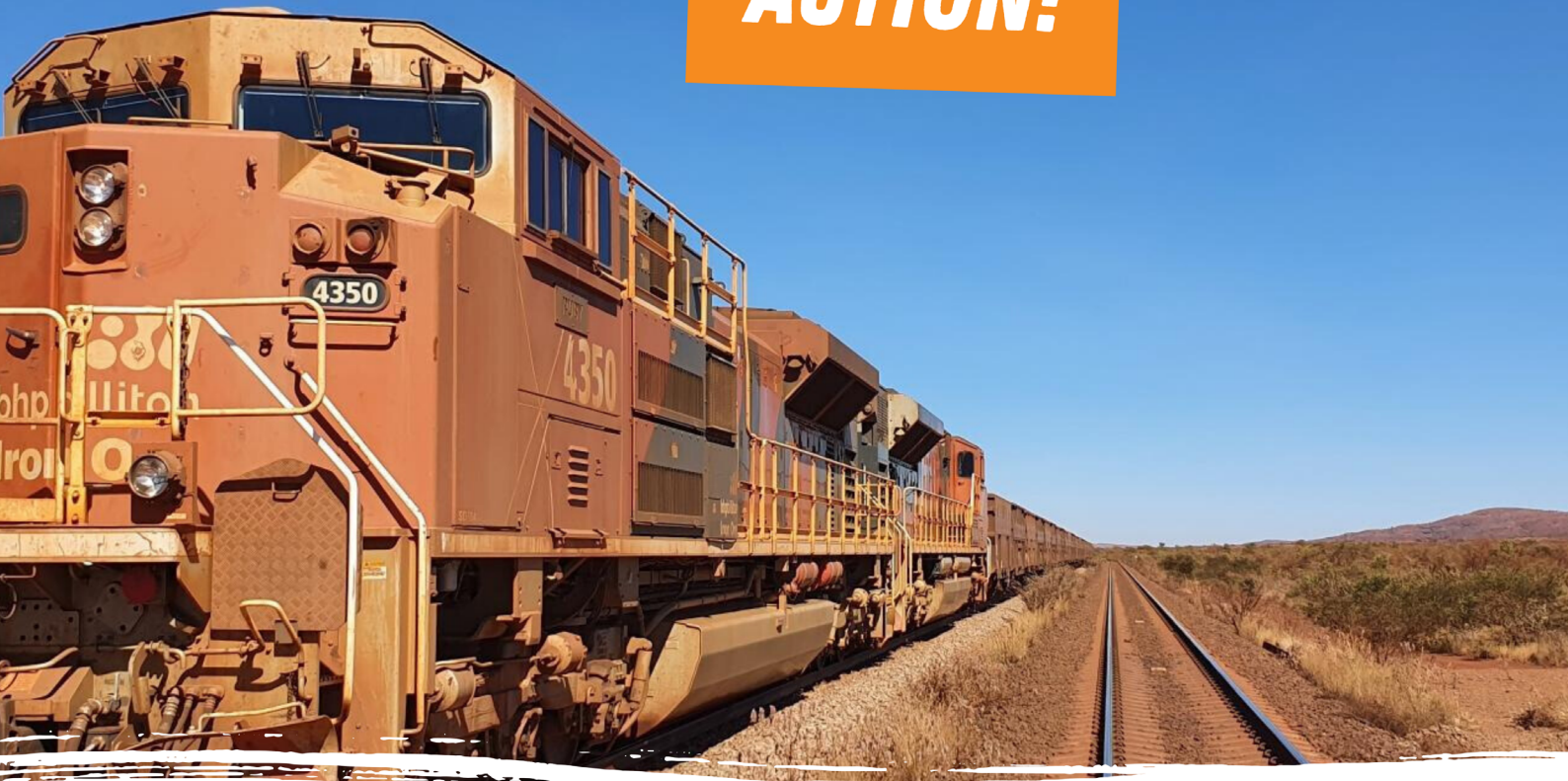


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October/ November 2023

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‘Had a gutful’: Drivers stand up to BHP

Train drivers at BHP’s massive iron ore mining operations in Western Australia have forced the mining giant back to the bargaining table with an overwhelming vote in favour of protected industrial action to secure fairer conditions.

