



# QUEENSLAND BRANCH NEWS

NEWSLETTER of the QLD Branch of the MARITIME UNION of AUSTRALIA

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*To be truly radical is to make hope possible, rather than despair convincing - Raymond Williams*

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## ASP EBA - Industrial Manslaughter Bill – Importance of Binding Beneficiaries – Merchant Navy Memorial Day - Tanker Sails Through Arctic Without Icebreaker - San Francisco Dockers Call Strike

### ASP EBA – Gladstone – Weipa Run

THIS WEEK I was onboard the Wakmatha one of the four Rio owned, Singapore registered, Australian crewed vessels on the Gladstone – Weipa bauxite run. Members were given a full run down on the status of the long running negotiations and the fact that we are nearing a settlement.



Members generally were accepting of where negotiations were at the present time. The vessel has just come back from a 33 day drydocking in China. Members were congratulated by ASP Management in the professional way they conducted themselves during the docking.

The Branch is looking forward to the completion of the ASP EBA as once it is done we can start our campaign to increase Australian Crewed tonnage on the Gladstone-Weipa run and breaking through on some of Rio's export market emanating out of Weipa.

The Branch, under my leadership, is taking a very deliberate strategy in taking on Rio over this issue of the right of Australians to work in our own country.

We quite purposefully have not used the EBA process as a 'sledgehammer' approach in our attempts to get more jobs. That approach would have failed and would have seen Rio retaliate in the most brutal of fashions, which apart from not winning more jobs would have placed our current MUA vessels under real threat. Our approach must be POLITICAL and SOCIAL and COMMUNITY focused. We need all members to be involved for if there is not membership involvement we will be the last generation of Australian Merchant Seafarers. *Bob Carnegie*

### Beefed Up Industrial Manslaughter Offence Headlines Safety Changes

*Sourced from Workplace Express: <https://www.workplaceexpress.com.au>*

TWENTY-YEAR JAIL terms for industrial manslaughter and the newly-created role of WHS Prosecutor are among legislative changes contained in a bill introduced to Queensland Parliament yesterday.

Industrial Relations Minister Grace Grace tabled the Work Health and Safety and Other Legislation Amendment Bill after considering a review prompted by the deaths of four patrons at the Dreamworld theme park last year and the earlier deaths of two construction workers at Eagle Farm racecourse.

Conducted by former ACTU assistant secretary Tim Lyons, the review made 58 recommendations, all of which were adopted in whole or in-part.

The new offence of industrial manslaughter increases existing Work Health and Safety Act 2011 maximum penalties from five to 20 years' jail for individuals, and corporate fines from \$3 million to \$10 million.

The offences will also be included in in the state's Electrical Safety Act 2002 and Safety in Recreational Water Activities Act 2011.

"We promised to get industrial manslaughter on the books in Queensland, and to send out a strong message that if you cost someone their life, you will pay," said Minister Grace. "Importantly, companies won't be able to hide behind elaborate corporate structures to evade their responsibilities.

While the affected families will never get their loved ones back, they can take heart that individuals or companies responsible will be held to account under our laws. Our harsher penalties will serve as a deterrent to employers who are tempted to cut corners when it comes to safety in the workplace."



**MUA Queensland Conference 2017**  
*Get Wise Organise*



**Authorised by Bob Carnegie, Maritime Union of Australia (MUA) Queensland Branch Secretary**

**73 Southgate Avenue, Cannon Hill QLD 4170**

# Merchant Navy Day

## First Invitation:

Service to commemorate Merchant Mariner's Day to be held in the Greenbank RSL Memorial Gardens on Saturday, 2<sup>nd</sup> September 2017.

The Commemorative Service will commence at 10.30am with refreshments in the Lounge of the Greenbank RSL Services Club to follow.



## Second Invitation:

The SE QLD Vindicatrix and MN Mariners Association Inc - Dedication of the Monument to all Seafarers at the Apex Park, Point Danger, Coolangatta Commencing 11:00am Sunday, 3<sup>rd</sup> September 2017.

Dress code: formal with medals. Refreshments will be provided.



Could anyone driving down and car pooling please call Paul Gallagher 0408 494 168.

Hope to see you all there.



