

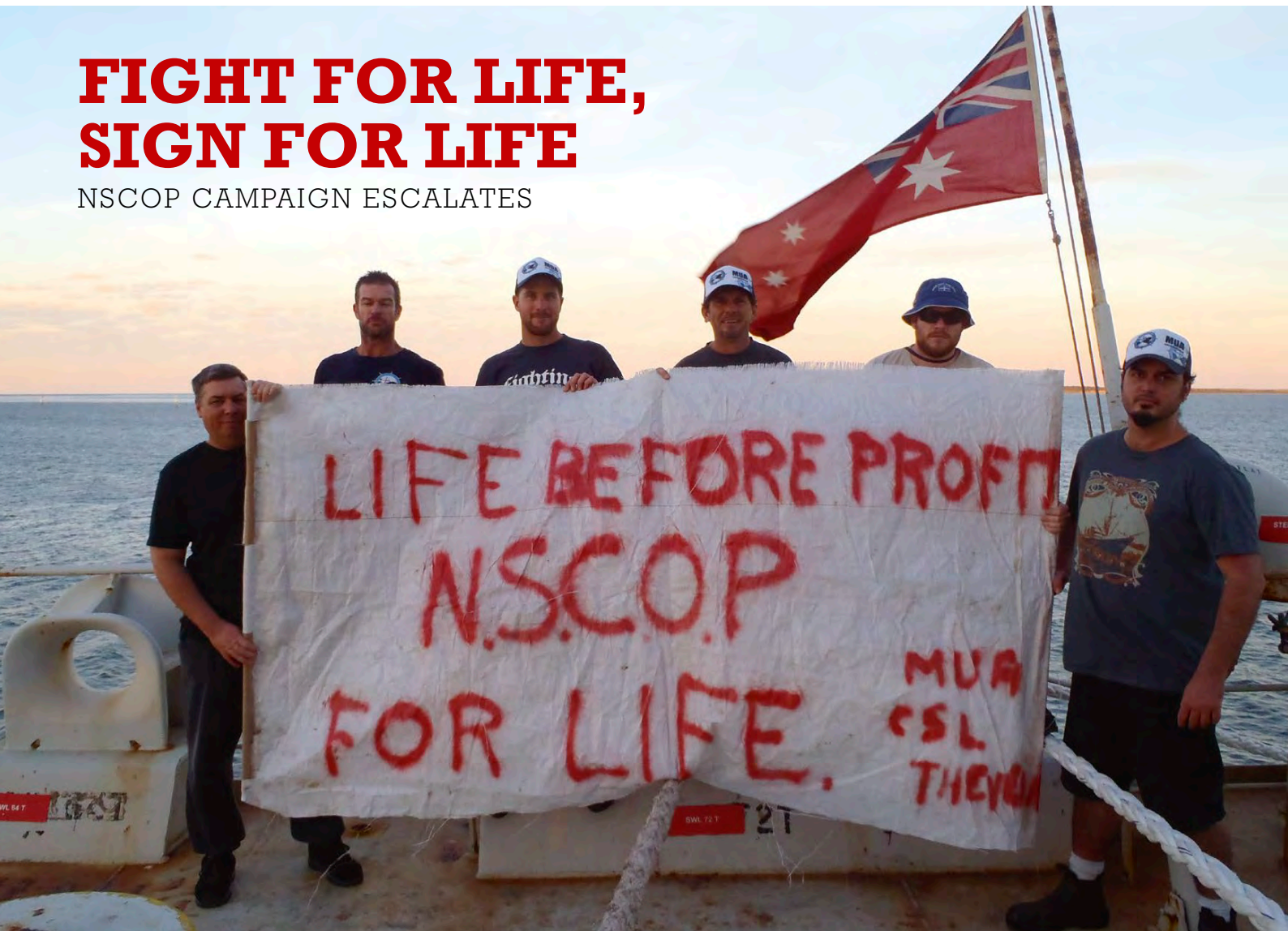
# MWJ

THE MARITIME WORKERS' JOURNAL

AUTUMN/WINTER 2013

## FIGHT FOR LIFE, SIGN FOR LIFE

NSCOP CAMPAIGN ESCALATES



## THE FIGHT AGAINST AUTOMATION WITHOUT NEGOTIATION

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**ON THE COVER:** NSCOP, MUA AUTOMATION CAMPAIGN AND THE FEDERAL ELECTIONS

**THIS PAGE (Left):** DELEGATES TO THE FIRST MUA NATIONAL SAFETY CONFERENCE IN BRISBANE

# LOGGING ON

By National Secretary  
Paddy Crumlin

**Don't just vote Labor. Get others to as well!**

John Howard tried to kick our arse from one end of Australia to another. His moral compass was harder to find than Madelaine McCann. He took pride in ripping at the long traditions of balance and respect in industrial relations and together with a savage crew of business leaders and neo-conservative intellectuals tried to do a Margaret Thatcher on the joint.

Shipping was busted open like an out of date tomato, wharfies and seafarers were hunted down, sacked, cracked and not backed because they expect to be listened to on the job by their employers, building workers were criminalised, conspired against and casualised. Miners mugged, teachers tourniqueted, coppers creamed, metal workers mangled and public servants pickled.

He pissed up against the wall of ten years of economic boom, gave away our gold when it was at historic lows in price, and suckled on the tit of big business one day, and George Bush's the next. Workers threw them out because they were smellier than an alcoholics' undies when it came to what was being done to workers on the job. Is this lot going to be any different?

While it hasn't been pretty watching Kevin Rudd and Julia Gillard work out their problems, the track record of this Government is extraordinary and not just the National Disability Insurance Scheme (NDIS).

Shipping reform, including training for seafarers to ensure young Australians get the opportunities our existing members had, and the greatest raft of reforms ever seen to both begin the repair job on coastal shipping while building our involvement in the carriage of our imports and exports.

Australia isn't Greece, Spain, the US or the UK with spiralling unemployment, failing businesses and a broken financial system because Labor got in and supported the economy when it had too. Workchoices and individual contracts punted out. The abuses of 457 visas legislated against. The Allseas loophole bringing workers in over the use of Australian crane drivers and other offshore workers rolled out.

So, what's the case against them? Tony Abbott's charisma? Joe Hockey's diet? Malcolm Turnbull's philanthropy? Eric Abetz's feminine side? Those blokes will eat you alive if they could.

Politics is a tough business, and we have to back the side that backs us. That's why great



**Paddy Crumlin**

young rank and file workers want to become officials, and now those same officials—like WA Deputy Branch Secretary Adrian Evans in the seat of Hasluck—are prepared to take the next step to ensure his special type of honesty and commitment both supports the community there in West Australia, and the needs of workers and their families there and everywhere else in the country.

The difference in this election is we want to make a difference for workers in every way we possibly can. Get on board, comrades, because there's only one way to do it.

**A far better place with a Disability scheme**

Throughout my working life, there are, and have been, many satisfactions and rewards for having the honour of representing the needs and interests of working people. Those satisfactions though haven't come from a quiet or peaceful life though, considering the great challenges confronting workers not only at work, but in their private and family lives and communities.

Our union also has never distinguished between the rights of maritime workers and the greater needs of working people everywhere. That commitment takes us many places and to many situations. Talking to Chicka Dixon's daughter Rhonda last week for a doco on the life of that great aboriginal and Australian leader and member of our union, I reflected on his great capacity to support other people in peril and negligent disregard in a life that took him from the wharfs in Sydney to the centre of Aboriginal activism and achievement in the fight for recognition and justice and through that to the greater needs of indigenous people around the world.

Chicka could swing Bob Hawke or Gough Whitlam behind the specific needs to build reconciliation, recognise land rights, assuage the mayhem from the lost and stolen children and deaths and brutality in custody, while never losing sight of friends, comrades and family and the great rewards of being there to help and support in the most humane of ways. What a bloke, and we have had plenty like him in our union.

That sought of legacy and identity encouraged me to take up the appointment on the Disability Advisory Board when Labor

was elected. We can always do more. Bill Shorten asked me, on behalf of Minister for Families, Housing, Community Services and Indigenous Affairs Jenny Macklin, to serve partly because he knew disability had touched Gail and me and our family and partly because it was an area that the union also was very active in, particularly catastrophic injuries.

It has been a long and demanding journey with perhaps the most intelligent, moral and courageous Australians I have had the great honour to work with.

Many with severe disabilities exemplify the finest attributes of the human condition in their unselfishness and through the great vision of their lives to reach out and create a better condition of caring and support for all Australians and their family coping with severe disability in their everyday lives.

Parents terrified about who would care for their disabled children after they themselves age and die, individuals doomed to poverty and material neglect because they are injured in a car or at work under one state insurance scheme and not another, children caring for disabled parents and not being able to get to school or meet the needs and aspirations that most kids and adolescents take for granted, families Googling medical procedures and other support mechanisms for profoundly disabled wives, husbands, sons, daughters, mothers, fathers, sisters and brothers because care and support is not an available resource to them on a daily or continuous basis.

The vision for a society and community that could address, once and for all, this great gap and yawning injustice was light years away when Labor was elected in 2007.

Now due to the hard work of those intricately involved in every aspect of the strategy, bi-partisan support has been achieved and perhaps one of the greatest initiatives any Labor Government, any Government at all in Australia's history, is underway.

On behalf of workers, both disabled and able bodies, I have been blessed in the truest sense of the word to have been a part of that great journey, together with all our members, officials and wider community and industry support and encouragement that kept the dream alive. An enormous number of Australians now and into the future will find nurture and haven in this great step forward.

**Iron Lady-Rust in Peace**

Margaret Thatcher did incalculable damage to millions of human beings in the UK and the world, leaving a path of community destruction almost unmatched by any political leader in modern industrial history. Together with Ronald Reagan, she reshaped the world economy around the bankrupt policies deregulation and privatisation, ideas that continue to fuel the ever increasing gap between rich and poor. Her ideology promoted the cavernous elitism of corporate power that continues to rationalise mass unemployment, failure of universal social support systems in health, aged care and basic utilities like water gas and electricity.

She pursued an anti-labour, anti-union agenda, and promoted the widescale erosion of the job security and economic independence of workers and their communities. She replaced fundamental workplace protections with casualisation, and a degrading of family and community life as workers moved to a seven-day-a-week, 24-hours-a-day availability largely independent of supportive penalty rate systems and predictable time away from the job. Her philosophy of standard-eroding flexibility underpins a rise in industrial death and serious injury in every industry.

Reagan's and Thatcher's type of bastardary has a name: free market, neo-liberalism. Get to know it if you don't already, it may come to a town near if Tony Abbott and his gang of zealots win office.

As the infrastructure of nations was privatised, the new industrial formations Thatcher blessed in finance and banking facilitated the wholesale pillaging of the national infrastructure, from roads and rail and supportive urban transport to power energy and telecommunications. As standards slipped, prices also spiraled, all in the service of profit for the newly-created private management and their shareholders. The delivery of this neo liberal agenda was delivered with an emotional and physical savagery that starkly defined class divisions, leaving open wounds that still cascade into crime, urban dysfunction and enormous human suffering and lost opportunity. Bigger prisons were built to mop up the human flotsam and jetsam, while smothering the real unemployment figures. That trend continues.

The Thatcherite neo-liberal agenda, which effectively distanced the economy from individual national interest in favour of an elite market economic and political domination, created the environment that would trigger the Global Financial Crisis. Inevitably, the new institutions of wealth, national infrastructure and their sycophantic financiers and banks spun further out of control in an orgy of speculative investment engineering, corruption, negligence and arrogant disregard, by both the standards monitoring and the compliant and dominated press of people like Rupert Murdoch, himself

a close friend and ally of Thatcher. It was a Thatcher-Reagan assault on responsible economic and social modeling, allowing the gorging of wealth by banks, corporations and individuals, which drained the collective wealth of nations, culminating in the Global Financial Crisis.

Banks are still being bailed out by sucking the economic blood out of the taxpayer, relegating a generation of working men and women to poverty and dismal opportunity for at least a generation in Europe, the UK, North America and many more countries. State funding is being cut back, community support machinery effectively decimated to pay for decades-long orgy of profit gouging and rampant greed.

Thatcher loved the murderer Pinochet and salivated at his Chilean economic agenda, modeling hers on more of the same.

She promoted religious, social, community, industrial and political segregation and discrimination in Northern Ireland and colluded with state agencies to murder, imprison and degrade her political opponents and advocates, whether they campaigned for a republic and or a peace process. Remember Pat Finucane, the human rights lawyer, was murdered by UK state agents.

She went to war with Argentina to win an election, and defined the agenda that war was good for business, an agenda later perfected into an art form by George Bush and Dick Cheney.

The depth of the polarisation in that country, including Northern Ireland under her leadership is only being repaired inch by inch today. The depth of her political legacy saw the greatest collapse in world wide wealth ever seen in humanity's history.

It would have been more fitting, and less divisive, if her funeral was privatised and paid for by the failed economic elites she championed the whole of her political life and in retirement. Sponsored by Lehman Brothers and Arthur Anderson. Music provided by Barclays. Coffin by Standard and Pours. Reception at Fanny Mae's and Freddy Mac's place. Drinks provided by the Bank of Scotland. All transport fuelled by Enron. Eulogy by AT&T, featuring Bernie Madoff live from his cell. The specialist commentary sponsored by Rupert Murdoch and by Rebekah Brooks, Neill Wallis, Andy Coulson and Clive Goddman from News of the World.

Her disgraceful legacy is a reminder to all of her supplicants and sycophants still running out her spin is that damage and degradation done by politicians and political and economic leaders are held to a very long account.

**Automation is not automatic**

The Automation Conference held by the International Transport Workers in Sydney in April brought Dockworkers from around the world to consider their rights and needs in the

face of an accelerated move around the world to higher technology. It was pretty instructive.

Automation and mechanisation are features of our industry as it is for many other industries. Up to this point, it has been engineered by agreement, particularly when there are large leaps in technological innovation, such as containerization, together with intermodal refinement and machinery development.

That agreement has been predicated on workplace transitioning, including, at one end, retraining, salary maintenance and even redundancy, and at the other end, skills development, creation of new jobs and the improvement of working conditions. Consultation and structured agreement have defined those outcomes.

That was the story worldwide in the places where best practice was the order of the day.

At the shitty end of practice, we find the introduction of new systems, with predetermined outcomes instead of full consultation, a failure to clearly articulate the business case for automation, including proving any claimed productivity gains and a general failure to seek to want to mitigate the impact on the workers affected. A type of designed adverse industrial strategy—or even union-busting.

A number of systems and technology firms are marketing their products on this type of behaviour. Their pitch is: "Got a strong union you don't want? Give us a ring, have we got a machine for you!" This gang is in the worst-practice column by popular agreement of the world's dockworkers.