In a ballot held in October, 95% of MEU rail crew at WA iron ore voted yes to a range of actions from stoppages to work bans.

The strong vote reflects drivers’ frustration after two years of bargaining failed to result in an offer that meets their concerns. It is a significant development for unionism in the Pilbara iron ore industry, where industrial action has not been taken for 15 years.

BHP were keen to get back to the bargaining table after the ballot results showed drivers’ unity and determination.

Western Australian Secretary Greg Busson said a further attempt would be made to secure an acceptable deal with BHP, with the strong ballot result boosting members’ bargaining power.

MEU and BHP Iron Ore have been bargaining for nearly two years for a replacement for the BHP Billiton Iron Ore Locomotive Drivers Agreement 2014. BHP initially refused to bargain for a new agreement; and had to be forced to the table by a majority support petition.

The agreement covers about 500 drivers who operate trains carrying iron ore from BHP’s Pilbara mines around Newman to Port Hedland.

Drivers want action in a range of areas including guaranteed annual pay increases and consistent standards in areas including training, consultation, accommodation, application of flight assistance, dispute resolution and the process to change rosters.

Newman-based Pilbara driver and MEU member Dylan Chapman took drivers’ concerns direct to the top at BHP’s AGM in Adelaide last week. He questioned BHP chairman Ken McKenzie and CEO

Mike Henry about why they were ignoring drivers’ concerns when they play such an important role in BHP’s highly profitable iron ore industry and had faced enormous personal upheaval during COVID to keep the industry afloat.



Pilbara driver, Dylan Chapman

“We are simply seeking guarantees around our pay and conditions including rostering, flights, accommodation consultation - and not to be at the whim of individual supervisors and inconsistent policies,” Dylan told them.

“Last week 95% of BHP Pilbara Rail Crew voted in favour of taking protected industrial action. This result shows the depth of drivers’ frustration with BHP’s arrogance and refusal to take their concern seriously.

“What message do you take from this overwhelming protected action ballot result and what steps will BHP take to engage in constructive collective bargaining with your Pilbara workforce?”

The only message the BHP bigwigs take from the iron ore industry is how profitable it is, with Mike Henry bragging to shareholders about how BHP’s Pilbara iron ore operation is the world’s most competitive with the lowest production cost. He was less interested in answering workers’ concerns about bargaining and a fair go.

Greg Busson said drivers would give the company a further opportunity to address their concerns, before considering next steps.

Drivers’ top priorities include guaranteed wage increases so they are not at the whim of supervisors’ individual performance assessments, consistent application of flight payment policy and a fair dispute resolution process including arbitration.

“They are simply seeking a comprehensive Enterprise Agreement to give them certainty over important conditions that affect their lives,” said Greg Busson.

“Well done to our members for standing up to BHP and taking this important step towards rebuilding union power in the Pilbara.

“Our bargaining team including rail organiser Warren Johncock and BHP Pilbara Lodge executives Justin Parry and Hank Wiltschut are doing a fantastic job representing members’ interests.”



The MEU bargaining team

Daunia and Blackwater say ‘Good Riddance’ to BHP



After six months of uncertainty, BHP has finally sold

off two of its Queensland coal mines – including one of the largest open cuts in the country. Thankfully, it’s great news for workers.

The buyer, Whitehaven, has committed to retaining all current, directly employed permanent workers under their current Agreement, including transitioning 400 Operations Services labour hire workers to permanent direct employment. This will lead to a significant boost in pay, conditions and job security for OS workers.

