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February 2025



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# First BHP Same Job Same Pay win

Mt Arthur mine in the NSW Hunter Valley has become the first BHP coal mine to receive a Same Job Same Pay order from the Fair Work Commission. Meanwhile in Queensland, lengthy hearings into BHP's challenge to Same Job Same Pay at three mines have wrapped up and we are waiting on a decision.

The Fair Work Commission issued the Mt Arthur order on Friday 21 February, after BHP spent months trying to delay and limit the scope of the MEU's application for workers employed by Skilled Programmed. It kicks in 7 March and will lead to annual pay increases worth about \$10 million and hundreds of new permanent jobs.

Insourcing of labour hire roles has at Mt Arthur has been underway since Same Job Same Pay legislation passed Parliament. Before the laws passed, there were over 400 labour hire mineworkers employed through Skilled Programmed. When the application was made in September last year, that number had dropped to 270. When the order was issued, it had declined further to 230 and BHP has announced it will in-source a further 200 of the labour hire roles.

Northern District President Robin Williams said the creation of hundreds of new permanent roles reversed over a decade of outsourcing at Mt Arthur and showed the laws were working as intended to disrupt the business model of using labour hire to

undercut collective bargaining.

"It is an important win against BHP, who were a driving force in developing the unfair, two-tiered employment system that spread like a cancer through the coal industry. After years of ripping off labour hire workers, the law has finally caught up with BHP."

Delegates gathered at the MEU office in Cessnock to celebrate the victory this week, along with Hunter MP and Same Job Same Pay supporter Dan Repacholi.







President of the Bayswater Lodge Matthew Sutton said that workers were overwhelmingly happy with the news that the order had been handed down.

“This has been phenomenal. When we’ve gone to meetings to talk to people about the news there have been both tears and laughter.”

Earlier this month, our legal team wrapped up weeks of hearings at the Fair Work Commission into BHP’s challenge to our Same Job Same Pay applications at Goonyella Riverside, Peak Downs and Saraji mines.

The hearings took part before a full bench of the Fair Work Commission in Brisbane. The case is very significant because MEU applications cover about 1600 labour hire workers and include BHP’s in-house labour hire provide Operations Services.

Several MEU Lodge and labour hire members gave evidence, doing an excellent job describing their work arrangements under cross-examination from BHP’s lawyers.

Peak Downs Lodge President Jason Noonan said that while the outcome of the case was pending, the new laws were already leading to more permanent jobs.

“More permanents have come on board since Same Job Same Pay was introduced as the incentive to use labour hire has lessened. We will celebrate every new permanent job that is created, and we will also support our labour hire workmates to get Same Job Same Pay.”

The ACTU and other unions attended the first day of hearings in Brisbane to support our members because of the size and significance of the case – especially with a looming election and the risk of workplace reforms like Same Job Same Pay being wound back.

We will keep members up to date with the Fair Work Commission’s decision regarding BHP’s Queensland mines and next steps.



# **DIRECT EMPLOYMENT WIN AT APPIN!**

## **300 DIRECTLY EMPLOYED POSITIONS**

Same Job Same Pay orders at Appin and Dendrobium mines have begun to transform employment in the Illawarra coal industry, where contracting out jobs has been rife.

On Tuesday, the Fair Work Commission issued a Regulated Labour Hire Arrangement order at Dendrobium mine, covering about 90 labour hire workers employed through Nexus and giving them a lift in pay of \$15,000 to \$20,000 a year.

Appin mine is creating 300 new direct fixed term jobs after the first order in the region was issued at the massive underground mine. Remaining labour hire workers will be consolidated under one contract.

Both mines are operated by GM3, a consortium that bought the mines from BHP spin-off South32 who aggressively exploited the labour hire loophole to outsource jobs and pit contractors against each other to cut wages.

The MEU is in discussions with GM3 and relevant labour hire companies to ensure a smooth transition to direct employment for the workforce at Appin, and will be advocating for as much of the existing labour hire workforce to be included as part of the intake.

South Western District President Bob Timbs said the announcement was a win for workers who will be directly employed by the mine.