At the automation conference, the big Asian shipping line OOCL made a presentation to the dockers, which included delegates from the US, Canada, the UK and Europe and Asia. The company outlined the scope of its new mega-terminal at the Los Angeles-Long Beach port. They have targeted next year or so to hammer out an agreement with their workers for their 3-million-a-year TEU container terminal. Put OOCL in the best-practice first column.

Then, there is Patrick. Patrick still won't tell us which company employs our members. The company was never honest with their workers. They made a decision to automate while still negotiating the last agreement and never uttered a word about their automation plans (how's that for a good working relationship with your employees?). Put them in the bad-practice second column.

In the same week as the automation conference, Patricks decided to speed up some redundancies and, instead of telling the union or the workers directly, announced it by press statement.

Well, if they want a fight they came to the right place. Plenty of dockers from around the world are keen to see them rehabilitated from column two to column one.



# SAFETY CODE NEARS FINAL BATTLE

Thanks to the support and actions of MUA members, our ongoing campaign for a National Stevedoring Code Of Practice has brought us to the doorstep of victory.

MUA members took action across the country in March campaigning for a safer waterfront, this time in the face of the Australian Chamber of Commerce and Industry's (ACCI) last-ditch efforts to bomb the code on behalf of the stevedoring employers.

NSCOP was again on the verge of being released for public comment in mid-March, when Safe Work Australia (SWA) met and voted 8-1 to put the code out to public comment. The stevedoring employers lobbied hard against this decision and launched an assault on the MUA and NSCOP in a factually incorrect and misleading article in the Australian Financial Review (20 March). The MUA was not offered an opportunity to respond to the one-sided article in the AFR.

This AFR article triggered the Office of Best Practice Regulation (OBPR) to demand a Regulatory Impact Statement (RIS) to take place on NSCOP. This means that NSCOP will effectively be costed. MUA Assistant National Secretary, Warren Smith, said the circumstances of a belated push for a RIS were suspicious.

"The MUA doesn't fear costing of the code but sees the RIS process as a ploy by employers to delay or prevent the implementation of NSCOP – no doubt with the federal election in September in mind," Warren Smith said.

Paddy Crumlin, MUA National Secretary, said, "The code is rooted in a very simple idea: it should be in the interest of everyone in the industry that every person who goes to work

should come home alive and unhurt. The code represents basic values: life before profits, collective support before individual gain."

## AT WHAT COST A LIFE?

"The cost issues raised by employers are astounding and false. It seems those employers and business lobbyists campaigning against NSCOP fear having company safety systems placed under scrutiny," Warren Smith said.

What other conclusions can be drawn from their false cost argument? A Code of Practice does not confer new rights upon workers or the union. It merely highlights and demonstrates a best practice method to conform with existing laws.

"With the fatality rates on the waterfront there is little wonder why some companies don't want their safety systems exposed to the scrutiny a Code of Practice may bring. It's a bit rich for companies and business lobbyists to complain it's going to cost money to obey the law," Warren said.

"Another dodgy employer argument is that the MUA wants a hatchman and a cargo space lookout in every crane gang. The code doesn't say this. We have never claimed this, yet it is paraded as a cost to the industry."

## UNACCEPTABLE SAFETY STANDARDS

"The rates of death and injury in stevedoring

have reached crisis levels. The carnage is alarming and cannot be allowed to continue. Other Australian industries do not suffer anywhere near the level of workplace fatalities as the waterfront. Wharfies are 14 times more likely to be killed on the job than the average Australian worker," Warren Smith said.

"Shockingly, the rate of death suffered by workers in stevedoring is more than that of permanent members of the Australian Defence Force, including those serving in Afghanistan."

"The time for debate is over and it is time to adopt a National Stevedoring Code of Practice and use it to prevent further deaths in the industry."

## FIGHT FOR YOUR LIFE – SIGN FOR YOUR LIFE

The MUA has launched a massive campaign aimed at getting the maximum number of people to sign on in support of our NSCOP submission to SWA. That submission is available on the MUA website and there is an online page where the submission can be endorsed. Other campaign materials are available through MUA branches.

The MUA is demanding that NSCOP be out to public comment immediately. The public comment phase is where industry 'stakeholders' can make arguments for and against any Code of Practice. Signing on in support of NSCOP is effectively sending a submission to SWA to say that you support the Code of Practice and want the code approved. The MUA is proceeding on

with our campaign regardless of employer opposition and already 1200 people have made submissions in support of NSCOP in the first days of going online.

In a courageous fashion Georga Fitzgibbon, daughter of Greg Fitzgibbon who was tragically killed on the Newcastle waterfront in September last year, has come out in support of the MUA's NSCOP campaign and has made a heart-felt plea via YouTube for MUA members and those in the broader community to sign on to the MUA's NSCOP submission.

Members are urged to read our NSCOP submission and sign on to get it across the line. We should get all our workmates, our friends, organisations we are involved in to sign on to NSCOP and the right to come home alive.

### Employers attack NSCOP

The stevedoring employers and their supporters at Shipping Australia, Australian Logistics Council and the Australian Chamber of Commerce and Industry (ACCI) are advocating that the code be watered down in a range of areas.

**1. The Hatchman and Cargo Space Lookout**  
Employers are seeking to weaken the provisions for the hatchman, which is a key safety position. The hatchman is the eyes and ears of a crane driver.

In doing this, they are asking for only limited sections of the relevant Marine Orders to apply in the code. We reject this and say a Code of Practice must not have a lesser standard than existing regulation.

Employers also claim that we want an extra person in the form of a cargo space lookout on every gang, which is a complete fabrication.

### 2. Jurisdiction

Employers are calling to exclude the code from applying to stevedoring activities on board

ships. A ridiculous argument considering it is well recognised that stevedoring is an example of concurrent jurisdiction (one Commonwealth and one State/Territory). This reality has existed in stevedoring for many decades and it is not an obstacle to a Code of Practice or safe work practices.

Jurisdictional issues are being raised by vested interests to merely muddy the waters and delay or block the code.

### 3. Cranes

Employers want to have one group of Australian workers with lesser standards of crane safety. The Crane Code of Practice must not be excluded from applying on board ships. The Crane Code deals with many systems of work matters that are not addressed in Marine Order 32. All other provisions in the Crane Code will continue to apply. There is no constitutional basis for excluding the Crane Code from applying on board ships when in port, and it would be inappropriate for the Crane Code to be excluded.

### 4. No code of practice – just guidance

ACCI want the code watered down to guidance material, giving it less regulatory force. This is dishonest and a backflip by Qube, DP World and Patrick if indeed ACCI are representing their interests within SWA.

The fight for NSCOP and a safer waterfront continues. We get closer and the employers fight harder. This means we have to keep the pressure up. We need to get as many submissions as we can around NSCOP and we need to ensure that our safety regimes on the job are up to scratch and no corners are being cut.

**Fight for your life – Sign for your life**  
Go to [www.mua.org.au](http://www.mua.org.au) and sign the submission today.

## AUSTRALIAN WHARFIES KILLED ON THE WATERFRONT: 1990 - 2010

- Barry Gifford, Darling Harbour, Sydney, June 1990
- Brian Greaves, White Bay, September, 1991
- James Cairns, Trans Ocean Terminals, Melbourne, March, 1991
- Rex Lowday, Geelong, August, 1992
- Roy Audet, Boyne Smelter Wharf, Gladstone, October, 1992
- Bryan Paterson, East Swanson Dock, September, 1997.
- Mick Carabott, East Swanson Dock, Melbourne June 1998
- Bryan Paterson, Melbourne, May 1999
- Billy Dixon, Tasmania, July 1999
- Jeff Grey, Appleton Dock, Melbourne, June 2003
- Dean Robinson, Port Adelaide, June 2006
- Peter Ross, Appleton Dock, January 2007
- Bob Cumberlidge, Westernport, March 2007.
- Brad Gray, Brisbane, February 2010
- Nick Fanos, Port Botany Sydney, March 2010
- Steve Piper, Appleton Dock Melbourne, July 2010
- Greg Fitzgibbon, Newcastle, September 2012

# FIGHT FOR LIFE: MUA'S FIRST NATIONAL SAFETY CONFERENCE

The National Safety Conference, held in Brisbane in December 2012, has kicked off an industry-wide campaign to organize for safety.



Assistant Secretary Warren Smith sketches out the union's safety agenda

The first-ever national safety conference was attended by over 130 delegates and HSRs from all states and all corners of the industry, including seafarers, offshore oil and gas, stevedoring, towage, ferry lines and other port workers. Attendees were excited about opportunities under the new 'harmonized' work health and safety laws, which are now in effect in most states. The new laws give health and safety representatives some major clout to organize on the job for better safety.

Participants welcomed breakthroughs in the campaign for a national stevedoring code of practice. The code was put in jeopardy recently after major stevedoring companies and Shipping Australia attempted to block the code just one day after Greg Fitzgibbon was tragically killed doing his job in the hold of a ship in Newcastle. But thanks to massive protest action by MUA members around the country,

the process is now back on track. A new draft of the code is expected later this month.

But delegates also expressed grave concerns about shortcomings in the offshore safety regime, administered by NOPSEMA. This was recently illustrated in the aftermath of the tragic fatalities on the Stena Clyde in Bass Strait this year. If the marine jurisdiction, which covers blue water seafarers, is harmonized next year in line with the new onshore laws, that will leave the offshore regime isolated and outside the mainstream of safety in this country. Licensing was also identified as a particular concern. Delegates noted that the national licensing regulations do not apply in the offshore, which is potentially a recipe for disaster.

The issue of fatigue was identified as a major issue. It was recognized that fatigue is endemic in our industry and is thought

to be major health and safety risk. Delegates resolved to increase our focus on this issue in 2013, including campaigning for better fatigue management plans and strategies to reduce the risk of harm due to fatigue.

Delegates came away from the conference with action plans to build our organization and capacity, including an interest in examining whether the safety conference should become a regular event on the MUA activist and leadership calendar.

The conference has already generated a great deal of enthusiasm and excitement back on the job. Since the conference many delegates have already taken positive steps to establish safety structures, get health and safety representatives elected and trained, apply new tools and resources, and tackle safety issues at work.

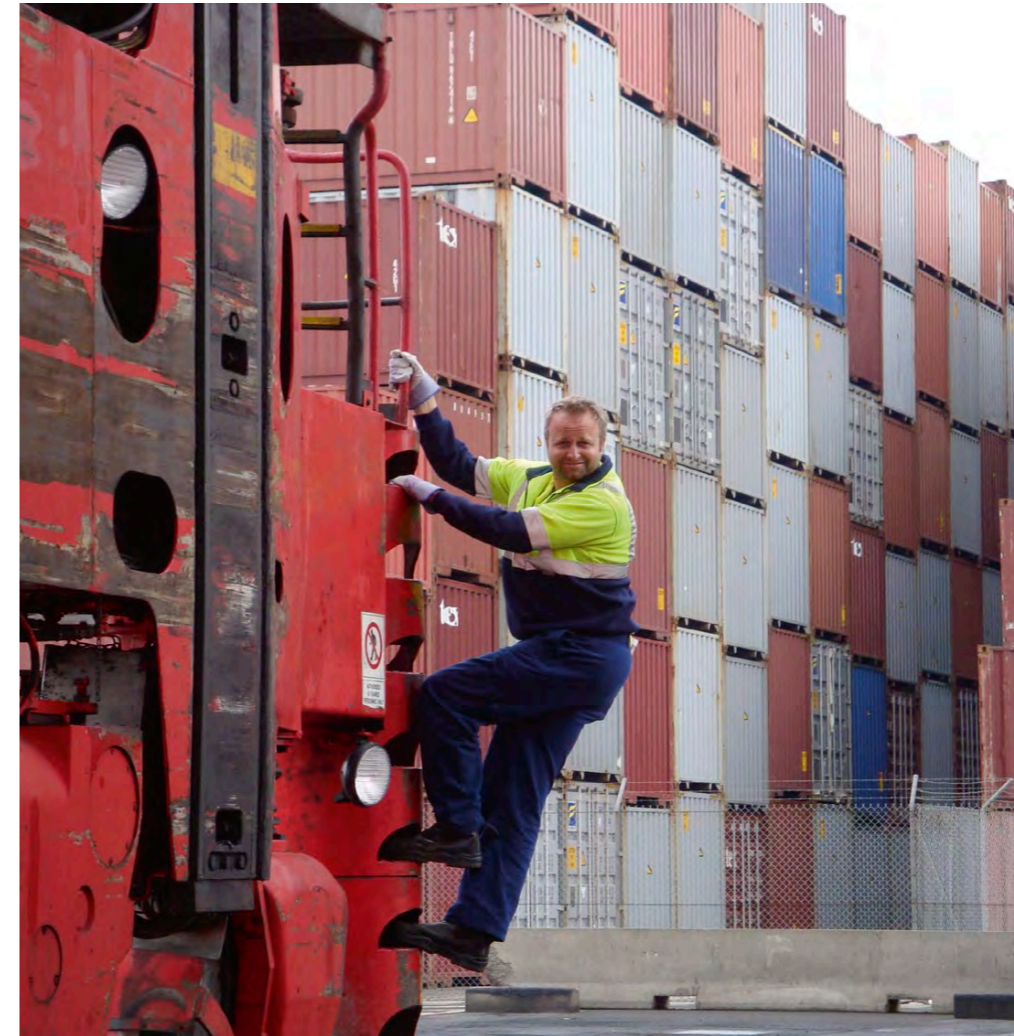
We look forward to a big year in 2013 putting these plans into place.



(Above) Christo Beck; (Below) Safe, Respected and Organised: The theme of the conference



Port Botany: The center of the automation storm



# AUTOMATION THROUGH NEGOTIATION, NOT COMPANY DIRECTIVES

**Before going any further, let's get something straight: the stevedoring industry is making money. The industry is not losing money. Automation is being used by profitable companies to make even more money. Full stop.**

**H**arry Bridges, the legendary Australian-born American union leader of the International Longshore and Warehouse Union, once said, "Why should we take it upon ourselves to pick up the pieces after industry discards people for machines? Isn't it about time unions got in there before the fact to insist that there must be some obligation to people in all this?" That notion is exactly the driving philosophy behind the MUA's fight over automation, a fight taking place everyday from the wharfs to the courtrooms and across the globe.

As Mick Doleman, the MUA's Deputy Secretary who is leading the negotiations with

Patrick, says, "We know automation is coming. But, we are not going to let companies use automation to deunionise. We are going to use every tool in our arsenal to fight to make sure we, the workers, determine what terms and conditions are put in place to make sure that, in a post-automation world, MUA members can lead a life of dignity, respect and a secure living."

The struggle to ensure the best possible outcome for MUA members has been coordinated internationally by our National Secretary, Paddy Crumlin. He has ensured that the issue is at the top of the agenda for the International Transport Workers Federation

(ITF) Dockers Section that he chairs. There are many other unions around the world facing the same struggle, often with different national operations of the same Global Network Terminals that control most of the world's ports. The more coordinated the international union position is, the stronger we will all be. To this end, an MUA resolution putting forward an international union position on automation was passed at the Asia-Pacific Dockers Section meeting in January, and will go forward to the whole ITF Dockers Section.