BHP pioneered the practice of undercutting EAs with labour hire, and then took it to shameful new lows with their sham in-house provider Operations Services. Their exit will ensure a fairer future for workers at Blackwater and Daunia.

BHP likes to throw around threats around removing investment in Queensland coal. But it’s our view that if BHP doesn’t want to mine our fantastic natural resources, they should get out of the way and let

someone else do it.

At Blackwater and Daunia, we say good riddance to BHP.

The process of finding a buyer has been needlessly drawn out and anxiety-provoking for the affected workers, but they can now move on knowing their jobs are secure and the mines have a committed new operator.

Nearly four hundred OS workers and their families can look forward to a substantial improvement to their pay and conditions; permanently employed workforce can rest assured that their existing pay and conditions will be retained. The MEU will continue to push for permanent jobs for other labour hire workers on site.

The sale of Daunia and Blackwater comes after the sale of South Walker Creek and Poitrel mines to Stanmore Coal in 2021. BHP is trying to spin this move in an attempt to influence state policy. They have stated that they are 'unable to make significant new growth investments in Queensland' until the state does away with 'uncompetitive' policy, such as the increase to the coal royalties rate.

In reality, the sale four of its nine Bowen Basin coal mines in the last two years is entirely to do with BHP seeking to exit the coal industry rather than the range of issues BHP publicly complains about, like fairer work laws and royalties.

BHP's employment practices are a major concern to the Union.

In the last two decades we have seen the steady increased use of labour hire in the industry. Where labour hire was once a small fraction of the workforce in the coal industry, we now estimate the number of permanently employed to be somewhere around 40%.

That's why the Mining and Energy Union was pleased to represent Queensland coal mineworkers at the Senate Hearing into the Closing Loopholes Bill in Rockhampton at the end of October. BHP has complained long and loud about these laws and their employment practices were in the spotlight.

BHP have stated that this bill will cost \$1.3 billion to their bottom line. I take that as an admission that they have been underpaying workers and they know it. BHP also claim that they are champions of diversity, yet they continue to focus their employment of women and indigenous workers through Operations Services on lower pay and conditions, adding to the gender pay gap.

This Union has been fighting to end the labour hire rort for over a decade, through the courts and in the workplace. But we have been fighting with one hand tied behind our back due to major loopholes in Australia's industrial laws. We are now closer than ever to stopping this rort and we are urging the Senate to pass the Closing Loopholes Bill.

While we are very pleased Operations Services workers at Daunia and Blackwater getting the opportunity for permanent EA jobs so they can earn the same as the workers alongside them; this must be a right extended to all labour hire workers in our industry.



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Disaster spurs Grosvenor team to mines rescue excellence

Eight of the best mines rescue teams in the Australian coal industry faced off in October in a backbreaking day of challenges to determine this year's national champion.

The team representing Grosvenor Mine took first place in the Australian Underground Coal Mines Rescue competition. Moranbah North took second place in the event, followed by the South Western District's Dendrobium Mine in third.

This year's competition was hosted by the Queensland Mines Rescue Service at the Moranbah North Mine. The competition, which is in its 59th year, pits mines rescue teams in a series of challenges designed to test underground search and rescue, firefighting, and first aid. The competition mimics real-life scenarios that may be encountered in an emergency situation. It assesses teamwork, knowledge, and the use of rescue equipment in a high pressure and time constrained environment.

For the Grosvenor team, the winners of this year's competition, these exercises are tragically not theoretical. In 2020, Grosvenor suffered one of the most significant mine disasters in recent history after an underground methane explosion severely burned five workers at the longwall.

Jimmy Green, a member of the Grosvenor team with a decade of mines rescue experience, says the 2020 disaster was a significant motivator for the team. Having been based at Grosvenor when the disaster occurred, Jimmy saw major changes to the attention and investment paid to the site's rescue service. They saw a renewed focus and allocation of resources towards first aid and emergency response, as well as an influx of new volunteers.