“This is a great win for the Illawarra coal industry where the use of contractors to undercut wages and conditions has been out of control.

“About half of all production workers in our region have been employed through labour hire contract

arrangements, rather than directly through the mine operator. It’s great to see that mix start to change.

“Significantly, this means that 300 more workers will be covered by the Appin Enterprise Agreement. We are pleased that more workers will receive the rate of pay set in the Agreement along with a range of conditions which have been hard fought for by members at Appin over the years.

“We are also hopeful that the two-year fixed term arrangement will provide a pathway to ongoing permanent jobs down the track.

“It is fantastic to see the new laws working as intended to lift pay rates in line with site Agreements and move away from using outsourced labour to cut wages.”

The Appin Lodge will support members through the upcoming application process for the new jobs.

Same Job Same Pay applications for Metropolitan and Tahmoor mines are still before the Fair Work Commission.





# Bringing bargaining back to Rio Tinto

Rio Tinto workers in the Pilbara are making their voices heard this month, launching a Majority Support Petition to initiate bargaining at the mining giant's iron ore operations around Paraburdoo.

If successful, this would be the first Majority Support Determination at a major Pilbara iron ore mine in over two decades.

The Majority Support Petition is an initiative of the Western Mine Worker's Alliance, a joint effort between the Mining and Energy Union and the Australian Workers Union.

The Alliance is dedicated to rebuilding worker power in the Pilbara after two decades of aggressive deunionisation, which has resulted in inconsistent standards and conditions, without many of the protections of the east coast coal industry.

MEU iron ore train drivers have been leading the wave of reunification throughout the Pilbara, securing substantially improved agreements at both Rio Tinto and BHP. The action surrounding those campaigns has inspired new interest in the region for bargaining for a better deal.

WMWA Coordinator Shane Roulstone says the petition has been a long time in the making.

“When we set up the Alliance just over a decade ago, so much of our efforts were dedicated to debunking misinformation from the companies about unions and showing them that we don't bite.

“Many of the workers we encountered had never worked on a site with a union presence or spoken to an organiser.

“Our members should be extremely proud that

we've come this far, and that it looks like we now have strong majority of Rio workers behind us.”

Rio's Paraburdoo operations are split evenly between residential and FIFO workers, with both segments receiving inadequate conditions. FIFO workers experience long waits at Paraburdoo's small, unairconditioned airport following the end of a swing, while residential workers face extortionate utility bills in their company-owned housing.

Additionally, workers are seeking guaranteed annual pay increases to keep up with rising cost of living, especially in the remote communities of the Pilbara. They are also demanding pay equity and fair and detailed classification to normalise conditions and career progression in an industry previously dominated by individual contracts.

The Petition's early success is already making waves among Rio Tinto management. Just one day after the Petition was launched, the company came out with a new compensation policy for flight delays, a key claim of Rio's Paraburdoo workers.

Of course, the policy falls well short of the WMWA's claim for \$200 if a flight is delayed for over two hours, and \$100 for each hour thereafter, but it demonstrates Rio's recognition that Pilbara workers are finally standing up and demanding a fairer go.

The Rio Majority Support Petition comes as the WMWA is bargaining with BHP for an agreement covering their massive South Flank and Area C operations in the Pilbara. The WMWA was able to bypass the majority support process thanks to new laws introduced by the Albanese Labor government, which allow unions to trigger enterprise agreement negotiations within five years of an agreement's nominal expiry date.





# Callide cops record \$9 million fine for 2021 explosion

The long-running fallout from the explosion at Callide C in May 2021 has continued this month, with the Federal Court ordering a fine of \$ 9 million for breaches of the National Electricity Rules.

The Australian Energy Regulator brought the proceedings against Callide Power Trading Pty Ltd, an entity that is owned in equal shares by Intergen and the Queensland Government's CS Energy. The company admitted in court that it had failed to ensure the Callide C4 generating unit met performance standards, and had failed to plan, design, and operate facilities in compliance with performance standards, in breach of the National Electricity Rules.