Crumlin has been to meet with the national leadership of the ILA on the east coast of the USA and the ILWU on the west coast to discuss

automation. DP World is also building new automated ports in Rotterdam and London, and Crumlin will be meeting with DP World's international management to put forward the views of the MUA, unions in the Netherlands and the UK, and the ITF on automation. The ITF has also been active in organising for solidarity messages to be sent from unions around the world to the MUA supporting our struggle to preserve jobs and improve conditions at Patrick and DP World through the automation process. This has strengthened our domestic position considerably.

The MUA understands that we only win this battle by fighting on many fronts: at the workplace with a smart industrial strategy, in the court rooms, on the political front and with a modern communications effort. The MUA has significant leverage. It starts with the power in the workplace, and the organisation of members who make up the backbone of the union.

If companies want to reduce the labour they use by automating some work processes, workers going through this difficult process have a right to insist on better working conditions too. The MUA will campaign for

a better work/life balance through reduced hours and better rostering.

If companies want to change the equipment used and jobs and skills needed to operate container terminals, existing workers must be trained up to do these jobs. The workforce and the union need to be fully informed and participate in any re-organisation of working practices. And the bottom line is: we want a share of the new wealth generated by automation, and that has to be reflected in the jobs and rosters.

Before going any further, let's get something straight: the stevedoring industry is making money. The industry is not losing money. Automation is being used by profitable companies to make even more money because of the greed among executives. Full stop.

The evidence? The Australian Competition and Consumer Commission, reported in October 2012 that from 1998 to 2012 the stevedoring industry's real costs have decreased 45 percent. The ACCC also says that the profitability of Australian stevedores remains significantly above the average for the ASX top 200 companies.

## TRICKY PATRICK'S PLAYS SAME OLD LEGAL GAME BUT THE MUA WILL FIGHT ON

When Patrick's announced its decision to automate, the MUA launched a campaign against Patrick's that encompassed not just media, industrial and international campaigns but also a legal campaign. The union took Patrick's to the Federal Court as well as to Fair Work Australia to argue that it breached the enterprise bargaining agreement.

Patrick's legal strategy has been to try to hide behind a complex corporate structure to get out of the Federal Court proceedings.

"It's the same old bag of tricks – they are making the same arguments they used in 1998 about corporate structure and it shows a lack of corporate transparency and a lack of respect for workers and their families," Paddy Crumlin said.

As a result of Patrick's legal obfuscation, the MUA has withdrawn Federal Court proceedings for the time being to concentrate on the proceedings underway in the Fair Work Commission.

"We're not backing down. They can throw all the legal fictions at us that they want. The fact remains that they breached good faith bargaining and we aren't ruling out a new action in the Federal Court," Paddy Crumlin said.

It was only days after the new EBA was approved by the Fair Work Commission that Patrick's owner, Asciano, announced the automation proposal despite Patrick's stating to the MUA during the negotiations that automation was not in the cards.

Asciano's CEO, John Mullen, has revealed on national television that Asciano knew a decision to automate was coming during the EBA negotiations.

Throughout the Fair Work Commission proceedings, which are still on foot, the MUA has put forward strong arguments to demonstrate that Patrick's lacked the requisite good faith intentions during the bargaining period.

**“Without the union fight, we would have lost our jobs and livelihood,” says Paul Williams, a union delegate who has been a crane driver for 23 years at Patrick’s Brisbane terminal.**



And labour productivity has doubled over the same period. Just at Port Botany alone, labour productivity has reached an all-time high.

Something else hasn't gone down: CEO salaries. Based on the evaluation of the business press, like many CEOs in the world today, CEOs in stevedoring simply doesn't give value for the money they are paid—money created by the hard work of MUA members.

So, the picture is clear: the companies are making huge profits, CEOs are becoming even richer, and MUA members are working even harder. Yet, that's not enough for the companies—they want more. And automation is the way to try to mint even more money on the backs of hard-working MUA members.

The MUA is also locked in a determined set of battles with Patrick and DP World. When Patrick announced its automation plans, it did so without consulting with the MUA, which, in the union's view, is a violation of the 2011

Enterprise Bargaining Agreement.

The reason we fight Patrick every step away of the way is clear when looking at the experience of the MUA in Brisbane, where Patrick has a fully-automated port. “Without the union fight, we would have lost our jobs and livelihood,” says Paul Williams, a union delegate who has been a crane driver for 23 years at Patrick’s Brisbane terminal. “We were able to harness automation through the fight and the process created work in other areas so the overall numbers are not that different.”

Right now, DP World has declared war on the workers in Brisbane. The company wants to slash in half the number of workers at the port, from 282 down to just 140. On top of that, it isn't simply who will be left but what kind of jobs will be offered—the number of casual workers won't change, increasing the percentage of casual workers and triggering the slow but sure elimination of good-paying, secure jobs.

Mick Lang, a crane operator for 12 years

and a union delegate, sees people ready to fight. “I was talking to a guy last week and he was in tears because he doesn't want to lose his job,” says Lang. “They've been working at the job for long periods of time, their skill set is a certain kind. They don't want to go into that fly-in, fly-out mining job or have to move somewhere else because it's disruptive to the family.”

Lang says right now the company doesn't care about the future of the DP workers. “Someone asked the human resources manager about retraining and he said “why would we do that?”, says Lang. “That says to us the company is trying to trim the workforce to get an advantage over competitors but they don't care about us.”

In a letter to MUA members working at DP World, Warren Smith, MUA assistant secretary who is leading the negotiations, made clear the union is mobilised to fight: “We are prepared to do what we have to do to ensure that greed and profiteering by DPW is

**MUA LEADS THE FIGHT!**

The MUA is leading the fight to shape automation, in Australia and around the world. A resolution proposed by the MUA was adopted at the January 2013 Asia-Pacific dockers as a template for maritime workers' organising and policy work. In part, it reads:

Resolving, that while it will be difficult to slow the growth of technology in the stevedoring sector, companies should only undertake automation on the basis of open, frank and meaningful negotiations with representative unions. “Automation with negotiation” must include a full understanding of the impact of the planned automation and measures to mitigate against job losses, including but not limited to:

1. The development of a workplace agreement that reflects the maximum possible employment opportunities for the workforce affected by the technology. That includes any contractors or third party employees the principle stevedoring company may employ.
2. Training and skills enhancement for the existing workforce so they are able to operate all aspects of the new technology once they are retrained.
3. A reduction of full-time hours of work per week.
4. Full consultation with the union on the number of workers and gang sizes realistically required to operate the new machinery and all associated stevedore functions.
5. No contracting out of maintenance services for new machinery. Trained workers can perform all maintenance.
6. Day-to-day oversight of automated stevedore machinery, and particularly roles which require some manual intervention in the stevedore process, to be covered by experienced and unionised stevedore workers, not management.
7. Expanded union coverage of all workers associated with the container terminal.
8. The opportunity for retrained workers to find comparable work and conditions in other sections of the stevedoring industry, or other industries, including assistance with relocation where necessary.
9. Appropriate separation packages for workers displaced by the technology to assist them in finding other employment.



not allowed to create a race to the bottom in stevedoring,” he said.

At the end of April 2013, the MUA will host in Sydney a global conference on automation, bringing together the best activists, organisers and policy leaders. “We have invited the International Dockworkers Council and the International Labour Organisation to attend so we can build the widest build the widest possible alliance to ensure workers' interests are represented,” said Paddy Crumlin. The conference will also have a panel that includes employers, allowing a forum for the airing of the debate over automation.

But the focus is to build an alliance on every continent to fight back against automation imposed for the sake of corporate greed. “Waterfront employers have often said that if they can't beat us, then they'll try to shrink us down to a more manageable size. They're hoping that their new 21st Century technologies on the docks will eliminate jobs and reduce union power,” says Ray Familathe

International Vice President of the ILWU and the 2nd Vice Chair of the ITF's Dockers section. “Our goal is to protect permanent employment for all registered dockworkers throughout the world, whether it's in traditional cargo-handling terminals or fully automated container terminals.”

Added Sharon James, the ITF's Dockers' section secretary: “Dockers' unions are not afraid of the future – workers and their communities have at least as big a stake as the employers in these changes. But, we are determined that automation will not be used as a means to break or reduce the power of unions.”

The great scientist Albert Einstein once said, “It is appallingly obvious our technology has exceeded our humanity.” The MUA's goal is to make sure that, at least when it comes to stevedoring, humanity will have the final say on the future life of the people working on the docks of Australia.



# GLOBAL MARITIME WORKERS SET AUTOMATION AGENDA

Delegates from around the world meet in Sydney to build worldwide campaign.

The energy crackled through the two-day conference on global automation in Sydney on 29-30 April as 160 representatives from 11 maritime unions in 10 countries set an ambitious and pro-active agenda on automation throughout the world which is anchored on a clear principle: maritime workers accept automation as a fact of life and are open to transparent negotiations over implementing automation, but will strongly oppose union-busting dressed up as technological change.

"We are united in the view that automation will not be imposed, it will come through negotiation," said Paddy Crumlin, MUA's National Secretary and the president of the International Transport Workers. "We are building the widest possible alliance to ensure workers' interests are represented, and employers would be well advised to understand that a global network is solidifying and strengthening its resolve to respond decisively to unilaterally imposed automation."

He continued: "Dockers are skilled,

professional workers with valuable insight and experience to share, who see automation as an opportunity for new skills and training. Their place is at the table where the suitability of new technologies is examined. There must be no automation without negotiation. Unions are committed to dialogue with employers, which is open and fair. However, the others, the employers who try to use automation as a means to try and destroy unions, impose excessive job cuts and remove conditions of work should know that we will take action against them."

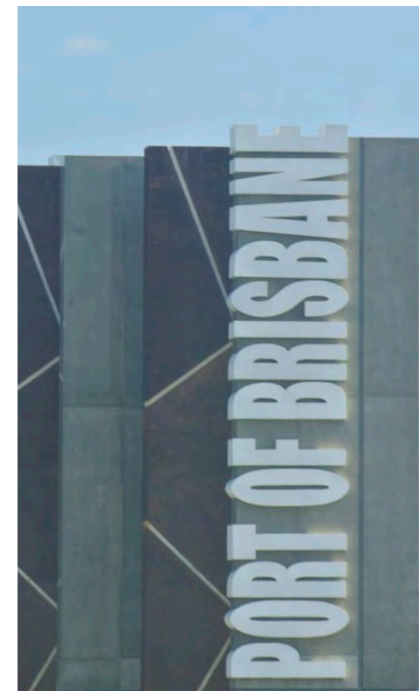
That automation and negotiation can work together was made abundantly clear by the presence at the conference of US employers Long Beach Container Terminal (OOCL) and Ports America Group. The employers have collective bargaining contracts with the US International Longshore and Warehouse Union (ILWU).

Crumlin compared the posture of the US employers to the behavior of Patrick. "[OOCL] openly invited the North American unions,

the ILWU, to sit down and work the issues through," he said. "They knew it was going to be a difficult process...but notwithstanding that they were keen to get an understanding with labour about how that technology was going to be implemented." Patrick, on the other hand, has engaged in a lack of transparency that "looks like, smells like, tastes like union-busting," Crumlin said.

Among the other speakers at the conference were Ray Familathe, vice president mainland of the (ILWU) and Sharon James, Secretary of the ITF's dockers section. "Waterfront employers have often said that if they can't beat us, then they'll try to shrink us down to a more manageable size," Familathe said. "They're hoping that their new 21st Century technologies on the docks will eliminate jobs and reduce union power. Our goal is to protect permanent employment for all registered dockworkers throughout the world, whether it's in traditional cargo-handling terminals or fully automated container terminals."

Mick Doleman, MUA deputy secretary (far left), Ray Familathe, ILWU vice president (second from left), and four US employer representatives listen, seated above posters of fallen MUA wharfies.



# AUTOMATION CAMPAIGN GATHERS STEAM

The MUA is mobilising across the nation to challenge DP World's automation plans at the Brisbane terminal. While automation is occurring internationally DP World in Brisbane has revealed plans that use automation for industrial purposes: to increase profits and reduce jobs and conditions at the expense of Brisbane DP World workers.

The DPW automation agenda was unveiled in front of the Union Committee, Branch and National Office at an automation meeting held in Brisbane 4-6 February 2013. The proposals by the company could only be seen as a slash and burn position, leaving delegates staggered at the brazen approach of the company in attacking job coverage and conditions of work. DP World's plan will smash the workforce numbers with no real evidence given to verify the proposed stark and vicious cuts.

DP World is proposing that FSE jobs would be cut from 97 to 25. The company also say VSEs will go down from 149 to 80. Maintenance workers are also on the chopping block with numbers slashed and T/As eradicated. At the same time, casuals will go from 12% of the workforce to 25% of the workforce. Previously agreed functions relating to automation have been transferred to management. The company is demanding these cuts on the basis of dodgy company labour modeling.

"DP World must be dreaming because there's no way we are going to cop this brazen and unjustified assault on the workforce," says Warren Smith, MUA assistant secretary who is the national officer leading the negotiations with DP World. "I am confident that with the power and solidarity of our members, we can beat the excesses of DPW and that must be our aim. We demand that our jobs not be slashed where the roles still exist, that our jobs are not outsourced and hived off to management and other workers, and that our conditions are not diminished through DPW greed."

Automation is not new to the MUA. The union and members face automation by all terminal stevedoring operators. DP World has so far

**"DP World must be dreaming because there's no way we are going to cop this brazen and unjustified assault on the workforce"**

Warren Smith, MUA Assistant Secretary

resorted to extremes in job cuts. The Patrick Brisbane autostrad terminal has 80 rostered permanents, whereas DPW is proposing just 25. The fact that we will drive the straddles at DP World is not missed by us.

In terms of preserving jobs for as many people as possible, Hutchison has agreed to a 30-hour week, which will create jobs in the face of automated equipment. DP World, by increasing the percentage of casualised workers, has a different message: it does not care about preserving full-time employment.

The MUA has put forth a concrete proposal to have a trial so the union and members can see for our own eyes whether the wild claims of the company around automation are justified. That demand comes from solid international experience, which shows that DPW's automation position is deeply flawed.

The campaign has gathered steam as national officials and the Queensland branch have been meeting on a regular basis with members. "The members are really coming together and solid on taking on DP World," says Trevor Munday, the branch's deputy secretary.

Already the MUA has been involved in discussions with the International Transport Workers Federation Docker's section, which has facilitated contacts with a range of unions and workers in automated terminals around the world. DPW is a Global Network Terminal operator and operates in just about every

continent. Due to the long-term global work of the MUA, the union has relations with Dockers' unions around the world, which gives us a great capacity to roll out an international campaign to thwart the union busting methods of DPW in Brisbane. If that involves declaring Brisbane DP World a Port of Convenience, then, so be it.

