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October 2022

UNION WOMEN GET CONFERENCES DONE!

QLD WOMEN'S CONFERENCE 2022



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# UNION WOMEN GET CONFERENCES DONE!

QLD WOMEN'S CONFERENCE 2022



Queensland women members met in October for two fantastic days of presentations, special guest speakers, information sessions and networking.

Maore women are now entering the mining industry, but mining companies' actions to support women often don't match their rhetoric about gender equality. That's why it's important for women mineworkers to have the support of their union in the fight for fair and safe working conditions.

We are proud to have witnessed increasing activism of our female members across our Union nationally, with women taking up roles as shift delegates, safety inspectors and Lodge executives.

The Queensland Women's Conference was led by Jenna Saunders, Blackwater No.1 Lodge Secretary and Trudy Helsham, a coal miner and union activist at Moorvale Mine.



Jenna said she was proud to be part of the event: "I'm excited about the future of the MEU and the direction we're going in, and I'm proud

that the MEU helped us put the Conference together. Being from a smaller work site, seeing so many members at once was great."

Trudy said the two days was rewarding for everyone involved. "What I really loved seeing was the support the ladies were giving each other, and it was great that the MEU helped us put something like this together with amazing speakers, valuable information. and constructive debate."

While the Conference had some exciting and sometimes light-hearted moments, challenging issues were also discussed including fighting against stereotypes, gender inequality in superannuation, as well as sexual harassment.

"We've come a long way together, but when we had discussions about some work sites still not having female toilets, it makes me realise that we still have a lot to do, even in 2022," said Trudy.

"However, overall, it was great to see everyone come together. It's not just women's issues but it's issues for everyone, and the MEU supports a range of causes, including the Uluru Statement from the Heart which we discussed on one the days. I feel positive about the future, and I'm excited that we're bringing everyone along on the journey."

The Conference was well received by attendees and members who attended reflected on how informative and engaging the speakers were, the opportunity to meet other like-minded women and the overall feeling of unity.

# Strong support for protected action from QLD BHP workers

Members at BHP coal mines in Central Queensland have shown strong support for taking protected industrial action to improve job security protections in their Enterprise Agreement.

In a protected action ballot held during October, about nine out of ten members voted for a range of measures:

- **90% supported stoppages of 1-6 hours**
- **81% supported shift-length stoppages (including consecutive stoppages)**
- **94% supported bans on non-rostered overtime**
- **90% supported bans on training and assessing**
- **95% supported bans on hot-seating during shift changeovers**
- **93% supported bans on performing step-up supervisor duties**
- **93% supported action regarding the time and location of crib.**

Miners at Saraji, Peak Downs, Goonyella Riverside and Blackwater mines showed strong support for action they are willing to take after BHP failed to make commitments to support permanent jobs.

This follows eighteen months of negotiations with BHP, including months of assisted negotiation meetings facilitated by the Fair Work Commission.

“We have attempted to bargain in good faith with BHP on the key claims that are important to members, but we felt that there was not enough progress made, which is why we put a vote to members about what industrial action they would be willing to take to get a better deal” said Stephen Smyth, Queensland District President.

“They’re not willing to settle for hollow promises anymore. They want hard protection built into the agreement around EA job numbers, redundancy protections and career progression.”

MEU bargaining representatives have been pushing for ‘one for one’ where site EA jobs are replaced with another job in the same area, as well as protections to stop permanent jobs being replaced by other contractors.

MEU bargaining representatives have also been pushing to ensure that BHP maintains a multi-skilled workforce paid a consistent rate, due to concerns that workers’ skills acquired are not reflected in pay rates.

The next step will be to engage with Lodges and Members and develop an effective plan for protected industrial action to achieve a fairer Enterprise Agreement that recognises the value of job security. The strong ballot result means there is a range of options available.



# Significant wins in the North and South-West Districts

## Contractor win: Chandler loses appeal over redundancy pay

Chandler Macleod has lost its appeal against a legal win by our union determining that it must pay redundancy pay to former employees at the Hunter Valley's Mount Arthur coal mine.

The Fair Work Commission rejected Chandler's attempt to overturn a previous decision that it owed redundancy pay to permanent employees who lost their jobs when Chandler lost its Mt Arthur contract to Programmed last year. As a result of unsuccessfully tendering for the contract, Chandler terminated the employment of its employees working at the mine, by way of redundancy.

The majority of Chandler employees successfully obtained employment with Programmed; however the Fair Work Commission dismissed an application by Chandler that they should not have to pay out redundancy pay. In the original decision, the Commission has determined that employees gained employment with Programmed through their own efforts and eligible permanent employees should be paid redundancy entitlements according to the National Employment Standards. In dismissing Chandler's appeal, the Commission reinforced this decision.

