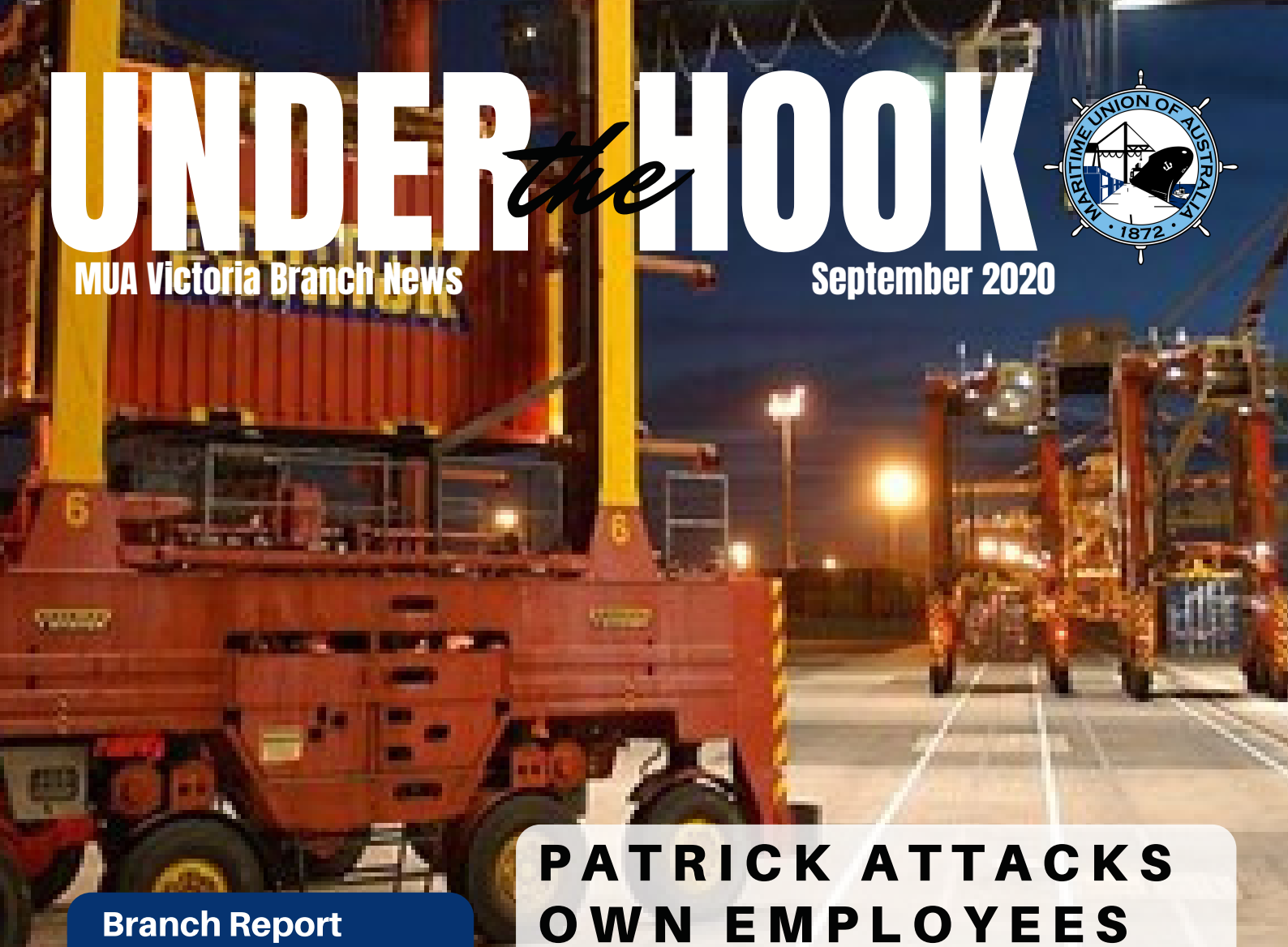


UNDER *the* HOOK

MUA Victoria Branch News

September 2020



PATRICK ATTACKS OWN EMPLOYEES

Branch Report

As restrictions begin to ease and we see numbers beginning to drop, your Branch still remains open in the remote capacity for the office staff. Officials and Organisers all maintain their work permits and can attend sites only as necessary.