If the company does not move, the MUA will be calling for solidarity and action against DPW in all of their operations internationally, as well as targeting the Citi Group, which provides the capital behind DPW in Australia.

The key to victory is for branches and members to assist in campaign activity in your area. There is good reason to be angry but action must be directed at the company in a constructive way that will add to the chances of positive change.

This means we must work together and develop the greatest degree of unity and solidarity with each other around these issues and in our campaign. We need to support the local committee which is fighting hard on behalf of the members.

We need to build maximum unity and really focus all our energies on this important struggle. DPW has adopted objectionable methods in the implementation of automation. The MUA will not sit idly by and allow this global network terminal behemoth to destroy conditions, reduce our scope of coverage and transfer viable jobs to management.



# OUR CAMPAIGN FOR SECURE JOBS AND YOUR RIGHTS AT WORK



One thing's for sure about our union – we're not backwards in coming forward and we will always campaign for what we believe in.

Paddy Crumlin speaking about the election and the importance of shipping to Australian Workers Union conference.

We have achieved some great outcomes for workers as a union movement through this Federal Labor Government:

- New laws to secure the future of Australian shipping and jobs that rely on shipping and encouraging more coastal cargo to be carried on Australian ships
- The government has announced, after a campaign from the MUA, that it would close the loophole allowing offshore oil and gas companies to employ guest workers without a visa
- Commitment to legislate penalty rates
- Safe rates for Australian truckies
- \$2.1 billion in support of equal pay for workers in the social and community services sectors
- Harmonised occupational health and safety laws so companies are bound by strong standards irrespective of where they operate
- The abolition of WorkChoices
- Australia's first ever paid parental leave

scheme

- Increased the superannuation guarantee from 9% to 12%, which will help Australians retire with better security of income
- Announced a \$1 billion plan to protect Australian jobs in manufacturing
- Introduced new laws to protect outworkers in the textiles and clothing industry
- Acted quickly to help support jobs through the Global Financial Crisis and has kept unemployment low
- A National Disability Insurance Scheme which is on par with Medicare as one of Australia's most significant social reforms
- Introduction of the National Dental Health Scheme
- Increased hospital funding by 50%

The list goes on. But the key point is – we know when it comes to the crunch, Labor legislates for workers whereas the Coalition backs its mates in big business and tries to

undermine rights at work and the ability of unions to represent their members.

At our 2012 National Council, it was unanimously agreed that the MUA would strongly support Federal Labor's re-election.

We have nailed our colours to the mast, so to speak, because we know that we can rely on Labor to support our jobs, support security of employment and they understand the pressures and needs of working class Australians.

The MUA will be campaigning side by side with the ACTU and other comrades in other unions to work towards the re-election of Labor and the defeat of Tony Abbott. Members will be receiving correspondence and email updates from the National Office about getting involved in the campaign.

We must win this fight – the last thing we want is to wake up on September 15 and see Tony Abbott and his lot getting in and destroying everything this union and its members have worked for in terms of rights at work and making Australia a more equitable society.



(Left) NT Branch members get behind Labor's Nova Peris, who has pledged that she will always back fairness at work and will continue to address indigenous disadvantage as a Senator.

(Right) Labor Senator Anne Urquhart throws her support behind the MUA's campaign for a National Stevedoring Code of Practice.

The upcoming election campaign is opportunity for us to campaign to ensure that working people get the best results and that's why we are seeking commitments from political parties to stand up for rights at work.

#### Some of the key outcomes we are pushing for include:

- ensuring proper regulations are in place to prevent exploitation of guest workers and ensure local employment standards and conditions aren't undercut
- bringing offshore oil and gas back under the Navigation Act to make sure that companies can't circumvent safety standards and fail to employ people properly trained in safety
- reforming the 457 visa program and Enterprise Migration Schemes to make sure that there are no people in the market who can fill the jobs
- achieving a commitment that the new National Stevedoring Code of Practice will protect the safety of wharfies so that we don't see any more lives lost
- more effective procurement requirements to ensure local content in projects and to help underpin labour and safety standards
- new arrangements to ensure adequate training for seafarers and to see these skills represented on the full range of vessels so that safety at sea is not compromised
- ensuring that shipping reform is a key part of manufacturing policy given that shipping remains a critical component in manufacturing
- changes in laws to encourage superannuation funds to invest in debt financing of priority infrastructure like ports

#### AT THE APRIL NATIONAL COUNCIL, THE FOLLOWING RESOLUTION WAS ADOPTED UNANIMOUSLY:

The MUA supports the existence of a class of temporary work visas (457 visas) that are used consistently with their intended purpose: to fill temporary gaps in the national workforce so that projects that add value to the Australian economy are not thwarted because of a shortage of appropriately skilled labour.

However, the MUA believes that:

- Temporary work visas must not be used to displace existing workers who are capable and willing to perform the role;
- Adequate labour market testing must take place to ensure that local or interstate workers do have an opportunity to apply for and be trained for available jobs, including women and ATSI peoples who are under-represented in the workforce;
- Australian governments and employers must ensure that adequate funding, training and education is provided to meet current and projected skills needs such as the Maritime Workforce Development Forum;
- Temporary work visas must not be used as a mechanism by employers to drive down wages and conditions at work. All workers should be able to join and be represented by unions and receive the same wages as other unionised workers in the same or similar jobs.

National Council resolved that:

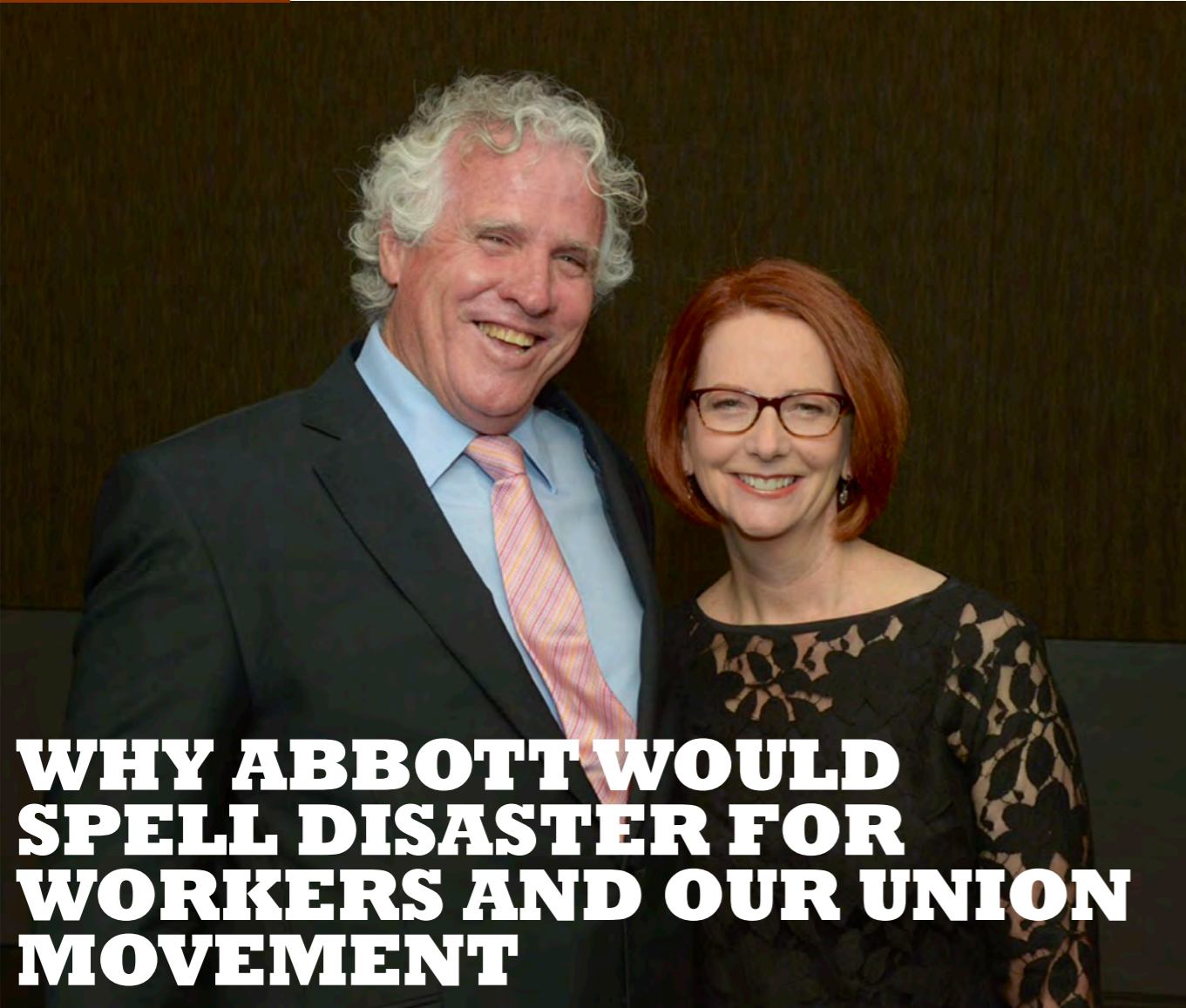
- The MUA will continue to campaign

to oppose the exploitation of workers holding 457 visas and any attempt by bosses to use these visas to drive down wages or conditions at work;

- We make no apology for standing up to employers who attempt to use the 457 visa system to increase profits, exploit workers, to de-unionise the workforce or to avoid training Australian workers;
- The MUA has members from almost every cultural origin and we are actively at the forefront of campaigns to fight racism in our community and internationally;
- The MUA will continue to encourage workers holding 457 visas to join the union so that their rights and conditions at work are protected. We will continue to advocate that 457 visa holders gain permanent residency and citizenship.

The MUA is an internationalist union recognising the fact that the struggles of working class people across the globe are linked. Our long association with the ITF and our vast array of international activity is a testament to this. We are proud of our role in supporting seafarers and all maritime workers the world over in their struggles for wage and social justice. Our solidarity with the South African people against apartheid is legendary as is our support for just causes of people from all walks of life and cultural backgrounds.

We must never let the racism and xenophobia of the Murdoch press taint our view on the 457-visa issue and recognise that internationalism is the backbone of our union and that our struggle is against abuses of this system and the exploitation of members of the Australian working class by maritime industry employers and employers generally.



Let's not mince words – if the Coalition Government wins the election in September this year, it will find any way that it can to try, once again, to destroy the collective power of workers embodied in the union movement.

They came after us in 1998 on the waterfront in an attempt to break the strength of our union and we fought back. They came after us with WorkChoices and we fought back. It will be a matter of "same strategy, different tactics."

Politics matters. Our union has always had a proud history of engaging with political issues – whether it be campaigning against the Vietnam or Iraq Wars, stopping shipments to apartheid-ridden South Africa, fighting for universal superannuation or hurling abuse at 'Pig Iron' Bob Menzies – this union has stood up for the issues and values that it so passionately believes in.

There is no doubt that our industrial campaigns are critical to our bargaining ability. But, parliaments make laws. They can be great laws – like the recent shipping reforms that passed parliament last year after over a decade of lobbying by the MUA. These laws will help secure the future of Australian shipping and we

have the Gillard Government to thank for this.

But, they can be bloody awful as well – WorkChoices, championed by Abbott throughout his political career, is an example of laws that instilled perpetual fear into the lives of so many working Australians.

Just over five years ago, the Australian people voted en masse to throw the Coalition out because of WorkChoices. But, not before jobs were lost, not before people had their penalty rates ripped off, not before families suffered because their only breadwinner got dismissed without reason.

Tony Abbott became Leader of the Liberal-National Coalition largely by default. He wasn't Malcolm Turnbull, who is loathed by his party for supporting Labor's move to stop climate change by pricing carbon. The party's experiment with Brendan Nelson failed spectacularly. Abbott was one of the few left standing. "He's the Steven Bradbury of Australian politics."

His political minders told him to shut up about WorkChoices because it's electoral

poison and keep to tightly-worded scripts to try to hoodwink the Australian people into believing he has changed.

Abbott is known to be a big policy back-flipper. You name it: climate change, asylum seekers, paid maternity leave, company tax – you'll find several different Abbott positions on all of them, sometimes expressed at the same time.

But, one belief he has always held is that trade unions are the enemy of the Liberal Party, which has always stuck up for its mates in big business. Nothing about that is going to change.

As Dave Oliver, Secretary of the ACTU, reminded everyone when the election was called, Abbott has said unfair dismissal laws are a "monkey" on the back of small businesses. Let's not forget that he called workers who were fighting to protect their entitlements "economic traitors". And, of course, who could forget him attacking the dying asbestos victim Bernie Banton as being "not pure of heart" when Banton was sticking up for the cause of asbestos sufferers.

Liberal Governments sack workers – we have seen it in Queensland, we've seen it in New South Wales. This is what they do and what they believe in – the principles of "labour flexibility" and "let the market rule itself" always triumph for the Tories.

So if orchestrating scabs to help Patrick's sack their unionised workforce didn't work and if legislating through WorkChoices for employers to sack workers because they felt like it didn't work, the Liberals are going to try a new, more creative strategy.

And they've already started. By claiming the HSU scandals are endemic, the Tories will go after the thing that makes workers powerful as a collective – their unions. They will take away rights of work not by explicitly deleting them from laws but by undermining the power of unions to represent workers, give effect to just laws and expose injustices.

They will attack the right of unions to enter workplaces to protect the interests and safety of their members. Using the HSU scandal as a pretext, they will try to tie unions up with royal commission investigations into unions and bankrupt unions trying to represent their members.

The Liberal's anti-union friends in the media will help Abbott's campaign. We will move back to the bad old days under Howard when unions were demonised – rather than accepted as legitimate collaborators in the economy, respected as the voice of workers and acknowledged to be the great leveler to counterbalance the great power of employers.

Comrades, it is critical that our attention is focused on this battle. We have come a long way since 1998 and it is not our intention to let industrial relations take a giant step backwards. Vote to stop a union-hating Government getting into Canberra and vote to protect your rights at work.

## ABBOTT'S WORDS OF WISDOM

Straight from the mouth of the man who is putting himself up for the job as Australia's Prime Minister

### ON UNIONS, WORKCHOICES AND RIGHTS AT WORK

The next Coalition government... will have to revisit the workplace reforms that gave it so much political grief but that are central to a productive economy... WorkChoices wasn't all bad.

*Tony Abbott, Battlegrounds, 2009*

**Abbott:** We need to make sure that these companies are able to operate as smart as they possibly can, and that means trying not to have the union albatross around their neck.

**Leigh Sales:** No, that means moving your business to where it can be done most cheaply, which is China in many cases

**Abbott:** Well, but, but, but, no, no  
*27 February 2009*

"Should 99 good bosses have their ability to employ people shackled lest one bad boss try to rip off his workers? It was, after all, the Scholastic, Domingo de Soto, who said of workers, 'If they free accepted this salary for their job, it must be just... If you do not want to serve for that salary, leave!'"  
*Tony Abbott, 6 July 2007*

**Presenter:** John Hewson is being used in advertising campaigns by the Labor Party, describing you as innumerate. Does that annoy you?