"It was extremely promising, it's just unfortunate it took a disaster for it to happen," Jimmy said.

While the teams aim to come away with first, the main purpose of these competitions is to build

the camaraderie and cooperation between mines rescue services across Australia. Teams have the opportunity to pool their knowledge and experience with counterparts from all around the country, observe and learn from one another in action, and work together in further developing best practices in emergency scenarios. The result is a better rescue service for all coal mineworkers, regardless of who wins on the day.

The competition's emphasis on team cohesion was highlighted as particularly valuable to Jimmy, who commended his team's cool heads and professionalism. The physical fitness aspect of competing was also noted, as it ensures members continue to meet the high standards of the service, even as they age out of team sports and other physical activities.

The most important factor of these competitions to Jimmy, however, is the focus on first aid and lifesaving techniques. This is understandable, given his experience in the 2020 disaster, but he made sure to also emphasise the value of these skills off-site, outside of mining related emergencies:

"You never know when you might need this knowledge or skills, particularly living in remote or regional areas."

The Grosvenor team is set to represent Australia at the international stage of the competition in Colombia next year, alongside the runners up from their sister-mine Moranbah North.

For any mineworkers who wish to get involved with Mines Rescue, Jimmy's message is simple:

"Don't wait for the next disaster to put your hand up, by then it will already be too late."

Congratulations to all the participants of this year's competition. You have our gratitude for contributing to the safety of all coal mineworkers.

Farewell, Trevor Williams



Last month we thanked and farewelled our Victorian District President, Trevor Williams before his well-earned retirement.

Trevor has spent around a decade serving workers in Victoria's coal power generation industry.

Trevor worked at Loy Yang Mine as a Dredger Driver and has held various positions with the MEU's predecessor unions, including Secretary of the Latrobe Valley sub-branch of the Federated Engine Drivers and Firemen's Association (FEDFA) as well as a Shop Steward and Health and Safety Representative (HSR) for the Construction Forestry Mining and Energy Union (CFMEU).

When Earthworks contractors moved coverage to the Mining and Energy Division of the CFMEU in the early 2000's Trevor helped establish the Contractors Lodge, serving as the President of the Latrobe Valley Lodge.

Following that, Trevor worked in the construction industry, holding a number of Shop Steward and Health and Safety Representative (HSR) positions.

In 2014, Trevor joined us as an Organiser and in 2016 was elected President of the MEU Victorian District.

Trevor's introduction to being an Official was eventful, when a few months into the role French company ENGIE reneged on plans to keep Hazelwood power station open to 2025 with only four months' notice. In four months, 450 direct employees and 300 contractors were going to be out of a job.

During this time, Trevor showed incredible strength and determination, securing a Worker Transfer Agreement representing an average package of \$330,000 for affected workers when the company and government of the day were content with inaction.

Under Trevor's leadership, Hazelwood workers set a precedent that benefited thousands of workers across the country and has paved the way for further coordinated action to look after workers as the nation decarbonises.

Trevor has continued to be on the frontlines of the energy transition and he has been working to ensure there is coordinated action to supporting the generation of new jobs in coal communities, the transfer of workers between the region's power stations and mines, better redundancy provisions for coal-fired power station workers through enterprise bargaining, as well as successfully working with our Union to secure a statutory authority in the form of the Net Zero Authority to support and fund the energy transition.

Trevor has had a big job for many years, and we thank him for his commitment to Victorian power generation workers.

Anyone who spent time with Trevor also knows that he is an avid hunter, shooter, boater and four-wheel bush driver, and we hope he has plenty of time to engage in all those activities in retirement. We wish him and his family all the best for the future.

On behalf of the national Union, Trevor was presented with a miner's lamp – our highest honour for those who have served MEU members.



Record numbers attend Biloela Fun Day

Over 1,000 kids and their families gathered in Biloela in Central Queensland for the annual MEU Community Fun Day in October.