The fine of \$9 million, just shy of the maximum \$10 million penalty, is the highest ever imposed for a breach of performance standards under the Rules. While Callide Power Trading worked cooperatively with the Regulator to resolve the matter and agree to the fines, the judgement by Justice Derrington was emphatic:

‘[The contraventions] arose as a result of a substantive failure of major infrastructure to operate with the Callide C4 unit. The consequences included the destruction of valuable equipment, the potential loss of life, loss of power to the grid, and

significant, long-term and wide-ranging impacts on the National Electricity Market (NEM).’

The explosion put the C4 unit out of action for more than three years, only recently restarting in September 2024.

MEU members had been raising the alarm about poor maintenance and neglect at Callide for years, concerned that the company was not investing in the safe operation of the plant ahead of its impending closure in 2028. These concerns were vindicated by long-delayed reports that finally lifted the lid on the situation at the site.

Last year's Brady Report highlighted that the ‘key organisational factor’ causing the incident was the lack of implementation of effective process safety practices – the report said the company failed to value process safety practices, placing them in tension with cost-cutting.

It is important for the Regulator to continue holding companies to account as the energy environment becomes increasingly challenging. There is no place for cost-cutting or skimping on maintenance in environments where the consequences can be catastrophic and place lives at risk.

# CONGRATS!

## 2025 Scholarship winners

Our 2025 Mine Workers Trust scholarship recipients have been announced. The Mine Workers Trust provides \$7000 scholarships to 20 MEU members or their dependents, to undertake further study. This year's recipients range from budding film-makers and musicians to doctors, vets and engineers.

Grant Hamilton, whose dad Darren is a long-term member of the MEU Bayswater Lodge at Mt Arthur mine, is going into the second year of his Bachelor of Veterinary Studies at Charles Sturt Uni. Grant hopes to focus on improving both human and animal health with a focus on biosecurity and disease management. The scholarship will help with the expenses of full-time study, based at Charles Sturt's Wagga Wagga campus.

Congratulations and all the best Grant – and all the 2025 recipients listed below. Look out for applications opening for 2026 scholarships towards the end of the year.



### Northern Mining and NSW Energy District

- Charlise Anderson
- Eliza Ward
- Zalee Maher
- Allie Dever
- Grant Hamilton

### Queensland District

- Nyari Waterton
- Lilly Uhr
- Jazlyn Johnson
- Alyssa McCarty
- Taiki Lennard
- Matilda Ralph
- Breanna Gardiner

### NSW Mine Workers Alliance

- Elkie Philp

### South Western District

- Charlotte Boal
- Finn Marjoram

### Victorian District

- Connor McKenzie
- Lucy Chilver
- Ben Gafa
- Samantha Gruis

### Western Mine Workers Alliance

- Dale Moore





# What's happened at Whyalla and how does it affect MEU members?

Whyalla Steelworks has entered administration again, barely eight years after previous owner Arrium collapsed. The South Australian and Federal Governments have stepped in with a \$2.4 billion investment to upgrade the site and make it fit for a future owner.

The Steelworks is owned by billionaire Sanjeev Gupta's GFG Alliance, which also owns Tahmoor Colliery in the NSW Illawarra and Liberty Bell Bay in Tasmania where MEU members are employed.

The GFG Alliance had a disastrous 2024. But what exactly happened?

The Steelworks, owned by billionaire Sanjeev Gupta's GFG Alliance, had a disastrous 2024. It's ageing blast furnace was out of action for about four months between March and July (with workers coping pay cuts) and then again for another four months from September to allow for repairs, losing about \$1 million for each day out of action and shedding almost 50 workers. After restarting in January, the furnace remains at half capacity.

On top of tens of millions of dollars in royalties owed to the South Australian Government, GFG is in debt to numerous local contractors and suppliers that it failed to pay, including rail freight operator Aurizon. Last year, more than 150 jobs at GFG's iron ore mining operations on the Eyre Peninsula were cut, and its Iron Knob mine was set to be put into care and maintenance, placing at least 350 jobs on the line.