Northern Mining and NSW Energy District President Robin Williams said the decision was a great win for contractors in the industry.

"Working together through the union is the only way coal mineworkers can successfully take on their employer and win, whether they work for a mine operator or labour hire company.

"Chandler must now take heed of these two clear decisions by the Fair Work Commission and pay its former employees what they are owed."

## Appin miners fight and win better pay, conditions

MEU members at Appin Lodge have voted up a new, improved agreement at South32, which includes a guaranteed pay rise of 15% over four years with a potential to increase to 20%.

Beyond pay, members have also won improved benefits and conditions, including:

- **A \$3,000 sign-on bonus for all operators**
- **Retention of the minimum \$500 per week incentive scheme**
- **Stretch opportunities and double-time overtime rates**
- **Improved holiday volunteering process.**

Members at Appin Lodge undertook industrial action to secure a better deal from South32. Members undertook various types of industrial action, including half-shift stoppages each day they were rostered to work as part of this action, bans on training, and bans on overtime.

Coal miners at Appin and across the industry have worked through many years of downturn, accepting wage freezes and minimal advancement on pay and conditions when times were tough.

Last year, South32 Illawarra coal division delivered profits of \$2.1 billion, and Appin lodge members got organised to ensure they got their fair share.

Coal prices continue to boom, and this win is representative of members coming together and demanding more for the work they do, and all the value they have produced for these companies.

Congratulations to Appin lodge, who stood united and stayed strong.



# Next Stop: Same Job Same Pay

**Federal Member for Hunter, Dan Repacholi provides an update on Labor's new Secure Jobs, Better Pay Bill and charts the pathway for Same Job Same Pay**

In the 2022 Federal Election, with the support of the Mining and Energy Union I stood to be the Federal Member for Hunter. I was incredibly grateful to have been elected by my community in May, and I have been your representative now for around six months.

One of the reasons I stood to be your representative was because I wanted to raise the issues that matter to mining and energy workers in our federal parliament.

I wanted to update you on the Government's progress on industrial relations laws, as well as how we're continuing to chart the course for *Same Job Same Pay*, which we campaigned on together during the election.

## Secure Jobs, Better Pay Bill

The week, Workplace Relations Minister Tony Burke introduced the Secure Jobs, Better Pay Bill into the Australian Parliament. The Bill includes a suite of measures designed to help workers across Australia negotiate higher pay packets and better conditions. The Bill delivers on our election commitments as well as some of the measures outlined by the Jobs and Skills Summit in September.

The Bill also includes banning pay secrecy clauses, which means that companies cannot prevent their staff from discussing salaries. This will be significant for many mine workers who work on individual contracts which contain pay secrecy clauses, or those who work for companies that foster a hush hush culture around the discussion of pay. If we're going to ensure that all workers are paid fairly and equitably, it is essential that we can talk about it, which is why this measure is so important. The Government is working towards the laws being passed before the end of the year.

## Same Job Same Pay

I am proud to be a former coalminer and I'm bloody proud of my electorate's mining history.

We need jobs that are well paid and secure and aren't dominated by dodgy labour-hire arrangements. Put simply, whenever you work, if you're doing the same job as the person next to you, you should be paid the same—same job, same pay. It's simple.

During the election campaign, I was fortunate enough to speak to many of you, whether that be at your worksite or at a Lodge meeting about our *Same Job Same Pay* campaign.



We have all seen how mining companies have increasingly used labour hire arrangements to undercut the pay and conditions we have fought for in our union-negotiated enterprise agreements. This is why we need *Same Job Same Pay* legislation. I am confident that *Same Job Same Pay* will raise wages for thousands of labour hire workers and encourage more direct, permanent employment by some of Australia's biggest companies.

***We are already seeing the impact of our campaign and the Albanese Labor Government's commitment to legislative Same Job Same Pay in its first year of Government.***

At Grosvenor mine, 200 production workers were transferred out of their labour hire arrangements and into direct employment with the backing of the Mining and Energy Union. Make no mistake, this was in response to the Same Job Same Pay laws that are coming. Mining companies are starting to see the writing on the wall, and they're getting prepared now.

But that's why we need to make sure we get it right. Same Job Same Pay legislation must be designed very carefully to prevent avoidance strategies. It should apply to labour hire employees performing the same work as permanents, not to genuine specialist contractors, fully owned labour hire subsidiaries, workers at all pay levels and existing agreements without expectation.



The Government will undertake a consultation process with employers and unions to make sure the legislation is workable and meets its intended purpose of stopping labour hire being used to undercut Enterprise Agreements.