Despite the COVID disruptions industrial work and campaigns continue. Many would have seen youth activist Melissa McMullen on Q&A on 28th September, questioning Minister Chester about offshore wind legislation being held up by the federal government.

This edition of *Under the Hook* outlines some of the Industrial work the branch continues to do and highlights some advancements in many negotiations around the state.

The Branch continues to encourage everyone to work safely and contact us via phone or email if needed. Hopefully all members have received their MUA mask! MUA - Here to Stay!

Currently the MUA is negotiating with Patrick for a new agreement. The new agreement will replace the 2016 EA, which expired in June this year. The EA that provided Patrick with the productivity and flexibility to earn them the reward as the best operating and most highly profitable stevedore in Australia according to the Australian Competition and Consumer Commission (ACCC) stevedoring report 2019.

Despite the outstanding productivity, greedily Patrick wants more. Having taken an axe to their workers previous agreement the company is seeking to make at least 67 changes to their employees current working conditions. These attacks consist of but are not limited to, the destruction of rosters and future permanent jobs, removing workers right to dispute issues within the workplace.

Unbelievably, during a global pandemic Patrick have attacked many occupational health and safety rights within their current agreement - all in the pursuit of more profit.

MUA members were not willing to accept this egregious assault on their conditions and voted (98% in favour) of taking protected industrial action. The company was notified of work bans and a handful of stoppages to occur around the country. However, prior to employees having the opportunity refuse any work in line with their legal work bans Patrick Management in each terminal to the extraordinary step of standing down without pay dozens of skilled wharfies here in Melbourne and more around the country.

Continued page 2

Patrick Attacks Own Employees - cont'd

This was an aggressive escalation by a company more intent on causing self-harm rather than negotiate in good faith. This escalation was made more offensive as it occurred only days after the Union had offered to suspend all protected industrial action if Patrick committed to negotiating from their last EA and remove their current offer which strips away more than 20 years of conditions. The company's grossly disproportionate actions are causing great amounts of stress and concern for MUA members around Australia. Stresses that are only exacerbated here in Victoria as we struggle through the second wave of COVID lockdowns. Patrick promotes R U OK day and an internal 'wellness program' yet when notified that the company's actions are causing mental anguish their response was to blame the workers and the Union. The Union continues to support all members, especially those currently stood down and congratulates members on their continued and growing solidarity in the face of some despicable attacks motivated only by corporate greed.

MUA Officials continue to meet and consult with their relevant ERCs around support and decision making that is in the best interests of all MUA Members. At the time of writing Patrick had just made application to terminate the worker's legal protected industrial action. MUA Assistant Branch Secretary Robert Lumsden and National Organiser Aarin Moon continue to visit onsite to update members as this unfolds.

If any member is finding this time difficult they can always call Hunterlink on 1800 554 654 (operating 24/7) or their relevant official.

INDUSTRIAL REPORTS

INCO

Unfortunately things have not improved for our members on the bunker barges. We met with the Company last week. The Company informed the Union that it no longer qualified for Job Keeper. They proposed to make the members who work on the coastal vessel and the Sydney Bunker barge redundant. The members put a proposal back to the Company to delay making anyone redundant proposing a period of leave without pay. This would allow the Company the opportunity to review their ability to requalify for JobKeeper in the next quarter. Members have been fighting for their jobs with outstanding integrity. A meeting is scheduled for next week to further discussions.

DPW

At time of writing, DP World have agreed to meet with the Committee Wednesday 30 September, Thursday 01 October then again on Tuesday and Wednesday the following week. The Committee have agreed to suspend Protected Action for 2 weeks to progress talks.

The company have notified the Branch they are seeking more redundancies, this has been put in to dispute.