**Abbott:** Look, I think it was colourful language by John. I had three years working for John back in the 1980s and they were good years – sorry the 1990s...  
*Tony Abbott, 15 August 2010*

"Compulsory paid maternity leave? Over this government's dead body, frankly!"  
*Tony Abbott, July 2002*

### ON HONESTY

"Sometimes, in the heat of discussion, you go a little bit further than you would if it was an absolutely calm, considered, prepared, scripted remark, which is one of the reasons why the statements that need to be taken absolutely as gospel truth is those carefully scripted remarks."  
*Tony Abbott, 15 May 2010*

"One man's lie is another man's judgment call."  
*Tony Abbott, 5 June 2007*

### On the Liberal-National Coalition

"Trying to keep the 'doctors' wives', Howard battlers and Hanson 'rednecks' more or less inside the same 'broad church'... is no easy task when in government, and is even harder when in opposition, but is essential if the Coalition is to win elections!"  
*Tony Abbott, Battlegrounds, 2009*

## LIBERAL FRONTBENCHER ABETZ ATTACKS MUA

One of Abbott's henchmen, Liberal senator Eric Abetz, has a long history of anti-union rhetoric, accusing MUA members of being "thieves" and union officials of being "militant thugs" for wanting to improve members' pay and conditions.

Federal Labor Employment Minister, Bill Shorten, attended the WA Branch of the MUA's conference recently and declared he was proud to be a unionist. Abetz's reaction was to spit out a bunch of vituperative anti-union rubbish along the lines that a "Minister of the Crown" should not attend an MUA conference because the union was too "militant".

Never mind the Coalition's support for "militant capitalism" – Abbott you might recall was Minister for Industrial Relations under the Howard Government that introduced WorkChoices.

Abetz has a long history of opposing better protections for workers – he argued against harmonised occupational health and safety laws, against minimum wages cases, and against key protections in the Fair Work Act.

You've got to wonder – with such an anti-union industrial relations spokesperson what the Coalition has in store for unions if they win the next election.

# WA CONFERENCE MARKS GROWTH, ACTIVISM AND INTERNATIONAL ALLIANCES

For an entire week at the end of March, Fremantle was the center of MUA activism, international bridge-building and strategy development for the future, as hundreds of delegates met at the branch's conference, bolstered by a large contingent of international maritime leaders.



The WA Branch conference was preceded by a day-long youth-women-ATSI conference which began with a minute of silence to recognise the comrades who have been killed on the waterfront.

Assistant National Secretary Ian Bray, who observed that the WA branch was where he started as an MUA member and leader, noted the strong growth of the branch and the rise in numbers for the union as a whole. The Branch has hit 5,000 members; nationally, the union has grown dramatically in ten years to hit 16,000 members. "We've all but doubled our membership because we are a militant fighting union. The union will stand up and have a go," said Bray.

He also made note of the coming federal election. If the conservatives win, "There's no doubt about it there's going to be a Royal Commission into the union movement. They just need to throw enough shit at the union movement that workers want to distance themselves from it," said Bray. "We have to expect it will happen and we have to be ready

for it. It's about sticking strong with the union when it's under attack. You have to get behind the push to retain a labor government in this country. This is the time to get organised to get focused, to reach out, embrace and bring back people into the fold."

"This branch has grown 470 percent over the last ten years, 70 percent in the last year alone," said Chris Cain, WA Branch Secretary. "It's giving the union back to the members. We stand up for union rights in this country. It's about social justice."

National Secretary Paddy Crumlin fired up the hundreds of delegates at the WA branch conference on the opening day, leading into an impassioned defence of unionism by Bill Shorten, Minister of Employment and Workplace Relations, Financial Services and Superannuation.

Opening the morning in a speech leading to the introduction of Minister Shorten, Crumlin made it clear what the challenge is. Speaking of the federal election, Crumlin said: "You got a bunch of cannibals that want to take over and revert to the Howard years. This

is our time. There's unfinished business. We got rid of the worst government this country has ever seen, the Howard government which systematically stripped away your rights."

Shorten, addressing an attack leveled by a Liberal leader who questioned Shorten's attendance at the conference, Shorten shot back without hesitation: "There is no place I'd rather be in Australia...I am a trade unionist, I am proud of it." Shorten recounted the many advances the Government has pushed through on behalf of maritime workers, and all Australians.

And Shorten thanked the MUA, and the union movement as a whole for making Australia a place where regular people can make a decent living. "It's the men and women in trade unions, when they stand up, they lift the standards of all Australians," he said.

**PM HAILS BRANCH**

The conference also heard from Prime Minister Julia Gillard who greeted the delegates via a strong written message of solidarity.



(Opposite) National Secretary Paddy Crumlin speaks to mass Perth jobs rally, as WA Branch Secretary Chris Cain, left, watches his back

(This page, from top right to bottom) Adrian Evans, WA deputy branch secretary and Labor candidate for Hasluck, presents signed solidarity pact to ILWU delegates; WA Branch secretary Chris Cain and ILWU official Scott Mason celebrate alliance; conference delegates observe minute of silence for killed wharfies



"I can't be there in person, but as a proud Labor Leader, I'm certainly there in spirit today," the Prime Minister wrote. "I'm deeply proud of each of you – for the job you do as workers to make this a nation of opportunity; and for the job you do as unionists to make this a nation of fairness. The MUA has been a voice for fairness and opportunity since 1872, and few unions have your amazing record of strength and solidarity in good times and in bad. Because the two wings of the Labour Movement – party and unions – have worked hand in hand for a better Australia, we've achieved some remarkable things."

The Prime Minister made special note of the Government's role in shipping reforms. "Our world leading coastal shipping reforms are the most significant change to the industry since 1912. We've unified transport regulation. We're making record infrastructure funding commitments like the Gateway project," she wrote. "And of course, we've consigned Work Choices to the dustbin of history where it belongs."

She also highlighted the Government's investment in the future. "Plus we've recently announced a \$1 billion jobs package to help provide local content on major resources projects and with it, employment for our kids and grandkids," she wrote.

**GLOBAL ALLIANCES**

The conference also devoted a full day to international developments and alliances, which highlighted the importance of working globally and in solidarity with other unions as a way of protecting MUA members' rights.

Branch Secretary Cain introduced Bob McElrath, president of the US International Longshore and Warehouse Union, who told the story of a major fight against EGT at the port of Longview. "Allegedly, we took over the grain facility, we captured the port security guy, we locked him up in a room, these are all alleged things we did," he said to applause. "By the time we were done, they arrested over 250 people.



Paddy Crumlin marches at jobs rally with Ray Familathe, vice president of the ILWU



Chris Cain revs up the rally

But, they didn't arrest them that day. [The police] waited til the next day until [the workers] went to the grade schools and picked up their kids, and they'd throw them down on the ground in front of their kids, handcuff them."

Throughout the fight against EGT, the MUA showed strong solidarity, in particular through the International Transport Workers Federation. The ITF's current president is Paddy Crumlin, our National Secretary.

Bob Crow, the General Secretary of the UK Rail Maritime and Transport Union, gave a rousing talk about the importance of seeing the trade union work as a 24-7 community operation. "We stand for very simple things in life. We want everyone to have a job with decent pay. We want a house to live in. We want our kids to have good schooling," he said. "Capitalism has failed mankind. They can't find money to end poverty. They can find money for nuclear weapons to smash and destruct society when they should be spending money on constructing society, building schools, and houses. The Murdoch press attacks us because we dare stand up and say 'enough is enough'."

Wrapping up the international session, incoming ITF General Secretary Steve Cotton laid out the vision of change, which the MUA has led. "You are the catalyst for change," he said. "It's your ITF, it's your ability to drive an international agenda."

After the international session, delegates occupied a nearby intersection to highlight the fight for a national stevedoring code of practice. Flowing into the intersection of Queen Victoria St. and Tydemar Road, hundreds of delegates, waving flags and carrying mock coffins, occupied the area to give voice to the demand for a national code of safety. Adrian Evans, WA deputy branch secretary, read out the names of wharfies killed on the job.

**NEW PACTS SIGNED**

During the conference, the MUA, the ILWU and Maritime Union of New Zealand (MUNZ) inked key ports alliance agreements to broaden campaigning across borders on behalf of maritime workers.

Scott Mason, president of ILWU Local 23, explained that the pact signed between the WA Branch and his Local came after visits of solidarity between the two unions. "We talked about the similarities, about the waterfront," he said. "We are off to a really good start. This won't just be a piece of paper. This is going to be a work in progress and we've already started laying out our next steps, short term goals, medium goals and long-term goals."

Willie Adams, ILWU International Secretary-Treasurer and a member of Local 23, added: "It's for the rank and file, by the rank and file. My local has that same passion so it was a natural fit for us to come together. Our friends are here."

The Solidarity agreement reads in part: "The alliance between our two organisations at this time represents the necessary commitment to international solidarity required for labour to be successful in this time of corporate globalisation...Both branches are militant and progressive and share an approach to rank and file campaigning that unites us. As the world becomes smaller with fewer and fewer industrial conglomerates controlling more and more of the worlds capital and resources, we must be innovative in our strategies to protect and enhance the wages, hours and working conditions of our members.

The WA Branch also formalised a Solidarity pact with the Wellington Branch of MUNZ

The Pact reads in part: "The make-up of our workforces and our communities are very diverse. We

will learn from each other how best to assure that our diversity is our virtue... The collaborative commitment will also be applied to training and safety. The maritime industry is an inherently dangerous place to work with far too many workers killed globally each year."

**MUA SPEARHEADS MASS JOBS RALLY**

Towards the end of the conference week, Chris Cain, Adrian Evans and Branch Assistant Secretary Will Tracey led delegates to a mass rally for jobs. Stepping off from the Supreme Court Gardens in Perth, thousands of unionists streamed up in the warm afternoon towards Hale House, the official residence of Liberal Premier Colin Barnett, who is refurbishing the residence at a cost of \$25 million without using a single union construction worker, according to Dave Noonan, the head of the construction division of the CFMEU. The march and rally was organised by a coalition of unions: the CFMEU, AMWU, CEPU and the MUA.

The central demand of the march and rally was building support for the Labor Opposition's Skilled Jobs (Benefits of the Boom) Bill, which seeks to make local content plans as part of major projects more transparent to the public.

Paddy Crumlin marched side-by-side with Cain, Evans and Tracey, as well as Noonan; Michael O'Connor, CFMEU national secretary; Tony Maher, CFMEU national president; Andrew Vickers, CFMEU General Secretary; and Paul Bastian, AMWU National Secretary.

"We have to take the values of the trade union movement into this fight," Crumlin said at the rally at Hale House. "We're sick of the distortions and the dissembling. We're sick of the manipulating of the truth. We want to enjoy the fruits of our labor."

Earlier, Cain said, "Every Australian has a right to work in their own country."



**MUA YOUTH MOVEMENT**

The MUA Youth Movement is gathering momentum across Australia.

All MUA members under the age of 35 are encouraged to become active within their branches by contacting their youth delegate or official.

Committees have now been set up in every state with elected delegates and officials responsible for their state's activities and events, with national report back meetings occurring monthly.

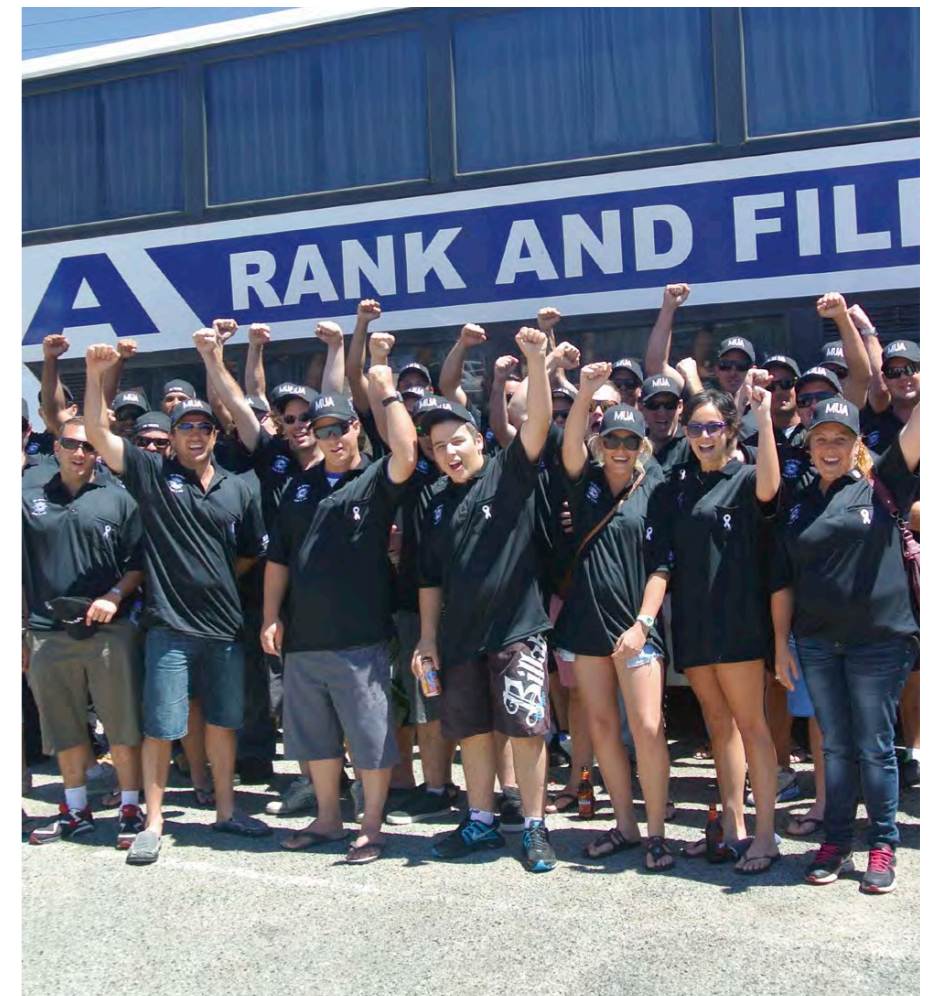
With a national framework now established, the youth movement can continue to increase it's presence within the MUA and the maritime industry.

Current key campaigns include; National Stevedoring Code of Practice, Local Content/Youth Unemployment Green jobs/Renewable energy future As the year progresses we will be working in conjunction with both the Women and ASTI (Aboriginal Torres Strait Islander) committees on campaigns that affect our union and society as a whole.

As our industry and Union continues to grow year on year it is creating more opportunity to get the younger generation active and this needs to be driven by the broader membership working alongside the Youth reps in each state.