The Biloela Fun Day, established by the Callide Valley Lodge with assistance from the Callide Power Lodge and the MEU Queensland District is now in its 16th year. The day started as a way for mine-workers to give back to the local community.



Secretary of Callide Valley Lodge Dave Wieden said the event was one of the best attended in many years.

“This year we gave out around 1,000 tickets to local kids where in previous years we have given out closer to 600 to 700 tickets.

Programmed workers show labour hire miners can fight back too

Workers at the Hunter mining industry’s largest labour hire provider Programmed have secured a 10% pay rise and improved conditions by voting ‘no’ to a substandard Enterprise Agreement and forcing the company come back to the bargaining table.

Programmed workers are among many labour hire miners across the coal industry who have had enough and are getting organised through the Union to get a better deal.

After workers resoundingly rejected their substandard EA in September, Programmed Skilled

The tickets provide kids with access to all the rides, a sausage in bread, soft serve ice cream and soft drink, as well as a raffle for one of three scooters.

Dave said that the Lodges had spared no expense for the rides and entertainment, including dodegem cars, crazy waves, super slides, jumping castles, and an eight-minute firework show.

He said that the fun day is an event for the entire family and community.

“Members who are rostered off come down for the event to spend time with their families and to catch up with their mates over a bite and a beverage.

“We have many kids and family members of MEU members attend, as well as people from the local community so it’s a great group of people from the community coming together who might not otherwise.”

Dave said that the Lodges had received extremely positive feedback from MEU members following this year’s event.

“From everyone we spoke to, they all seemed to have a great time.

“The MEU Community Biloela Fun Day is a day that our members look forward to and we look forward to hosting it again next year.”

Workforce has improved its position in several key areas. These include a 10% raise this year followed by 4% in 2024, as well as accident pay and long service leave paid as at work.

This is welcome because Programmed mineworkers are currently among the lowest paid in the District, earning about \$35,000 less per year than their directly employed counterparts.

However, the company is still resisting providing industry standard conditions in some areas. Programmed has yet to agree to sick leave being

paid as at work, fair calculation of flat-rate payouts or Northern District average bonus.

Therefore, the MEU bargaining team is once again calling on Programmed workers to vote no and seek further improvements. Even though good progress has been made, a second strong no vote will reiterate to the company just how serious workers are about getting a fair go. We believe more progress can be made.

Programmed has lucrative contracts at many of the Northern Districts biggest coal mines, including Hunter Valley Operations and Mt Arthur. These are huge operations which have turned over multibillion-dollar profits for their owners in the past twelve months. The multinational companies that own these operations including BHP, Yancoal and Glencore can easily afford to meet these standards in their contracts with labour hire companies.

The Productivity Commission recently identified mining as one of only two industries where wage increases have 'decoupled' from productivity – meaning mining company profits are far outstripping wage increases.

Overall, mining has much higher operating margins than any other Australian industry, meaning the cost of production including labour, equipment and

other costs is very low compared to the profits they generate.

In other words, workers haven't been getting a fair share of the resource prices boom – especially labour hire workers.

MEU members at Programmed are just some of the labour hire mineworkers standing up for better pay and conditions. In July, workers at Operations Services (BHP's internal labour hire provider) in Queensland's Bowen Basin took a single four-hour work stoppage. This action forced the company to concede to conditions they have resisted for five years.

In September, workers at CH4 Drilling in the Illawarra secured one of the best agreements in the region. Through doubling union density and taking decisive industrial action, workers at CH4 brought the company back to the table with an acceptable agreement – including a pay rise twice the size of their original 'best' offer.

Labour hire workers do face job insecurity, but they have also become indispensable to the running of mines. Labour hire workers around the country are showing how they can get organised through the union and exercise their bargaining power to get a better deal.

PROGRAMMED WORKERS CAN KEEP BUILDING ON THEIR ACHIEVEMENTS.

VOTE NO AGAIN.



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