The Union continues to work with the HSR's who all met last week via Zoom to discuss strategies for making the terminal a safer place for all workers.



VICT

The MUA, ETU and the AMOU and their various elected delegates will again meet with VICT in October. The Union members on site continue to campaign around key issues of Job Security, Rosters and Hours of Work, and Manning Levels to maintain a safe and productive terminal. The Union committee will be meeting with VICT to understand the economic outlook and projections for the company. This should be a great step forward in the campaign for a fair and reasonable EA that matches the industry as we expect that VICT has at least 40% of the market at this time.

LINX

Another business that will no longer qualify for the JobKeeper allowance putting added pressure on the membership. A meeting in Melbourne last week identified a short fall in hours worked by the permanents. The membership is trying to work with the Company to maintain high quality permanent jobs that have been enjoyed by our membership for many years.

Linx continue to place pressure on the membership around forcing members to take leave during this downturn. Whilst the Union agrees that members with excess leave should take that leave, the Union does not support the lack of consultation that has been taking place around this issue, particularly in Geelong. Some members have been given as little as 2 days' notice. This is clearly not acceptable.

GIPPSLAND PORTS

EA negotiations continue with Gippsland Ports, a Victorian Government Employer. Our membership is primarily with the crew of the two dredges. The Tommy Norton is responsible for keeping the mouth to Lakes Entrance open and the Kalimna is a non-propelled dredge that works the inland lakes. Gippsland Ports want a four year agreement and have offered 2% pay increase over the 4 years. Amongst other claims the MUA is looking for the Port to cover income protection for our members.

QUBE

Both Melbourne and Portland have reached Agreement on Part B. The ERC in both worksites are looking at the proposed EA and a vote will be organised in the near future.

We had been awaiting a Federal Court ruling on a JobKeeper dispute related to Qantas. It was felt by our legal team, including outside advice, that this case would be instrumental in deciding if we take Qube to the Federal Court for its application of JobKeeper. The Court handed down its ruling which went against Qantas and we immediately wrote to Qube requesting their position. Our understanding is that Qantas are considering appealing the decision. There is no doubt that the morality of Qubes application of JobKeeper is a disgrace and their blatant double dipping is something that we all find totally unfair. The law is another thing though, that doesn't deal with the fairness of something, just the application of the law. The JobKeeper dispute is complex and that's why it's in the Federal Court. The sooner we get an outcome and put back into our member's pockets what is rightfully theirs the better. We will keep you all informed as this process continues. In Portland there are 13 GWEs being upgraded to VSE and the 6 labour hire casuals being upgraded to GWE, leaving no labour hire at all in the Port. The upgrades were agreed to last August but with the downturn in Portland that immediately followed it was agreed to put these on hold. With the work in the Port going gangbusters the ERC and the Branch have been requesting the upgrades and they are now being actioned. Congratulations to all those that have received an upgrade, in particular Chae Heaver who does a lot of work in the Port and the members at Qube.

MIRRAT

Work at Mirrat has again increased. While it's great to see work increase and the workers servicing more vessels it has caused some safety concerns. This month National Organiser Aarin Moon issued a suspected contravention around traffic management under the OHS act. The Union continues to work with employees as safety is paramount!

AUSPORT/1PORT

Ausport/1Ports EA continues to be outstanding and it appears that the company will put an agreement that is not endorsed by the Union or its delegates out to a vote. This agreement is inferior in many ways and will mean a reduction of several weeks of Long Service Leave for many employees. The MUA strongly encourages Ausport and 1Port workers to VOTE NO to this offer.

GEELONG PORTS

EA negotiations continue with the Port of Geelong. The MUA and ETU are both parties to the Agreement. The Company have proposed some significant changes to the roster for Infrastructure. The members in Infrastructure enjoy a 4 day week. Management want to change it to a 9 day fortnight with no compensation. When the team at Infrastructure indicated under no circumstances would they agree to this the Port backed off. They now want the members to sell out the next generation of workers. The members have voted unanimously not to do that. Negotiations continue.