## Importance of Binding Beneficiary Be Kept Up to Date

Sourced from: <http://www.news.com.au/finance/money/costs/girlfriend-speaks-out-over-350000-inheritance/news-story/e3cd0fd1668210f27da69d20cd92c8be>

**THIS ARTICLE IS a good demonstration of the angst caused when wills and super beneficiaries do not line up.**

**I cannot stress strong enough the need for members to make sure this is the case in their lives.**

**Our Personal Injury Firm, Turner Freeman offer a free basic Will service to ensure your wishes will be looked after at the time the inevitable comes to us all.**

**Please contact Adam Tayler and the professionals at Turner Freeman to make your appointment on 3025 9008 and 0488 399 333. Bob Carnegie**

THE DE FACTO partner of Daniel Leverton, the RAAF serviceman whose young daughters were left out of the bulk of his estate, has broken her silence.

Kirsty Lea Lewis, an RAAF servicewoman who worked with Mr Leverton and was his legal de facto at the time of his death, has defended her decision to pocket the bulk of the \$451,500 worth of retirement savings and life

insurance held by his superannuation fund — leaving his young children, born to a previous partner, with less than one-quarter of his estate.

Ms Lewis walked away with \$352,170 after the mother of Mr Leverton's children unsuccessfully appealed a decision of Military Super to award Ms Lewis the lion's share, news.com.au revealed on Monday, prompting the serviceman's father Geoff Leverton to slam the decision as a "travesty of justice". But the young woman who had lived with the airman for the nine months leading up to his death has hit out at the family's claims the union was nothing more than a "casual" tryst, telling news.com.au through her lawyers that the pair had "a meaningful relationship".

Mr Leverton died suddenly in April 2015 while on a surfing trip with friends, after returning from a humanitarian mission in Vanuatu.

The airman's family has maintained that he had only signed a statutory declaration making Ms Lewis his de facto in order to avoid being posted interstate, thousands of kilometres away from his beloved daughters in Queensland.

Ms Lewis' solicitor said in a statement that she had attempted to settle the dispute with the girls' mother, Angela Watson, in July 2015.

"When the Military Super decision was originally handed down, our client made an offer to the mother of Mr Leverton's children, via her solicitor, to gift a significant sum to the children from the benefit she was due to receive," the statement said. "This offer ... was never accepted by the mother of the children."

Military Super did not allow its members to nominate beneficiaries, she said, and had complete discretion over who would be paid out in the event of a serviceman's death.

"It was completely beyond our client's control as to the



decision that was reached by Military Super," she said. Geoff Leverton said that Ms Lewis had offered \$100,000 to each of the

girls, which he described as "very much inadequate". That amount would have left Ms Lewis with \$251,500, or 56 per cent. "The worst case scenario should have been a three-way split," Mr Leverton argued.

Ms Watson said she could not countenance a settlement that gave Ms Lewis more than her daughters, who had a close relationship with their dad. "All I wanted was for the girls to be considered fairly, which they haven't been," she said.



“They’ve still got their whole lives ahead of them. No amount of money will bring back their Daddy, but it can certainly help make their futures a bit easier. “As their mum, I’ve tried to fight what they deserve. Any loving mother would do the same thing in this situation.” Ms Lewis also disputed the length of her relationship with Mr Leverton, but declined to give further details. His former partner Ms Watson said the pair had separated in December 2012, but continued living together until April 2014. “I knew she was ‘hanging around’ on and off during 2014,” she said of Ms Lewis. “He tried to break up with her in December 2014 while we were all down in Coffs Harbour for Christmas.”

But, the Commonwealth Superannuation Corporation found, he was living in a domestic partnership with Ms Lewis when he died. The airman’s last will and testament stated his wishes that his estate should go to Ms Watson, who was named as his executor and sole beneficiary, the family maintains, and declined to change it despite being invited to do so by the RAAF before his last overseas posting.

But, the Commonwealth Superannuation Corporation found, he was living in a domestic partnership with Ms Lewis when he died. [dana.mccauley@news.com.au](mailto:dana.mccauley@news.com.au)

## Russian Tanker Sails Through Arctic Without Icebreaker for First Time

By Patrick Barkham – Sourced from:

[https://www.theguardian.com/environment/2017/aug/24/russian-tanker-sails-arctic-without-icebreaker-first-time?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/environment/2017/aug/24/russian-tanker-sails-arctic-without-icebreaker-first-time?CMP=Share_iOSApp_Other)

CLIMATE CHANGE HAS thawed Arctic enough for \$300m gas tanker to travel at record speed through northern sea route. A Russian tanker has carried a cargo from Hammerfest in Norway to Boryeong in South Korea in 22 days, about 30% quicker than the conventional southern shipping route through the Suez Canal.

