Arthur is set to be the first BHP mine affected by company's mandatory vaccination policy, with everyone who works at or visits the site required to receive their first jab by November 10. The policy will affect all BHP sites by January 2022.

In a conciliation hearing on 28 October, Deputy President Saunders referred the matter to arbitration, likely to be heard by a full bench of the Commission. This hearing is yet to be scheduled but represents a good first step. If arbitration is not complete before November 10, the union may seek interim orders to prevent the mandatory vaccination policy being implemented at Mt Arthur.

Northern Mining and NSW Energy District President Peter Jordan said that BHP's approach was heavy-handed and counterproductive, given there are no public health orders in NSW requiring mineworkers to be vaccinated.

"High rates of Covid vaccination among mineworkers would be better achieved through education, access and incentives rather than threatening people's livelihoods," he said.

***"An open-cut coalmine is not the same as a hospital or aged care facility.***

***We are calling on BHP to take a reasonable approach and work with employees and contractors to achieve high rates of vaccination while maintaining the full range of Covid safety measures on site."***

Our Queensland District is currently consulting with BHP over its Covid policy as a major workplace change and disputes may be lodged in the Fair Work Commission over the policy's implementation at Queensland coal mines, depending on the outcome in NSW.

If BHP is successful in implementing its mandatory vaccination policy it's considered likely other mining companies will follow suit.

General President Tony Maher wrote to BHP's Head of Minerals Edgar Basto about the Union's concerns in August, when BHP initially flagged it was looking at mandatory vaccination, raising our concern about the policy.

Our Union's position is that industry-based mandatory vaccination is a matter for government to determine through public health orders. There are no public health orders in NSW or Queensland requiring mineworkers to be mandatorily vaccinated.

In Western Australia, the Chief Health Officer has mandated vaccinations in the mining and resources sector based on the need to protect the remote and regional communities and to prevent industry closures. All mineworkers in WA must be fully vaccinated by 1 January 2022. The written Public Health orders have not yet been issued and the union will seek advice on the final orders when they are available.

In Victoria, the state government has issued orders requiring all 'authorised workers', which include coal mining and power station workers, to be fully vaccinated by the end of November in order to continue working. Legal advice obtained by the Union regarding the Victorian health orders reaffirmed that the state government does have the legal authority to mandate Covid vaccinations for groups of workers through public health orders; and that employers are required to implement them. There have been no successful legal challenges to public health orders to date.

**In all jurisdictions, members can be assured that union representatives will work hard to make sure jobs, rights and working conditions are protected to the fullest extent possible.**

The Union continues to encourage members to get vaccinated to protect their own health and to seek qualified medical advice to address any concerns.

## Union takes issue with BHP's jab mandate

EWIN HANNAN  
WORKPLACE EDITOR

The mining union has challenged BHP's Covid vaccine mandate at its Mt Arthur coalmine, claiming the move was not a lawful and reasonable direction given NSW had not issued a public health order requiring the mandatory vaccination of mine workers.

Lodging a dispute in the Fair Work Commission, the CFMEU's mining and energy division said members were concerned they would lose their job at the Hunter Valley open-cut coalmine if they did not comply with BHP's direction that staff get their first jab by November 10.

BHP announced on October 6 that it would introduce vaccination as a condition of entry to its Australian sites and offices effective no later than January 31, 2022. BHP intends to introduce the

requirement at Mt Arthur in advance of any other BHP mine, citing "local risk factors".

Peter Jordan, the union's northern mining and NSW energy district president, accused BHP of taking a "heavy-handed and counter-productive" approach at Mt Arthur.

"High rates of Covid vaccination among mineworkers would be better achieved through education, access and incentives rather than threatening people's livelihoods," Mr Jordan said.

"There is no public health order in NSW requiring mandatory vaccination in the mining industry. An open-cut coalmine is not the same as a hospital or aged care facility. We are calling on BHP to take a reasonable approach and work with employees and contractors to achieve high rates of vaccination while maintaining the full range of Covid safety measures on site."

The workforce at Mt Arthur comprises about 2000 people, including 1100 direct employees.

In its application, the union says there has been no public health order issued in NSW requiring mandatory vaccination of mine workers as had occurred in Victoria and Western Australia.

While the union said it strongly supported the vaccination of the highest possible number of Australians, it did not back compulsory employer vaccine mandates, and members were concerned about the threat to their jobs if they did not comply by November 10.

It said the vaccine mandate was not a lawful and reasonable direction by the employer because of the absence of a NSW public health order; no other NSW mining employer had done it; and there were existing strict Covid control measures at Mt Arthur.

The union is seeking, at first instance, a conciliation conference

convened by the commission and, if necessary, an interim or final order requiring the withdrawal of the vaccine mandate.