If we can continue to pass on knowledge through to the younger generation, create mass activism and offer quality training to members, this union will continue to defy the declining union trend and lead the way in it's revival. MUA Here to Stay!

Danny Cain - WA Branch Organiser



(Top) Youth delegates from strategy meeting in Sydney (Bottom) - WA Branch youth delegates before action at Perth mall

# NATIONAL COUNCIL BOOSTS REGIONAL MARITIME FEDERATION



Labor Minister Anthony Albanese, centre, addresses National Council, as Paddy Crumlin, left, listens.

The MUA National Conference of members policy for a regional maritime federation took a giant leap forward at the April National Council meeting, as MUA officers joined with other national and international maritime union leaders to endorse a common vision for a federation aimed at bringing more unity and power for maritime workers.

"We have the opportunity to come together, and work together under a federation, but still keep our individual histories, political views and processes," said National Secretary Paddy Crumlin. "We can build both a universal approach to trade union solidarity in an international industry while establishing a structure where one union division doesn't overpower another."

The step forward in realizing a regional maritime federation came about at the National Council when Reg McAllister, the general secretary of the Papua New Guinea Maritime Union, informed the Council that his union had endorsed the regional federation at its last executive council meeting. "We are confident our members would back this 100 percent," he said. The PNGMU was in attendance at the MUA's Quadrennial Conference of members in 2012 when the historic MUA policy was supported unanimously by the MUA delegates (see box)

"Your union helped Papuan maritime workers establish their union in 1972" said General secretary McAllister "and have continued to work with us to build our trade union rights, including the latest campaign and organising support to ensure that the massive development of national resources in PNG translates into decent agreements in unionized workplaces"

He went on to also praised the MUA support for the international shipping register in Australia as an opportunity to develop regional job opportunities including for his members, which McAllister said would provide real support for workers and their communities in the Pacific region.

Crumlin outlined the potential areas of the regional federation's work could include government lobbying; the Australian Shipping Register; industry policy; legal support and strategy; building training capacity; campaigning and organising; research, flag of convenience issues and Port of Convenience campaigns; and financial services such as pension funds and credit unions.

The National Secretary outlined a potential for each division having their own existing officers and rules, elected as they currently are and determining their policies and structures based on the needs of the

membership of each division, while offering far greater opportunities for building cooperation and effective organising and campaigning across the whole of the federation in an industry dominated by enormous international corporations in shipping stevedoring port services and the hydrocarbon industry.

Any successful federation would be based on mutual respect and consensus across national divisions and international ones to work he said.

"This resolution by National Council and the Executive of the PNGMU begins a process of dialogue between our two unions and our memberships to ensure the Federation meets all our needs and will include an active dialogue focused on finding the most acceptable structure to all the unions and their membership" said the National Secretary at the Council. The National Executive of the MUA would have the responsibility to hold those discussions and report back to the National Council and membership on any proposal.

Crumlin stressed that is about keeping existing identities that work and structures that are acceptable to the membership of each union while mutually committing to supporting each other in ways previously not open under existing arrangements.

"Just as with the ITF no other approach would be successful," he concluded.



Paddy Crumlin thanks PNG Maritime Union General Secretary Reg McAllister for his support for proposed regional maritime federation, as Former MUA National Secretary Pat Geraghty, right, listens.

Robert Coombs, industrial officer of the Australian Maritime Officers Union (AMOU) distributed a statement, which outlined the AMOU's enthusiasm for a national and regional dialogue between the two unions to identify opportunities to further the interests of both unions and their membership. He advised the Council that AMOU is planning to meet again with the MUA's executive officers to advance the understandings between the two unions and build support for a closer working relationship. (see box)

In addition, Gary Parsloe, the president of the Maritime Union of New Zealand who attended the meeting, reported that his executive board will take up the options for the proposed Federation at its next meeting in May. He indicated strong support for a closer industrial relationship between the MUA and other unions in the region and invited the MUA to attend and outline the union's policy for a regional federation to that executive. (see box on pages 24-25)

In addition to the unity over the regional federation, the National Council recommitted itself to a massive effort in the upcoming federal election. The Council welcomed three ministers from Labor: Anthony Albanese, Minister for Infrastructure and Transport, Greg Combet, Minister for Climate Change, Industry and Innovation and Brendan O'Connor, Minister for Immigration and Citizenship. The ministers combined policy and politics, outlining the strong record of Labor, particularly on maritime issues, and how that record would influence the election campaign.

The Council also delved into the specific details of the election campaign, spearheaded by a presentation by Mick Doleman, MUA Deputy Secretary, who has been designated as the union's point person and liaison with the election efforts led by the ACTU and ALP. ALP General Secretary George Wright, along with key ALP staffers, outlined a seat-by-seat strategy designed to exceed the current Labor numbers in

Parliament.

Indeed, the MUA hopes to see one of our own leaders join Parliament. Adrian Evans, Western Australia's deputy branch secretary, was pre-selected for the seat of Hasluck. "It's a critical election for the people of Hasluck and I am looking forward to taking up the fight for Labor with the full support of the MUA. An Abbott government will hurt everyday Aussies and hand our jobs to overseas workers on dodgy visas. This is an election we can't afford to lose," said Evans.

The National Council also heard an update from the National Secretary on financial management guidelines, and reviewed and approved rules for elections for branch positions in Western Australia and the Northern Territories. In addition, the Council addressed the Migration Maritime Task Force, shipping and maritime reform, a Maritime Workforce Development Strategy, stevedoring automation, offshore EBA negotiations and offshore safety.

## THE WORK TO BUILD A REGIONAL MARITIME FEDERATION WAS RATIFIED BY THE 2012 NATIONAL CONFERENCE:

*"The 2012 Quadrennial Conference of Members resolves that the MUA will continue to work with regional maritime unions to build stronger alliances in shipping and stevedoring."*

*The union should investigate the options and support for a Regional Maritime Federation and report progress to the union's members as soon as possible."*



## AUSTRALIAN MARITIME OFFICERS UNION

ABN: 56 181 230 800

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### Memo To All Members

**From: THE AUSTRALIAN MARITIME OFFICERS UNION EXECUTIVE COUNCIL**

**Re: THE CONCEPT OF A MARITIME FEDERATION**

In recent times members might have heard that the AMOU has been in discussions with the MUA regarding a potential amalgamation. This is not the case.

The AMOU currently endeavours to work closely with the other Maritime Unions through its membership of the International Transport Worker's Federation (ITF). It has also maintained close relationships with the other unions in a range of areas including Shipping Reform Policy, Training, 457 Visa issues and will continue to discuss and engage with others on these issues for the benefits of its members.

The AMOU Executive Council has considered the concept of a 'Maritime Federation', and noted that the idea has been around since the 1920's. The Executive Council supports further discussions taking place with the Maritime Unions to explore the formation of a Maritime Federation.

***A Maritime Federation does not mean an amalgamation.***

The AMOU has recently informally met the MUA at a senior officer level, and the long standing topic of a Maritime Federation was robustly discussed. These discussions have been "conceptual" and no decisions have been made apart from one that ensures membership involvement and consultation.

Your Executive considers that a Federation could have the benefit of allowing important and urgent current matters affecting all members, and seafarers, to be discussed so that effective and cohesive Industry policies are developed. This would include, but not be limited to, matters such as Shipping Reform, 457 visas, the need to address the chronic shortage of properly trained Australian seafarers, the development of industry training structures and programs.

It is the unanimous view of the Executive Council that no formal decisions will be made until there has been an extensive discussion by AMOU members. Any proposals considered by the Executive Council would then be put to AMOU members by way of vote at a referendum in accordance with the Constitution and Rules.



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Should a mandate for a Maritime Federation exist it is the view of the Executive Council that the following principles are a basis upon which it could be formed:

- A Maritime Federation should ideally include all the Maritime Unions as equal partners with a view to enhancing closer working relationships.
- All discussions within a Maritime Federation should be based on a mutual respect and consensus decision making model and be published to members in a factual way.
- Consideration could be given by a Maritime Federation to the sharing of resources including legal resources, research, back room administration matters, policy development and common organizers in targeted campaigns.

In the context of this statement all members are urged to provide comments and feedback to the AMOU ( [amou@amou.com.au](mailto:amou@amou.com.au) ) so that any further consideration of a Maritime Federation is based on a model which is in accord with the Union's objectives and is in the best interests of all members.

Regards,

Wayne Moore

President, for and on behalf of the Executive Council

# DELIVERING ECONOMIC PROSPERITY TO INDIGENOUS AUSTRALIANS



**Assistant National Secretary Ian Bray writes that the MUA should be proud of its long history of supporting our indigenous brothers and sisters. In recent years, we have played an exciting and major role in ensuring that the multinationals do more than pay lip service to closing the gap – that they provide real, long-term jobs to ATSI people.**

Aboriginal and Torres Strait Island (ATSI) peoples are only too familiar with the challenges faced by their communities in the struggle for recognition, empowerment and equality. They should be as they have fought with dogged determination to right the wrongs, injustices and prejudices Australian society has dished out to them for over 200 years.

Aboriginal and Torres Strait Islanders have been invaded, had their lands stolen, been murdered, tortured, raped, displaced, legislatively and culturally discriminated against, and had their children stolen from them. They have also generally been pushed to the perimeters of any debate that is ever held regarding delivering equality, justice, empowerment and even the most basic of human rights – the right of recognition of their people.

**Throughout this dark history you never had to look too far to find the MUA or its predecessor unions standing shoulder to shoulder with our ATSI brothers and sisters in support of their struggle for equality and recognition. We were doing so well before it became popular or fashionable to do so. This support is something that every past, present and future MUA member should know and be proud of.**

Three years ago the MUA made a conscious decision to step up our role in the fight to support ATSI people and their communities. We committed to fight even harder to ensure that we actively shaped the debate that could provide an alternative culture that was inclusive of our ATSI brothers and sisters, a debate that focussed on real and practical initiatives that supported the rhetoric and delivered outcomes consistent with the aim of stamping out the wrongs and creating genuine opportunities to deliver equality and empowerment to ATSI people.

Over the last three years, the MUA has delivered on its commitment. We have become much more engaged with ATSI communities through the Social Compact initiatives rolled out by this union and supported by the broader trade union movement. These Social Compacts have set out the framework for how we can better understand each other and how we can work together to achieve real outcomes that deliver opportunities for workers and communities to extract social dividends from

multinational companies and resource projects. They deliver the opportunity for communities to become empowered and engage in a way that is of benefit to members of the community. Importantly, they establish strong relationships between workers, unions and ATSI communities that are based on a deep respect and mutual trust that comes from a partnership.

Social compacts are not a charity – they are a mechanism for communities, workers and unions to reach out and work constructively together in a genuine attempt to ensure that no one gets left behind. So far we have signed off on social compacts with the North Queensland Land Council, the Gurang Gurang people in Gladstone and we also have strong ties with the Kimberley Land Council. We are currently working on several other social compacts being finalised throughout Queensland, WA and NT.

It is early days yet in terms of measuring the success of social compacts however everyone involved believes that they are a positive step in the right direction and could be one of the most successful initiatives the trade union movement engages in to deliver real and beneficial outcomes to ATSI communities.

One of the key areas that the MUA has also been working on is the identifying training and employment programs for ATSI people. We have taken a hard-line approach with employers and resource projects and we reject any notion of training for training's sake. **Unless there is a job at the end of any training conducted then we are simple not interested in participating. It is quite clear that many employers do not understand the damage caused to communities when they promise the world to a community and then go and deliver a handful of gardening courses with no job or any real employment prospects attached.** The MUA is striving to stamp out this mentality and examples of delivering on this commitment are there for all to see. The Henderson supply base in Western Australia, which currently feeds the Gorgon project, employs some 400 MUA members of which 20 per cent are Aboriginal. That is 80 jobs on one site alone provided to ATSI people and would arguably be the most successful employment initiative on resource projects in this country ever.

There is a whole suite of projects that is underway at the moment. For example, the MUA has also successfully negotiated for training and employment of ATSI people on dredging programs that support major resource projects on Inpex. We are also on the verge of a major training and employment initiative that will see opportunities for employment of ATSI people in the maritime industry become far more accessible by delivering national marine qualifications. This will also be supported by mentors that will provide assistance and support to trainees.

The MUA has successfully negotiated with Svitzer the donation of a tug (to be used as a training vessel) to Tribal Warrior. We have further negotiated with Van Oord to engage and support the project and they have donated \$175,000 to ensure that the project gets off the ground. METL will be responsible for the governance of sponsorship moneys and will be a key stakeholder in the initiative and we expect to receive broad industry support for the project.

We expect that all trainees that enter the training program will be sponsored by an employer to ensure that they are guaranteed a start once off the job training has been completed. For employers that would like to be involved but have limited positions available they will be able to sponsor trainees to complete the training course and we can discuss employment placement through another company (venture partner) that has come on board called Indigenous Maritime & Mining Services (IMMS). This company will be working with major project employers to seek placement of ATSI personnel on projects and will work with other industry employers to fill any employment shortfalls that occur from time to time.

Comrades these initiatives will ensure that our ATSI brothers and sisters are treated equally when it comes to training and employment prospects in our industry. They will also remove any excuses maritime employers have about it all being too hard. Once this venture gets off the ground there will be no excuses for employers not to engage and do their bit to provide opportunities for our aboriginal communities. This is an extremely exciting program and one I have no doubt the MUA will be very proud of.



## MUA PUSHES SKILLS AND TRAINING UPGRADES

**From seafarers to dockers, the MUA wants members to have all the tools needed to advance at work.**

The union continues to focus resources on improving occupational skills and training across all the occupations in which MUA members work.

The union objective is to ensure that, for every occupation covered by the union's Enterprise Agreements, the job classification is linked to a vocational education and training (VET) qualification e.g. Certificate Level III, and where appropriate a related occupational license e.g. AMSA Certificate of Proficiency, or reach stacker license. In all new EBAs, the union will be ensuring that job classifications are defined by reference to the qualification and license a worker must hold to be able to work in that job classification.

"Our program helps maintain the integrity of the occupational or job classification, and importantly it is a barrier to deskilling," said National Secretary Paddy Crumlin. "It provides the foundation for bargaining of better wage and conditions outcomes - the higher the skill level required for the job, as codified in a VET qualification and occupational license, the higher the work value of the occupation for which better pay can be demanded"

Crumlin added: "We, then, create career path opportunities for our members, extending the union culture into higher level jobs into which our members might progress. It is good for the self esteem of our members and makes them a more valuable participant in the labour market and improves their ability to retain

employment in an economic downturn – even outside our industry."

The union is moving in this critical area in a variety of forums. We are closely involved in the work of the Transport and Logistics Industry Skills Council (TLISC), a tripartite body that is responsible for working with unions and employers to keep up to date the Units of Competency on which training providers design courses that lead to a VET qualification and issue of licenses by regulatory bodies.