A Russian tanker has travelled through the northern sea route in record speed and without an icebreaker escort for the first time, highlighting how climate change is opening up the high Arctic.

The \$300m Christophe de Margerie carried a cargo of liquefied natural gas (LNG) from Hammerfest in Norway to Boryeong in South Korea in 19 days, about 30% quicker than the conventional southern shipping route through the Suez Canal.

The tanker was built to take advantage of the diminishing Arctic sea ice and deliver gas from a new \$27m facility on the Yamal Peninsula, the biggest Arctic LNG project so far which has been championed by the Russian president, Vladimir Putin.

## Murmansk’s silver lining: Arctic city banks on ice melt for its renaissance

The largest city in the Russian Arctic expects global warming to change its trading fortunes and help revive the northern sea route

On its maiden voyage, the innovative tanker used its integral icebreaker to cross ice fields 1.2m thick, passing

along the northern sea section of the route in the Russian Arctic in a record six-and-a-half days.

“It’s very quick, particularly as there was no icebreaker escort which previously there had been in journeys,” said Bill Spears, spokesperson for Sovcomflot, the shipping company which owns the tanker. “It’s very exciting that a ship can go along this route all year round.”



## San Francisco Dockers Call Strike to Confront White Nationalist Rally

Sourced from: <https://libcom.org/news/san-francisco-dockers-call-strike-confront-white-nationalist-rally-21082017>

MEMBERS OF THE INTERNATIONAL Longshore and Warehouse Union (ILWU) Local 10 in San Francisco have passed a motion to stop work and march on the site of a white nationalist gathering later this week.

The rally has been organised by the far-right Patriot Prayer group, whose leader Joey Gibson has a history of organising rallies attended by white nationalists and violent racists such as Jeremy Christian, the man who stabbed two men to death on a Portland MAX train as they intervened to stop him racially abusing and threatening two teenage girls.

Gibson has made pains to distance himself from more explicit neo-nazis in the fallout following the Charlottesville protests, where a white nationalist drove his car into a group of anti-racist demonstrators.



However, Gibson’s sincerity has been questioned particularly as it has come to light that the Oath Keepers, a heavily-armed far-right militia composed

largely of ex-military and ex-law enforcement personnel, will be providing security for the event.

To combat this, a rank-and-file union meeting of ILWU Local 10 has resolved to stop work on Saturday 26th August, the day of the rally, and march to Crissy Fields, where the rally is due to take place.

In a [statement](#), the ILWU Local 10 declares that:

***far from a matter of “free speech”, the racist and fascist provocations are a deadly menace as shown in Portland on May 26 when a Nazi murdered two men and almost killed a third for defending two young African American women he was menacing; and our sisters and brothers in the Portland labor movement answered racist terror with the power of workers solidarity, mobilizing members of 14 unions against the fascist/racist rally there on June 4.***

The statement goes on to cite ILWU Local 10’s “long and proud history of standing up against racism, fascism and bigotry and using our union power to do so”, citing their May Day 2015 shut down of Bay Area ports and march to Oscar Grant Plaza against racist police violence. Indeed, ILWU Local 10, West Coast longshore workers in general, have a long history of using strikes to push political demands.

In 1939, two years before the attack on Pearl Harbor, West Coast longshore workers boycotted ships exporting scrap metal to Imperial Japan to build armaments for their invasion of China with workers picketing the ships along the waterfront up and down the coast.

In 1984, Local 10 boycotted the South African ship Nedlloyd Kimberley for 11 days as a protest against apartheid and in solidarity with the struggles of black workers in South Africa.

On January 20<sup>th</sup> 2017, the day of Donald Trump’s inauguration, management requested that Local 10 dispatch 354 longshore workers, but only 35 showed up, again resulting in an almost total shutdown of the port in a [de facto strike against Trump](#).

Most recently, on May 25<sup>th</sup> 2017, 100 longshore workers in ILWU at the Port of Oakland, 60% of whom are African American, walked off the job for half a day after finding a noose inside a dockside truck, as well as seeing the ‘n-word’ scrawled on port equipment inside the customs-secured area of an intermodal container terminal.

This most recent motion is seen by many as a continuation of ILWU Local 10’s tradition of using their industrial might in the service of progressive movements.

## Cartoon Corner



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