OFFSHORE

EA negotiations are taking place with several companies. Our next Offshore EBA members meeting will be on Friday 2 October at 9am WA Time (11am EST). Members who work in the offshore wishing to participate should contact the Branch for details.

SVITZER

Long drawn out EA negotiations have led to the MUA filing for Protected Action. In Melbourne 100% of Protected Action Ballots have been returned to the Australian Electoral Commission over the last week or so. Members have voted YES to all 20 questions.

The closing date for the return of the ballots is October 8. The Company have responded with a list of 30 anti - union claims. The other two Unions, the AMOU and AIMPE at this stage have chosen to not file for protected action. Once again, the MUA will 'fight from the front' in protecting and improving our conditions.

TT LINE - SHORE

The company recently cut members rosters on the premise of the downturn in business. No consultation occurred with the Union. A hearing in FWA ruled in favour of the membership last week ensuring a genuine consultation process would take place. The Company is now required to provide the Union with a break down of the reduced business and the impact it will have on rosters. At the hearing it was acknowledged by the legal team representing TT Line that the Company had no legal standing to enforce the workforce pay back any hours not worked or reduce their pay. Membership in this area is steadily increasing.



SEAROAD

SeaRoad Shipping Stevedores EA has had all documents from both the MUA and the company lodged in FW for certification. Therefore we are waiting for the EA to be approved

TT LINE - SHIP

It is like two different companies. Where we have the shore-based management team trying to cut the hours of our members, the management team that look after the our seafaring members are offering training during the downturn. Up to 50% of the crew will be joining the vessel over the next couple of months to do training. Members will sail on the vessels and each day and get off in Port (both in Devonport and Melbourne) where they will participate in training opportunities. The Union has been invited to participate. This is a great initiative by the Company.

ITF REPORTS

ITF RESCUE

Recently the several crew on board the OOCL YOKOHAMA sent out an SOS message for assistance to get home from the Port of Melbourne, Australia, the Owners of the vessel kept fobbing them off with a promise to repatriate them. In conjunction with Dean Summers, ITF National Coordinator Australia, we were able to coerce AMSA into getting them repatriated in Melbourne, even though the Shipping interests were sluggish in their response. We have been able to gain a good working relationship with the Department of Health, Victoria, which has made these Repatriations doable under the current Victorian lockdown.

In the last month alone there have been around 100 Repatriations in Victoria, which is a good number given the heavy restrictions imposed by the lockdown.

SEAFARERS QUALIFICATIONS

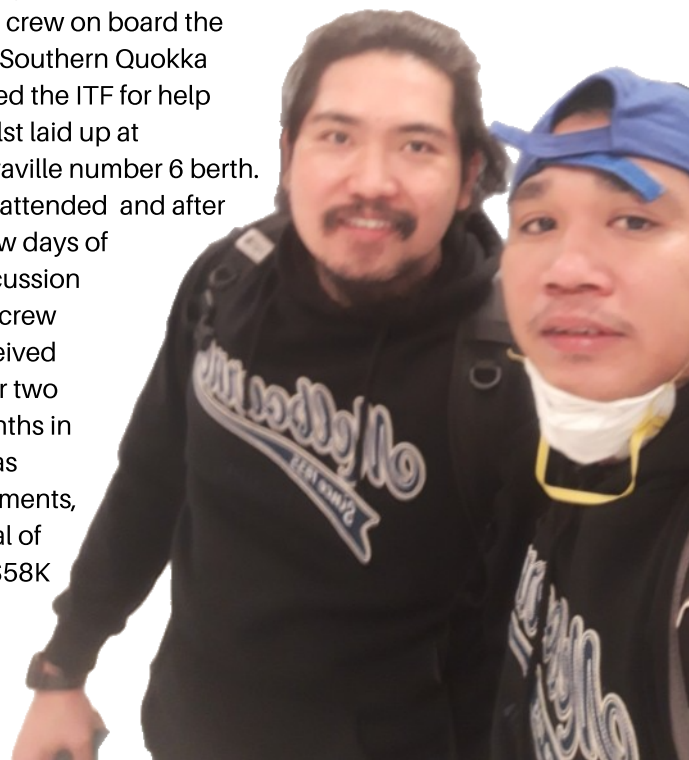
AMSA are providing exemptions to Australian seafarers whose qualifications have expired over the last couple of months. Earlier this year the Government announced an automatic extension for international and domestic seafarer certificates and today's announcement extends this arrangement until 31 January 2021. This means that if a seafarer's certificate expires between 26 March 2020 and 31 January 2021, they will automatically receive an extension at no cost and with no application required. There is some confusion around there being two different expiry dates on these qualifications - one around the STCW component and one around the IR ticket. We are working towards an understanding that will be communicated asap.