As a result, there will from mid 2013 be a VET qualification for Chief Integrated rating (Certificate Level IV), for Marine Cook (Certificate Level III in Marine Cookery), for General Purpose Hand (GPH) (Certificate Level I and for Linesman (Certificate Level I). Similarly, there is an associated occupational license to accompany each of these VET qualifications. Our long term aim over 2013 to 2015 is to obtain VET qualifications and associated AMSA licenses for Chief Marine Cook, Marine Steward and Chief Marine Steward and for Ratings working on dredging, towage, marine tourism and other related areas.

The union is also seeking to ensure that specialist competencies such as required to worker required to undertake helicopter transfer (as in the BOSIET and TBOSIET courses), or for licenses such as for confined space work, and crane operations are all recognised either in VET qualifications or in

what are known as Skills Sets (one or more Units of Competency that represent the skills for a license or a specialist function, but which don't in total add to a full VET qualification).

The MUA is also revising all our logs of claims for bargaining so that job classifications are defined by reference to the qualification and license that is required to perform the job. For example, the current offshore EBA log of claims will include those linkages, aimed at preventing the employer from de-skilling our core IR classification by placing workers who do not hold the VET Certificate Level III qualification and AMSA Certificate of Proficiency as IR in such jobs.

The MUA is working with the TLISC to establish a set of qualification for the stevedoring industry. A Certificate II has already been developed and is being rolled out to members and a Certificate III is currently being updated and is expected to be ready for 2014.

The union is also working with AMSA on reviewing seetime recognition to maximise member opportunity to gain seetime on the spectrum of vessel types in the Australian maritime industry.

We are also working with the Registered Training Organisations (RTOs) like AMC to explore issues such as better integration of on and off-the-job training and assessment of competencies and flexibilities in delivery of training, though modularisation of delivery.

# 'FLOATING' LNG FACILITIES A DISASTER FOR JOBS

The LNG industry could be revolutionised – in a negative way – if Royal Dutch Shell gets its way.

There have been rumours for months that the multinational companies involved in the Browse LNG project could abandon their long-held plans to build the LNG processing facility near Broome. One of the companies, Shell, has been developing a new technology, the "Prelude FLNG project" that could remove the need for a great number of workers needed in the LNG sector.

Shell's plan – if it can convince the other joint venture partners – is to radically cut costs by building a floating processing facility offshore above the natural gas field

in the Browse basin. But by producing, liquefying, storing and transferring LNG at sea before shipping directly to overseas markets, Shell's proposal would not only have the potential to wipe out LNG-dependent jobs, it could also potentially pose a serious environmental risk.

"Woodside and its joint venture partners don't give a damn about the Australian economy and jobs – by locating the facility 200km offshore, they are cutting out local workers, cutting out local content and cutting out local laws," MUA Assistant National Secretary Ian Bray said.

**"If pipelines to carry the gas onshore aren't built, we won't be able to use them for future fuels and for carbon waste. FLNG is bad on all fronts...and it's bad for Australian jobs."**

## HERE ARE SEVEN REASONS WHY WE WILL FIGHT SHELL ALL THE WAY ON FLOATING LNG:

### 1. OUR JOBS WILL GO

Divers, dredging, pipe-laying, pipe-trenching, construction workers, stevedores, port workers, pilot boats, tugs, equipment suppliers and other workers that are essential to the LNG supply chain will be tossed on the scrap heap.

Also, floating LNG production centres will be classified as non-marine. Many of you would remember that Woodside is leading an industry attack on seafaring positions on FPSOs. This means that you don't need to man the facilities with crew that have high-level safety qualifications – for example, to act in the event of an emergency cyclone. We are fighting to remain on FPSOs – not just to protect jobs but also to protect the safety of all crew onboard.

### 2. THEY WILL STOP BUILDING BIGGER PORTS

FLNG will stop much needed investment in ports and infrastructure in that they will remove the need of port expansions. This not only means that we get a poor deal in terms of our infrastructure for future generations. It also means less need for stevedores and dock workers because the ships will go directly to worldwide markets from the FLNG.

### 3. WEST AUSTRALIANS WILL SUFFER

FLNG will stop investment in state infrastructure as it will remove the right of states to charge these companies royalties, a form of tax. These taxes not only have helped pay for infrastructure in the past, they also contribute to community wellbeing generally.

### 4. GAS PRICES COULD RISE

Going entirely offshore also allows the major multinational corporations involved to avoid the 15% gas reserve set by the previous State Labor Government for domestic and industry usage. This could mean higher gas rates into the future.

### 5. WE COULD SEE ENVIRONMENTAL ARMAGEDDON

There are no guarantees that this is environmentally safe and as politicians from WA have noted, if there is a leak or explosion the environment could suffer badly, as well as the individuals trying to man that vessel without the necessary safety training.

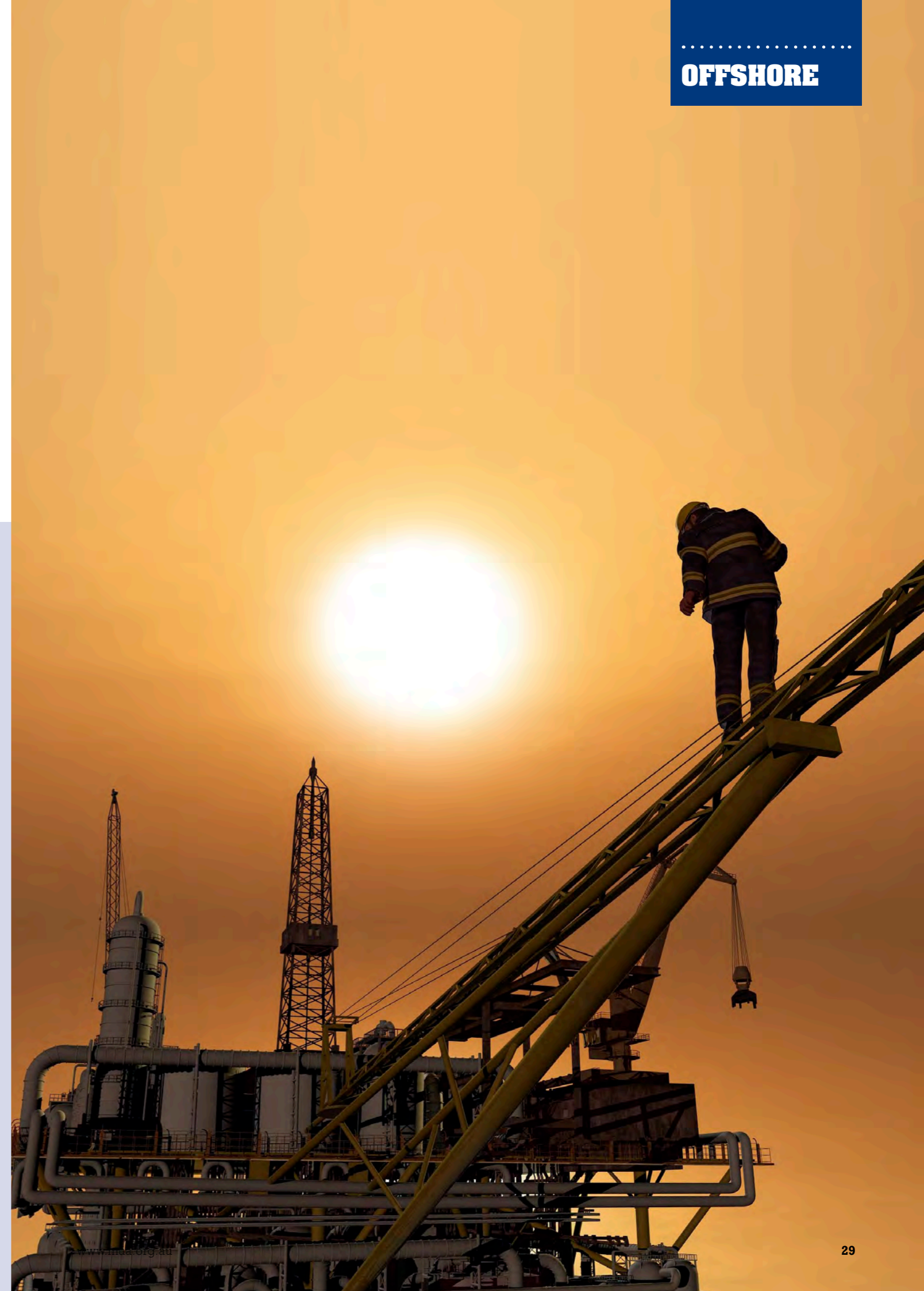
### 6. UNREGULATED FOREIGN LABOUR MIGHT BE USED INSTEAD

Chris Cain, Secretary of the MUA's WA Branch, has warned that under current laws, unregulated foreign labor could be used on the offshore site because it would not be situated in Australia's migration zone.

### 7. PIPELINES TO AN ONSHORE PLANT ARE VALUABLE FOR FUTURE PROJECTS

LNG is a short-lived technology – new technology will come in and change the way we exploit these natural gases. But pipelines, which would carry the natural gas back to an onshore site for processing, can carry not just LNG but future fuels like hydrogen, biofuels and even carbon-waste into the future. By cutting out the pipelines, multinationals like Shell would pursuing the short-term, environmentally inferior option.

**"It's no surprise BHP has decided to exit the Browse project – there is a potential disaster looming with this proposal."**





# YOU DON'T GET ME TONY!

By Mich-Elle Myers, National Officer



**“I wouldn’t vote for Tony Abbott because he is a conservative far right wing bigot; he is a sexiest, homophobic, arrogant union bashing liberal who wants to embrace the “Howard years” again.”**

Ann Gray, a Seafarer Queensland Womens' representative

**T**ony Abbott should never run a country but he, and his wife, have a great future as a travelling comedy duo. Because trying to convince women that he gets us is one big joke—but with serious consequences if we buy the phony sales pitch. I remember when Tony and Margie Abbott rolled out a marketing campaign to try to deal with a huge problem he has: women don't trust him. When Margie Abbott said, "Tony gets women" my reaction was, "he doesn't get me or any working woman I know." The whole staged publicity stunt should have been obvious to the media. On the Sunrise program Tony Abbott was sitting slouched, with his body positioned behind hers. They tried to give us the illusion that she was sitting tall, that she has power in the family. Anyone watching the program should have been offended, as I was, by this transparent attempt to rewrite history. Margie Abbott has never liked the public spotlight and for them to force her to come out in defence of her husband was another example of how he views women—as if we can simply be manipulated so easily. The fact is Australian women and men are smart. We are hard working and we care about our families. We know deep down that Tony Abbott will be bad for this country. He does not care, based on his policies, for women that want

to have a family and a career, who want to stay home with their kids or want to marry a woman. Women want real progress. Labor has delivered that. Sure, Labor hasn't been everything to everyone. But, what government can deliver everything that working people need. I think they have done a pretty good job of getting some very important bills passed despite being a minority government. We need to remember that Labor introduced the first paid parental leave for Australia, which is now extended to dad's and partners. The Government has made important changes to strengthen anti-discrimination acts and toughened workplace bullying laws. Labour has put in place the right to request flexible working arrangements. All employees with caring responsibilities, older workers and workers experiencing domestic violence now have the right to request a change in work arrangements. The Coalition did not support that important right. To be open, Labor didn't go all the way on the flexible working arrangements. Without an obligation on employers to treat the requests seriously, or the right for an employee to appeal an unreasonable refusal, the Fair Work Act's right to request a change in work arrangements provision remains not much more than the right to ask for something.

But, here is the crucial point for us: we can have an open dialogue with the current Government. We can sit down with the Prime Minister and her team and make a strong case. They hear us and understand us because many of them, from the Prime Minister down to senior officials, come from the ranks of unions. Tony Abbott and his gang won't even bother to consider our issues. I also think it's important to add that I believe Abbott has no respect for Aboriginal or Torres Strait islander people. Again, that's based on the horrendous track record of the Coalition over many years—and that's not something Abbott can paper over with a little bit of made up media theatre. Labour's commitment to women is in line with the history of International Women's Day. When we celebrate that important day, we, of course, remember and cherish all our victories and the path we have travelled. But, we want to look ahead and chart the path into the future for ourselves, our children and our grandchildren. In that mission, we have advocates in the current government who want to continue that tradition in the future. We're going to make sure Tony Abbott can't invent a new history, or stop progressive history from being written. You don't get me Tony. Neither me, nor my vote.



MUA women say 'You don't get me Tony'

**“There are so many reasons why I will not vote for Tony Abbott in the upcoming election. He has fundamentally misogynistic views of women and often shows this in public and internationally. He has no respect for non traditional families and single mothers. He would do all in his power to remove or halt the progress of gay and lesbian rights. He wants to remove the rights of working Australians to organise collectively. He doesn't believe in Climate change science and he is not the person I want representing this great country locally or internationally as our elected leader.”**

Sue Virago NSW Women's representative

**On women**

*“But what if men are by philosophy or temperament more adapted to exercise authority or to issue command?”*  
 29 August 1998

*“I think it would be folly to expect that women will ever dominate or even approach equal representation in large numbers of areas simply because their aptitudes, abilities and interests are different for physiological reasons.”*  
 1979

*“What the housewives of Australia need to understand as they do the ironing is that if they get it done commercially it's going to go up in price.”*  
 8 February 2010

**Homosexuality**

*Liz Hayes: Homosexuality? How do you feel about that?*  
 Abbott: I'd probably, I feel a bit threatened ...  
 5 March 2010

*Leigh Sales: What was “threatened” referring to?*  
 Abbott: Well there is no doubt that it challenges, if you like, orthodox notions of the right order of things...  
 3 August 2010



## HANDS OFF BOB!

**Hundreds of workers protested outside the Brisbane and Sydney offices of Lend Lease in support of a unionist who is facing 54 contempt of court charges.**

**B**ob Carnegie, a former Maritime Union of Australia official and a long-time union activist, has become a symbol throughout the country for his fight against a bullying corporation. In February, he was successful in having 36 charges of contempt dismissed. The charges arose from his leadership of a community protest during a nine week strike by 600 trade unionists at the Queensland Children's Hospital in Brisbane. But, he still faces 18 more charges and will learn his fate in April.

If convicted, he could face a gaol sentence and over a million dollars in fines, as well as significant legal bills. The contempt of court charges relate to the alleged breach of an order in the Federal Magistrates Court last year, banning Carnegie from involvement in industrial action. Carnegie has pleaded not guilty to all charges.

The legal case against Carnegie is a simple case of corporate bullying. The initial dispute with Abigroup, which is owned by Lend Lease, was settled and, in fact, as part of the settlement, Abigroup agreed not to pursue legal action against a number of QHC workers.

But, the company decided to hound Carnegie, cynically abusing legal manouvres in an attempt to bankrupt him and send a chilling message to workers who stand up against corporate abuse every day.

What did Carnegie do during his support for the community protest? He spent every day at the protest, cooked a barbeque to make sure people were fed and just provided a helping hand. He acted in good trade union fashion, putting his passion, energy and solidarity to work.