BHP Minerals Australia president Edgar Basto said "the science is clear that widespread vaccination saves lives".

"In line with government guidance, we recognise the path forward is through widespread vaccination ... and we are looking at a range of practical ways to support that while protecting communities and workforces," he said.

"We have undertaken a thorough assessment and believe that this is the right path forward to protect the health of our people, their families and the communities where we operate - including remote Indigenous communities - while continuing to safely run our operations. We will work closely with our workforce as we go through the process of implementing these controls."



Figure 5.9: Australia's metallurgical coal exports

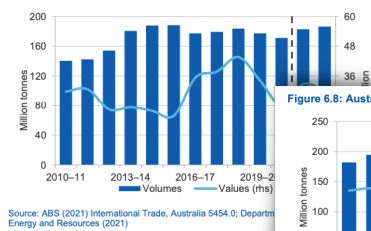
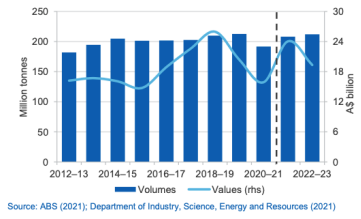


Figure 6.8: Australia's thermal coal exports



# Coal going gangbusters in 2021 as outlook for exports debated

By Peter Colley, National Research Director

## How well things are going for the coal industry now seems to depend entirely on what timeframe you choose.

Right now, loads of money are being made with coal prices through the roof. But for the longer term, organisations like the Reserve Bank of Australia and the Business Council of Australia – along with the Federal Government's 'Net Zero' plan – are openly canvassing the decline of not just coal power, but also coal exports. The Federal Department of Industry has an Office of the Chief Economist (OCE) that issues forecasts for minerals and energy every three months. Their 2 year forecast issued in late September has revised upwards the expected earnings for Australian coal – quite considerably. For 2021-22 the export earnings of the coking coal industry jump to \$32.8 billion from \$23.4b in 2020-21. That's even though volumes increase only a little – to 183m million tonnes. Thermal coal export volumes increase a bit more – from 192mt to 208mt, while the earnings jump a lot more – from \$16b to \$24b. That's almost \$57 billion in total – up with the previous peaks. It's being driven by very high coal prices – up to US\$250 per tonne for thermal coal on the spot market, and over US\$400 per tonne for coking coal on the spot market. The high prices are being driven partly by the market convulsions caused by China's ban on Australian coal, and partly by over-reliance in Europe and north America on gas and wind energy. It seems that the coal divestment push has raced ahead of the actual decline in demand for coal.

The export boom is not expected to last. The OCE has thermal coal dropping fastest in 2022-23 – down \$5 billion, while coking coal drops \$3b. Still, loads of money being made right now!

But the mainstream – media, business and govt – are all increasingly forecasting or canvassing the impending decline of the coal industry. And not just domestic coal power, but export coal as major customers like Japan, China and Korea all commit to reaching net zero emissions from 2050 or 2060.

Now, Scott Morrison – with the support of Nationals leader Barnaby Joyce – has also signed Australia up for net zero greenhouse gas emissions by 2050 as he heads off to the

COP26 global climate talks in Glasgow.

The 129-page 'plan' released by the government is light in detail about how Australia will achieve this target but its economic analysis does forecast a decline in thermal coal. The Business Council of Australia – which has had a history of lobbying against most action on global warming – has also now embraced the target of net zero by 2050, and also a steep earlier target of 46-50% reduction by 2030 – less than a decade away.

The industry that takes the biggest hit to achieve this is coal power generation – down over 60% within a decade. Coal power gets hit the hardest of all industry because the alternative technologies are already commercially available. Other industries are far more difficult to "decarbonise".

Interestingly, the BCA acknowledges that coal mining region workforces and communities will be adversely affected and calls for a "National Regional Transition Taskforce" to focus on reducing those adverse impacts. The Reserve Bank – hardly a bastion of green ideology – has taken to publishing scenarios that include the coal industry shrinking by over 80% by 2050.

The scenario that is "Nationally Determined Contributions" is based on the current commitments of governments around the world to reduce their emissions. That is, if governments do what they say they are going to do. This scenario has Australian coal exports declining slowly to about 2030, and then rapidly. We should also note that the two further scenarios – the ones that actually keep global warming to 2 degree or less – have Australian coal exports declining more rapidly.

The Reserve Bank doesn't think the decline in coal exports will have a huge impact on the national economy – it expects other exports to take their place. But it also says that it is coal mining regions that will be hurt, and implicitly that is where public policy action should be directed.

The Morrison Government's net zero plan makes lots of reference to support for regional areas, but little detail about what that looks like.

So should we "make hay while the sun shines" or brace for "winter is coming"? We should do both!