VESSEL NEWS

The crew on board the MV Berge Snowden contacted Matt Purcell two weeks ago complaining that they were still owed Australian "Coastal Wages" for a voyages performed in Portland exactly 12 months ago. After much discussion, we were able to convince Owners to pay the Filipino crew US\$28K in arrears.

The crew on board the MT Southern Quokka asked the ITF for help whilst laid up at Yarraville number 6 berth.

We attended and after a few days of discussion the crew received their two months in areas payments, total of US\$58K



ANNA STEWART MEMORIAL PROJECT

It's time for the Anna Stewart Program (12-22 October) from the VTHC. This year due to covid-19 it's an online course FREE and open to any female union member. Facilitated by Victorian Trades Halls Council and designed to encourage more women to be active in unions this is a two week long skills development and leadership program delivering interactive workshops online via Zoom.

- No placement requirements!
- 5 sessions and receive a certificate.
- Free gender and family violence training!
- No participant limits!

Any women union members can register for any of the modules. This is a great education opportunity. Find more details at

<https://www.unionwomen.org.au/asmp>

This program is a fantastic learning opportunity. The added Gender / Family Violence units are compatible for HSRs as an added component. This really is a fabulous opportunity for any interested female delegates, HSRs or support staff.

VALE

Les Murrell - We are sad to advise that Les passed away on the 11th of September 2020 at the age of 59. Les worked for QUBE in Melbourne and was a member of the MUA for 26 years receiving his MUA Life Membership in 2014.

Ricky Row - We are sad to announce that Ricky (Trout eyes) Row passed away this month in the Philippines.

Phillip Edmunds - Phillip was known for his unflinching generosity. He made donation to the Christmas party so his Nephews when they still believed in Santa could get presents. They still remember the great Christmas party & presents & pretended they still believed in Santa for longer that they did to get the presents. Phillip received his Life Membership in 2002 after 34 years membership. He worked for Svitzer tugs.

We send our deepest sympathy and condolences to the family and friends of our comrades that have passed away recently

Meetings

MUA Monthly Meetings

Unfortunately, due to the ongoing COVID restrictions, we have had to cancel yet another Monthly meeting.

However we would like to extend the invite or opportunity for our members to receive information from the National Office Report. Any member wishing to do so should contact the official for their site to discuss further.

National Office Report items include:

- 'On the Waterfront' Reports
- Shipping Reports
- Offshore Reports
- Global Transdev Unions Meeting Report
- National Indigenous Officers Report
- COVID - 19 Report
- Workers Capital Report
- Legal Reports

Shane Stevens
Branch Secretary
shane.stevens@mua.org.au
0498 291 340

Dave Ball
Deputy Branch Secretary
david.ball@mua.org.au
0409 853 427

Robert Lumsden
Assistant Branch Secretary
robert.lumsden@mua.org.au
0411 239 950

Robert Patchett
Assistant Branch Secretary
robert.patchett@mua.org.au
0401 004 477

Aarin Moon
National Organiser
aarin.moon@mua.org.au
0411 215 430

Matt Purcell
ITF Coordinator
matt.purcell@mua.org.au
0418 387 966

MUA Victoria Branch - 03 9329 5477 - muavic@mua.org.au