But GFG's global troubles had already begun to bite in 2021, when its main lender Greensill entered insolvency. GFG continues to owe it hundreds of millions of dollars some four years after Greensill's collapse. In 2022, the UK's Serious Fraud Office searched properties linked to Gupta to obtain company balance sheets, reports, and correspondence as part of investigations into suspected fraud, fraudulent trading, and money laundering, though the company denied any wrongdoing. Across Europe, Gupta's steel plants

are in crisis, with several blast furnaces idled, thousands of workers stood down, and insolvency proceedings afoot.

In an uncertain world, local steel manufacturing capacity is critical to national security and supply chains. And, in Whyalla, a regional economy and community will be the ones bearing the brunt of an industrial downturn. That's why state and federal governments have acted. The South Australian Government placed the steelworks into administration, with GFG no longer running the plant or its associated iron ore mines. A joint state and federal government \$2.4 billion package designed to prepare the steelworks for the future was then unveiled, supporting local businesses owed money, infrastructure upgrades, and funding to support a new operator into the future.

There are now also calls for clarity on behalf of workers and the community at GFG's Liberty Bell Bay facility in Tasmania, which is a key supplier to Whyalla but also a separate business entity. MEU members at Liberty Bell Bay face uncertainty and are nervous about the future, ahead of expected updates next week.

While MEU members at Tahmoor mine have not supplied the steelworks with metallurgical coal since its coke ovens were switched off in 2023, they too have been caught up in the fallout. Owned by GFG subsidiary SIMEC, it is a profitable mine with solid fundamentals, and a strong export customer base.

But earlier this month, operations halted due to failure to pay suppliers, with most workers asked to stay home for four weeks on full pay.

GFG's moves to sell the mine reflect Gupta's urgent desire for cash, but Tahmoor members will no doubt look forward to more stable ownership once a buyer is secured. The MEU is optimistic the mine will find a reputable owner to operate the mine reliably and safely.





# Miners urged to ‘look after your lungs’

Coal Services NSW has launched a respiratory health campaign urging coal miners to stay vigilant about protecting their lungs.

The campaign aims to raise awareness about respiratory health and equip workers with the knowledge to protect their lungs effectively.

Key components of the campaign include promoting essential practices such as avoiding smoking and vaping, wearing properly fitted respiratory protection, understanding dust sources, following safe work practices to minimise dust exposure, and taking steps to enhance overall lung health.

Are you at risk of developing a dust-related lung disease?

CS Health’s Head of Medicine Dr David Meredith explained that coal mining produces not only dust from coal, but also dust from other minerals, including silica.

“The risk of developing a dust-related disease is directly linked to a person’s total level of exposure. Repeated exposure can put coal mine workers at risk of developing coal mine dust lung diseases (CMDLD).”

CMDLD includes not only coal workers’ pneumoconiosis (CWP), otherwise known as black lung disease, which is caused by inhalation and build-up of coal dust but also silicosis, which

is caused from the inhalation and build-up of respirable crystalline silica or quartz from drilling or cutting stone. It can also cause a mixture of both, mixed dust disease and sometimes a dust-related diffuse fibrosis.

“It also causes other obstructive lung diseases including emphysema, chronic bronchitis and chronic obstructive pulmonary disease (COPD),” he added.

The good news is coal mine dust lung diseases are 100% preventable.

To protect your lungs while at work you must always be aware of potential dust sources in your workplace and minimise your exposure by taking appropriate action. Some examples are:

- avoiding operating downwind of dust sources if possible
- using water sprays and appropriate cleaning techniques
- reporting any hazards you see
- wearing appropriately fitted respiratory PPE (bad news if you have facial hair... it can interfere with the respirator seal and decreases its effectiveness)

To support the campaign, CS Health has developed a range of educational materials, including videos, posters, and fact sheets, all available on the Coal Services website.





# Vale Gary Wood

In January we brought members the very sad news of the passing of an outstanding trade unionist, Gary Wood.

Gary began as the Secretary of the then 'Coal Miners Industrial Union of Workers of Western Australia' in 1986.

Following that he proudly served as Secretary of our Western Australian District for over 30 years until his retirement in 2018.