I will continue to work with the Mining and Energy Union to hold the Government to account for delivering this commitment, and I will be at the table with you to work through the issues to make sure the new legislation is in a form that will boost wages and permanent jobs for mineworkers.

## **Two mineworkers killed in WA gold mines**

Two workers were killed in a matter of days in Western Australian gold mines earlier this month.

A 59 year old man was killed at Capricorn Metals Karlawinda gold mine in the Pilbara on Thursday after the light vehicle he was occupying was run over by a large dump truck.

A 37 year old FIFO worker was killed at St Ives' underground gold operation in the Goldfields.

WA Worksafe are also investigating another incident which occurred at the Kanowna Belle gold mine near Kalgoorlie that injured two workers.

MEU Western Australian District Secretary Greg Busson commented: "The fact that we've had two incidents in close succession in different parts of the state is very concerning.

"In this day and age, we're still sending our loved ones to work, and some are not returning home. Production must not be prioritised over safety."

Greg Busson has reiterated the importance of safety for all miners going to work, but also noted that the WA Government introduced manslaughter as a crime during their first term of Government.

The MEU will be watching closely to see how these laws will be applied in the aftermath of these tragic incidents and will continue campaigning for improvements to safety practices and culture across the industry.

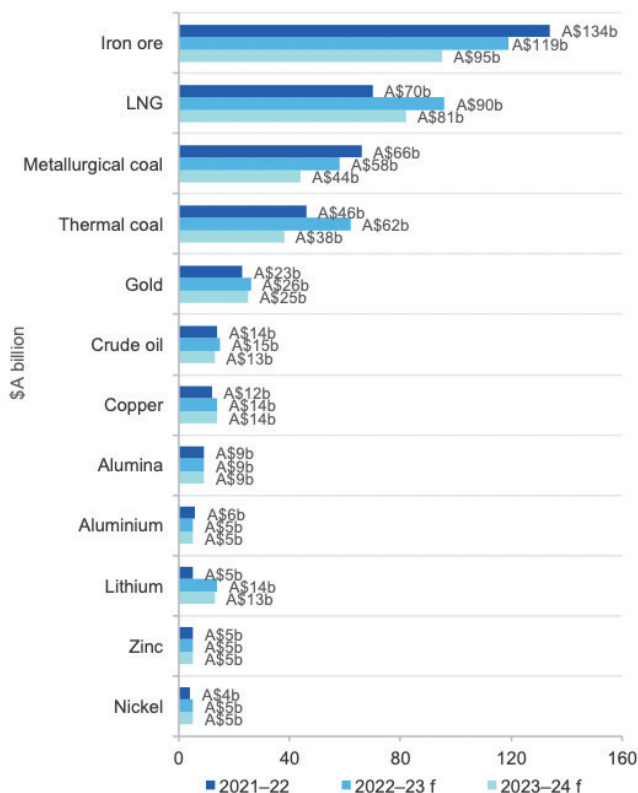




# Australian coal exports forecast to remain strong after record year

Current prosperous conditions for Australian coal exporters look set to continue, according to the latest government forecasting from the Department of Industry's Office of the Chief Economist. While the unprecedented coal prices seen earlier this year can be expected to ease, the underlying market fundamentals are likely to remain solid into the near future.

Figure 1.14: Australia's major resources and energy commodity exports, nominal



Buoyed by stratospheric thermal and metallurgical coal prices, Australian resources and energy export earnings reached a record \$422 billion in the financial year ending June 2022. The government's optimistic forecasting has this figure peaking at \$450 billion for this financial year, before the situation finally starts to inch back down to Earth. And while iron ore was our top export earner in 2021-22, combined thermal and metallurgical coal exports are predicted to rake in \$120 billion in 2022-23, enough to just scrape past iron ore into the top position.

Of course, predictions for the future are never fully reliable. The interplay of factors that have landed coal prices into their current situation could hardly have been foreseen twelve

months ago. And uncertainties persist, from the Covid-19 pandemic to La Nina weather cycles, the Russia-Ukraine situation, the global energy transition, and declining investment in thermal coal capacity. Nonetheless, the government thinks coal export volumes will begin to tick upwards in the next couple of years after recent constrained supply. This will support export earnings as coal prices ease back. Australian premium hard coking coal prices are expected to settle to US\$220/t by 2024. Meanwhile, Newcastle thermal coal prices are forecast to drop to US\$125/t over the same period – well above historical averages, but quite the contrast from current highs, which have peaked well above US\$400/t.