# Curragh checkie Sara nominated for excellence award

**Sara Hines was intimidated when she took on the role of site check inspector (SSHR) at Curragh mine near Blackwater.**

She knew there would be a steep learning curve to understand all the safety hazards on site, become familiar with legislation, policies and procedures and get comfortable dealing with site senior executive and inspectors.

But two and a half years into the role, her confidence has grown and she's passionate about improving safety at Curragh and across the industry.

The great job Sara is doing as SSHR has been recognised by her employer Coronado, who are nominating her in the Exceptional Tradeswoman/Operator/Technician Category in the Queensland Resources Council's International Women's Day Awards.

Sara is one of four female check inspectors in the Queensland coal industry, but she hopes to encourage more women to put their hands up for the challenging but satisfying role.

It involves conducting safety inspections, reviewing procedures, reporting unsafe practices generating a monthly report and fielding regular calls from fellow coal miners about safety issues – all in addition to her role as an operator.

"When the previous SSHR moved on, my workmates encouraged me to stand for the role as I was always speaking up about safety," she said.

"I am looking forward to staying in the role for the long-term as I believe that the knowledge developed over time about safety issues across the mine is extremely valuable – from cleaning to emergency response to drill and blast.

"Safety of workers is our industry's most important challenge as we learnt at Curragh with a tragic fatality in 2019. That put a fire in my belly to prevent anything like that happening again. I have had a safe career and I want that for every coal mine worker.

"Not speaking up about safety can be a challenge in the mining industry as people don't want to draw attention to themselves. I work hard to build relationships with people so that no-one on site will ever feel they didn't have someone to talk to about safety."



**Curragh SSHR Sara Hines**

Sara has worked in the coal industry for 16 years and is looking forward to staying in the industry and at Curragh for the rest of her working life.

***"Mining is a great industry and women should be able to take up all the opportunities it offers. Sometimes, women can be reluctant to put themselves forward due to lack of confidence but whether it's SSHR, delegate or training opportunities – my message is to go for it."***

**Good luck Sara, we think you're a worthy winner!**







# From the General President Nats sign up to Net Zero

Scott Morrison has finally announced he was committing Australia to net zero carbon emissions by 2050 as he heads off to the international climate summit in Glasgow this week. After some excruciating theatre about what they would 'extract' for their support, the Nationals gave net zero their blessing in exchange for another cabinet position. For all their talk about regional jobs it shows whose jobs they really care about.

The net zero commitment doesn't come as a surprise – the same commitment has already been made by all Australian states, major companies like BHP, business groups like the Business Council of Australia and many of our trading partners. But the hypocrisy and politicking around it has been staggering.

The debate about dealing with the challenge of climate change has deteriorated over the past decade.

**Coal miners have been treated like political footballs by both extreme ends of politics and people are sick of it. We are sick of it.**

Especially frustrating is the ridiculous claim by green activists that to take action on climate change means immediately abandoning all coal production and use. That's simply not true. But it's also galling to see so-called advocates for coal – like certain National Party MPs – pretending to support the industry but not offering a single policy that will deliver new mining jobs at the same time as backing mining companies to keep employing workers as casual labour hire.

Our coal industry still has a future – but that future looks different for the export coal sector and the domestic coal power industry.

Twenty-one coal-fired power stations still supply about 60 per cent of Australia's total energy needs. But regardless of the net zero targets, our members in power stations have seen firsthand that coal power plants have been closing for years, with more closures scheduled in the years ahead.

The National Party, supposed champions of regional Australians, has no track record of going into bat for power station workers affected by these closures. They didn't lift a finger to support workers who lost their jobs when the Hazelwood power station shut in the Latrobe Valley at short notice in 2017.

Coal export is a different story. Coal comes second only to iron ore as our biggest export earner. We produce about 450 million tonnes of black coal annually, and export 90% of it. About 40 per cent of that is metallurgical coal, worth about \$33 billion. There is currently no practical and economical alternative for steel-making. The rest is thermal coal for power generation. That's worth another \$24 billion. Prices for both thermal and metallurgical coal are currently booming.

Even as coal use shrinks globally, forecasts have Australia's share of export trade continuing to grow. Nations that produce lower grade coal, produced inefficiently will leave the market first and we should absolutely make the most of that.

Australia's export coal industry is currently booming and it will do so while customers keep buying our coal, regardless of our domestic targets. Meanwhile, we do need genuine support for workers and regions affected by structural change in our domestic power industry. What we are getting at the moment is plenty of scare-mongering, plenty of theatre and dress-ups, but no real support for jobs or work rights.

At the end of the day, the Nationals have backed in Scott Morrison's Net Zero plan for Glasgow. They should own it and instead of worrying only about their own jobs, they should offer real support to coal workers – a first good step would be backing permanent jobs. I'm not holding my breath though.

**Tony Maher, General President**