The born and bred Collie coal miner led mineworkers through the highs and lows of the industry.

Mining never stands still. Prices change, Companies change, Governments come and go and workers look to their union leader when times get tough.

Of course, in Collie, a union leader is not just a job. You become a community leader and an advocate for the region. Gary was that community leader.

Living in Collie means there is no escape, wherever you go – the shop, the pub, the footy – there's a queue of people eager to give their assessment of

your performance. Gary was the sort of laid back guy with a large amount of roguish charm who could soothe the masses.

As the union expanded so did Gary's work. He had to represent iron ore miners, power workers, aluminium workers, manufacturing workers, petrochemical workers etc. some union officials would resent working outside their comfort zone. Not this bloke. He dived into the challenge. He excelled. He became an expert in those industries.

Gary led the WA District and went up against the likes of BHP and Rio Tinto at their most ruthless. Gary was there at the pointy end of the 90s when BHP announced a radical new industrial policy which offered individual contracts to 1,000 workers. During this time Gary addressed mass meetings of sometimes up to 800 workers in the Pilbara iron ore centres of Port Headland and Newman as workers fought the company that was trying to bribe workers out of collective bargaining.

Gary spent the last decade on the job working tirelessly for members at the troubled Griffin Coal, as the mine faced unprofitability, harsh



downsizing, and potential liquidation. This was deeply personal to Gary as a Collie local. These were his neighbours, and it was his town. Gary's work in Collie demonstrated the need for worker transition schemes for coal workers as our industry faces reduced demand, uncertainty and eventual closures.

During most of Gary's union career he was also on his own. He was the only official for the whole of Western Australia.

In other states we have an official who deals with members and the employer. We have a legal team to help with bargaining and disputes, we have a communications team to handle the media and we have full time safety experts to deal with OHS and Government regulation. In WA we had Gary and he did it all and he was magnificent.

Gary's approach to his job was the opposite of the loud swears union stereotype. He was quietly spoken but determined to advance the position of workers. He would never shout at people, he would patiently explain why they should agree with him. He always studied and understood the economic circumstances of employers. I was always impressed with how much respect he had from the business community who mostly realised they were dealing with a very smart and very principled person.

Gary was one of the best political operators I've seen. Many issues facing workers need a political or legislative solution. Gary always invested in politicians for the long term.

He understood that you need to develop a relationship before you need something. Talk to them when they have no power. He also treated people well.

His influence within Labor Governments was extraordinary. Yet he was also respected by the other side of politics. Gary was one of the few unionists appointed to Government boards by conservative Governments.

On the national stage Gary was universally respected. When Gary spoke, we all listened because he never spoke for the sake of it. He spoke when he had something important to say. As President I knew Gary was the guy you needed to listen to. He had great judgement.

I've worked with some legendary trade unionists who have one thing in common. The best ones are true working-class intellectuals and champions for

their people. Gary Wood came through the school of hard knocks and was blessed by an intellect the equal of anyone he met.

He used his talents to benefit others – his workmates and his community.

Whenever I meet young up and coming unionists asking for advice, I know the best advice I can give them is 'be like Gary'.

From our Union, we send our most heartfelt condolences to Gary's loved ones including his three children, Jamie, Brenton, Melissa, his partner Jenny, and his grandchildren.



***Tribute on behalf of General President Tony Maher.***



**GETTING CALLED INTO THE BOSSES OFFICE CAN BE INTIMIDATING - ITS USUALLY NOT FOR A PAT ON THE BACK. FIND OUT HOW GOING IN WITH A GAME PLAN CAN MAKE A MASSIVE DIFFERENCE TO THE OUTCOME.**



**DEFEND  
SAME JOB  
SAME PAY**

**Don't risk  
DUTTON**

Same Job Same Pay is lifting wages for coal mineworkers across Australia and transforming our industry.

However, Same Job Same Pay laws are new and we need to make sure they are fully implemented.

Peter Dutton and the big mining companies plan to reverse Same Job Same Pay if they win the next election.

We can't risk that.



**SameJobSamePay.com.au**