Figure 6.8: Australia's thermal coal exports

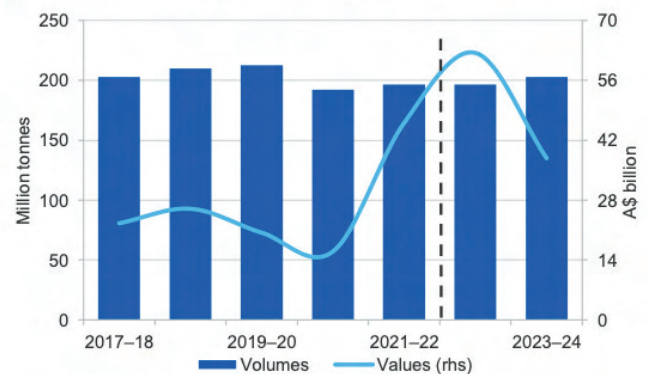
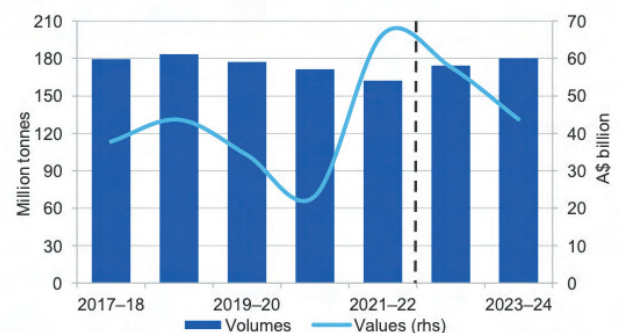


Figure 5.6: Australia's metallurgical coal exports



Source: ABS (2022) International Trade, Australia 5454.0; Department of Industry, Science and Resources (2022)

Looking further into the future, it is metallurgical coal that retains stronger long-term prospects than thermal coal. Exploration expenditure is likely to trend towards met coal, as thermal coal contends with greater challenges around social licence, financing, and government policy. Indeed, this will limit the ability of thermal coal producers to respond to current high prices with increased supply, assisting those thermal spot prices to remain very strong into the near future.

# Farewell, Peter Colley



This month we thanked and farewelled our National Research Director Peter Colley on his last day with the Mining and Energy Union before his well-earned retirement.

For 33 years Peter has been our most trusted source of industry expertise and he is a legend among labour researchers around the world.

During this time, Peter has been regarded as the foremost authority in the world trade

union movement on energy and resource economics, and the Mining and Energy Union was lucky to have him in our camp. Case after case in the Coal Industry Tribunal, and later in the Commission, Peter ran rings around the employer advocates attempting to cross examine him about company accounts, energy and resource economics.

He has been at the forefront of many challenges in our industry, particularly as we fought to stop the de-unionisation of the black coal industry, as well as fighting for quality mining jobs while navigating climate change.

His work has always been first class and ensured that whenever representatives of our Union went into a situation, they were armed with the best knowledge and advice.

Peter as the bloke is a great mate to all of us. He is reliable, trustworthy and has always acted with integrity.

We thank Peter for his incredible contribution to our Union and the labour movement and wish him and his family all the best for the future.



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# Message from the General President:

## Budget an important first step to giving workers a voice in energy transition



The past few weeks have seen a succession of power station closure announcements that signal more upheaval for members in the power sector. However, Tuesday's federal budget contains promising measures designed to support the involvement of workers and their communities in the decisions which will affect their future.

The government is funding a taskforce to bring together industry, unions, government and community representatives to advise on ensuring regional workers benefit from the changes and challenges ahead, as Australia moves away from coal power. Our Union has been advocating for a national transition authority and this taskforce is a good starting point.

Recent developments show exactly why transition planning is essential. Late last month, the Queensland Government revealed plans to wind up operations all coal-fired power stations by 2035. The following day, AGL announced it was bringing forward the closure of Loy Yang A in the Latrobe Valley to 2035, some 10 years earlier than previously scheduled.

More recently, the Victorian Government has announced plans to legislate higher renewable energy targets and revive the publicly owned State Electricity Commission, introducing new market pressures that will impact on the state's remaining coal-fired power stations. These developments serve to reinforce the urgent need for a national Energy Transition Authority with sufficient funding and powers to ensure that workers and their communities are not left behind.

Queensland's announcement coincided with the official signing of an Energy Workers' Charter for the state, which is a positive step. The Charter promises a consultative approach with workers and unions and includes a 'Job Security Guarantee' for affected energy industry workers employed at government-owned corporations such as CS Energy and Stanwell Corporation. While there are some good initiatives at a state level, the scale of the change cannot be left to states alone to manage.

We will keep up our strong advocacy for a national transition authority to oversee the orderly closure of power stations, support regional economic diversification, and coordinate training and redeployment. The news of the past few weeks confirms the need for action, and we are confident that measures announced in this week's budget are a promising start.

**Tony Maher, General President**



**Our Union's  
Future**