On the day of Carnegie's first appearance in court on February 11th, thousands of union members rallied on his behalf in Sydney, Brisbane, Adelaide and other cities at Lend Lease's offices in Sydney and Brisbane and the courthouse.

"We will never let big corporations destroy people who are simply standing up for the rights of workers and fighting to defend the principle of free speech," said Mick Carr, Queensland Branch Secretary.

In addition, the support for Carnegie went global, with statements of support



**"We will not rest until the threat to Bob is over. The rallies today across the nation in support of Bob show that he can rely on the support of his mates and community allies."**

**MUA National Secretary Paddy Crumlin**

coming from the International Transport Workers and the International Trade Union Confederation.

"While the majority of the charges were withdrawn at the beginning of the court hearing, Mr Carnegie still faces 18 charges brought by the company - charges to which he has pleaded not guilty and which should never have been brought in the first place," said Sharan Burrow, General Secretary of the ITUC.

Reacting to the news that that Carnegie had been cleared of 36 charges, National Secretary Paddy Crumlin said that while the news that some charges were being dropped was welcome, Carnegie still has a battle ahead of him and the MUA would be standing rock-solid behind him.

"Australians everywhere have rallied to Bob's side because they understand that the only contempt involved in this case

was the contempt Lend Lease and Abigroup have for values we hold dear in Australia - the principles of democracy, free speech and the right of association," Mr Crumlin said.

"We will not rest until the threat to Bob is over. The rallies today across the nation in support of Bob show that he can rely on the support of his mates and community allies."

Speaking at the rally in Sydney, MUA Sydney branch secretary Paul McAleer said union members were "sick to death" of workers being fined or gaoled for standing up for their fellow workers and mates. McAleer said protests will continue if Mr Carnegie is found guilty of any charges.

"If Bob Carnegie is fined one cent or more we will continue this struggle," said the Sydney Branch Secretary. "If he is gaoled we will organise much more than a simple get-together in front of Lend Lease's office."

(Left, above and below) A massive show of MUA support for Bob Carnegie. (Below) MUA Sydney Branch Secretary Paul McAleer and CFMEU National Secretary Dave Noonan.



National Secretary Paddy Crumlin meets Japanese Seaman's Union and leaders of Japanese crewing companies to discuss METL

## METL TIR GIVES BACK TO THE INDUSTRY

A lot has been said about METL Trainees and questions are often asked about how we recruit them. We aim to be impartial and to pick the best people who will do themselves, their families, their union and their employer proud. No mean feat.

This story is about one young man, a humble, quiet achiever who has done just that. I spoke to him and while he said he didn't want to be named, METL wanted to share this tale with the union membership, and let everyone know that such champions walk amongst us.

Recently, National Secretary Paddy Crumlin passed on a letter to us from a former trainee. This TIR had been referred to METL in the early days and has a name that is well regarded in the industry. I had the pleasure of speaking with his father a number of times and it's clear why the name is well-regarded.

I know that the TIR we are talking about gave it his best in training because I spent some

time with him at the college. He would have been doing it tough with a wife and kids living in a different state, spending 3 months away on the training course and then 12 week swings, but he was one of those people who was focused, got stuck in and didn't ever complain.

At the end of 2011, when the offshore sector was booming, a number of employers approached METL for trainees. We referred people we knew would do a good job, this bloke included. He's finished his time now, is still with the same employer and should have his IR Certificate by the time you read this.

The letter he sent to Paddy was to express his thanks to the union and to METL for the opportunity he'd been given. Those thanks extend to all the people contributing to METL and making it possible for these young guys and girls to get away. Enclosed with the letter was a cheque for \$5,000, putting something back into the system that helped to get him

where he is today... he also pays \$10 a day from his PAB.

We discussed this gesture and decided to pass the money onto Hunterlink Discovery Services to help them provide early intervention services for other young people in the industry. Just as the MUA and METL had helped this young man on his path (and what a solid start he has had), his donation will in turn help others who are having difficulties navigating their way. He was really happy about the fact that his generosity would directly help Hunterlink to carry on its vital work in the industry and contribute to the well-being of his fellow seafarers.

While he remains nameless, we know who he is and METL extends our gratitude. Mate, if you're reading this, you've done us all proud.

Simon Earle  
CEO, METL

## Q&A



**The regulator for the superannuation industry the Australian Prudential Regulation Authority (APRA) recently released performance data for all superannuation funds within its control. Not surprisingly Maritime Super featured prominently demonstrating why it is so highly valued by its members. The MWJ presented some questions reflecting members' questions to Maritime Super officials.**

**W**hile Maritime Super continues to perform strongly in relation to its peers, the ongoing overall market volatility is of concern to members. What is causing this volatility and how does Maritime Super react in these types of markets?

The global markets have been impacted by concerns relating to economic growth in the mature markets such as the United States and the risk of sovereign debt in Europe especially. However it has been pleasing to see over the last 6-12 months more positive returns as the international regulators have provided some certainty on debt in Europe and the US has rebounded strongly in terms of economic growth. The Australian market has also continued to perform well and has been a strong component of our performance over the past year or so.

The Trustee of Maritime Super utilises the best investment advice and holds true to its investment philosophy and objectives. The Fund believes in strategic allocation of its assets across a diverse group of assets. We will try and invest in quality assets across different sectors (shares, property etc.), regions (local, developed markets, emerging markets), investment styles (growth, value etc.) and different managers.

The Fund invests for the long term but is abreast of current issues that impact upon the markets during the short term. We can move investments within our asset allocation ranges if it's appropriate to take advantage of a shorter term position.

We have several different types of investment options that members can choose from to suit their individual circumstances.

**What should members do if they are unsure of what type of investment options they should be utilising?**

The Fund employs professional Financial Planners who are available to talk to members about all aspects of their financial situation. Our planners over the course of a discussion can identify the risk profile of an individual and ensure they are investing in an investment option which is best suited to them.

**The Government is also introducing new legislation called MySuper. What is the main impact this will have on members?**

The aim of MySuper is to protect members that are considered 'not engaged' to ensure that they are being provided with a minimum standard of Death & TPD insurance, a default investment option and set fees. This process can work well for a new member but existing members will find that their account balance and future contributions will be moved into the MySuper investment option if they don't actively make their own choice.

**What are some of the other major challenges facing Maritime Super in the years to come?**

The main challenge is to educate members on investment choice to ensure that they get the investment structure that is right for them as an individual and not just default into the MySuper catch-all product. As part of our commitment to members we are undertaking a complete rebuild of the Maritime Super web site. The new site will contain retirement projection calculators as well as a lot more imagery and graphs to explain concepts in simpler terms.

### MARITIME SUPER ROCKETS INTO TOP TEN

The Maritime Super has rocketed into the top ten list of "the best performers" based on rankings published by the Australian Prudential Regulation Authority. The rankings, published in the Sydney Morning Herald, placed the Maritime Super in eighth place.

The chief executive of the Australian Institute of Superannuation Trustees, Fiona Reynolds, said the gap between the retail funds and non-profits was "nothing to be sneezed at".

"Over a 30 to 40-year working life of superannuation contributions, an outperformance of 1 or 2 per cent every year can make a very big difference to an individual's retirement outcome," said Ms Reynolds, who represents the not-for-profit sector.

The Maritime Super certainly isn't anything to sneeze at, racking up a 6.9 percent annualised return over nine years.



Hey mate, let the world know where you stand.

Swear an oath this White Ribbon Day to put a stop to violence against women ▶



# A SEAFARER'S TALE: HOW I ALMOST DIED

**It's a sad truth, but terrible things can befall any one of us. Or we can make one wrong turn and find ourselves in a world of trouble.**



**L-R: Paul Karras, Hunterlink Recovery Services (left), Paddy Crumlin MUA National Secretary (middle) and Climate Change Minister and Energy Efficiency Greg Combet.**

**M**UA member and seafarer, John\*, movingly tells his story about his battle with drug and alcohol addiction and how Hunterlink helped him turn his life around.

Hunterlink was established with the support of the MUA to help workers address issues such as depression, addiction, suicidal thoughts, family problems, trauma recovery, anger issues, financial stress and a wide range of issues that affect so many people.

The MUA has been heavily involved in Hunterlink's work to deliver better support to workers and this came about as a result of the high number of suicides in our industry.

The seafaring industry in particular has a statistically high rate of mental health concerns

— long hours, insufficient sleep, fatigue, and missing out on time spent with family can all combine and lead to anxiety or depression.

Depressing and suicide have devastating consequences — for workers, their families, their mates and their work colleagues. It's a national tragedy that seafarer suicides are so high but there is support available.

Since 2011, Hunterlink has provided more than 1500 counselling sessions to workers and other members of the community.

People reach out for support to Hunterlink every day but Hunterlink also gets involved when there are tragedies at work — for example, one day after the death of our comrade, Greg Fitzgibbon, a father-of-two wharfie in Newcastle who was killed doing

his job, Hunterlink contacted all the workers at the site to work to support them through that incredibly difficult time.

Just recently, the MUA together with Minister Greg Combet launched Hunterlink's National Helpline so that people can access the service 24 hours a day, 7 days a week from anywhere in Australia.

Members are strongly encouraged to contact Hunterlink from anywhere in Australia to discuss any concerns they might have or provide the details to friends or family that could benefit from Hunterlink's support.

The MUA is negotiating with employers to ensure that they work with Hunterlink so that workers can access the support they need, when they need it.

If you asked me 6 months ago if I would be alive today, I probably would have said no. I am 45-year-old recovering alcoholic, amphetamine and marijuana addict. I've spent the last twenty years living around the world and working in the shipping industry. During that time I loved to drink and I loved to gamble and it wasn't long before drugs became a part of my life.

Life has been pretty good to me. I made lots of money in the industry but sadly enough, I threw most of that away on alcohol, my drug habit and gambling at the horse races. The past few years have been hell. In March 2012, I overdosed at a friend's party. It was the overdose that made me "wake up". I thought, what I am doing here lying in this hospital bed? I am almost 46 years old and my life is a disaster.

There aren't any rehab options for Seafarers living around the world. A seafarer friend told me about Hunterlink Recovery Services and how they were helping workers on a national basis in the shipping industry so I decided to give it a try. From assessment I felt at ease with the staff at Hunterlink, who although were professional were also able to engage and understand exactly where I was at. This alone is difficult for members in our industry. Over the next few weeks I was able to let go and start to appreciate and trust myself again, through reassurance and support from Hunterlink.

For six months Hunterlink ensured I had weekly appointments with them, which were via telephone and face to face via Skype. I was in the North Indian Ocean and having face to face counselling sessions with my counsellor via Skype. Although they are based in Newcastle, NSW my counsellor met me in port at South Fremantle because he was at a conference close by. Through

mediations between my employer and Hunterlink, I was also able to attend a 30-day rehab program organised by Hunterlink which was so helpful especially so I could get back to work. They had a unique way of steering me in the right direction and encouraging me to do the work always supporting me along the way. To this day I still receive follow up calls enquiring on my wellbeing; no-one has ever done that before!

I am now sober and enjoying life. It still amazes me when I look back at where I was and how far I have come today. For the first time in nearly twenty years I feel whole again. I know there are people out there just like me. People who are caught up in drugs, alcohol and gambling. Addiction is not fulfilling. Take it from me, someone who has been there. Addiction is only an attempt to fill a void in your life. My advice to anyone out there, who is suffering from addiction, is to give yourself a chance to feel whole again. Go to rehab and get clean. Life can be pretty amazing if you only give it a chance. Many thanks to Hunterlink for helping me to see that.

John\*

\*Member's name has been withheld at the request of the member.

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John\*

\*Author's name has been changed at his request.

For help, call Hunterlink National Helpline

**1800 554 654**

which operates 24 hours a day, 7 days a week.

## TASSIE RALLIES FOR BURN VICTIMS

The members of the Tasmanian Branch of the Maritime Union of Australia (MUA) held a collection for two young boys; Fletcher and Spencer, who on the 5<sup>th</sup> December 2012 were set alight, in a locked car by their father, in an attempt to snuff out his own life along with theirs.

Fletcher, aged 8, received 17% burns to his body and little Spencer, 5, has 37% burns to his body. He will require facial plastic surgery in the future.

Due to their tender ages, they will need to continue receiving treatment and grafting operations long into their adult lives. These two little boys have a very long road to recovery ahead of them, not only physically but emotional and mentally.

This tragic event touched our members deeply and we wanted to make sure that the family has support around it at this difficult time. So in fine MUA tradition, our members came together because we saw a need and we knew we could do something to help, because really that is what we as Unions are about: family, community and support; here to assist with social change and development for the betterment of all.

We understand there are many fundraising efforts going on over the north west coast. We are aware the family is very touched by the kindness of those in the community. I thought it would be nice to put together a small piece about the efforts of the MUA and its members. The MUA, more often than not, gets a rough time in the media. Frustratingly, the good things we do are never highlighted.

The Australian Maritime Union held a barbecue prior to Christmas at the TOLL Shipping Yard on the Burnie Wharf. The purpose of the barbecue was to raise money for Fletcher and Spencer, the two young boys who have suffered serious burns resulting from the car explosion in Burnie in December.

The barbecue was organized by Matthew Smith and Mick O'Neill. The meat was donated by HW Greenham & Sons Pty Ltd. The cooks were Tony Holland and Gary Oliver. Maritime Union members and truck drivers purchased barbecue food and donated money.

Crew members from the TOLL ship *Tasmanian Achiever* also donated money. The total amount raised was \$2000.00. On Wednesday 9 January, the cheque was presented to George Bugeja, Lions Tasmania Vice-District Governor and Chairperson of the Fletcher and Spencer Fund-Raising Committee.



Jason Campbell, Tasmania Branch Secretary, presents check to Bill Lowry to help with care for his grandchildren, Fletcher and Spencer



From left: Tony Holland, George Bugeja and Mick O'Neill. Members of the Maritime Union of Australia Social Club, Tony Holland and Mick O'Neill, presenting a cheque for \$2000.00 to George Bugeja, the Lions Tasmania Vice-District Governor and Chairman of the Fletcher and Spencer Fund-Raising Committee.

### FLETCHER AND SPENCER FUND-RAISING COMMITTEE MARITIME UNION OF AUSTRALIA BARBECUE

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**For further information, please contact the Chairperson, George Bugeja (Mobile: 0407 877 460).**

## AN EMOTIONAL DAY FOR AUSTRALIANS WITH DISABILITY AND THEIR FAMILIES: NDIS BECOMES LAW



Supporters rally in support of NDIS

The passage of the historic National Disability Insurance Scheme through the Federal Parliament recently was an emotional and euphoric moment for Australians living with disability, their families and carers.

National Secretary Paddy Crumlin sits on Minister Jenny Macklin's Disabilities and Carers' Council and the MUA is strongly committed to the replacement of an unfair "lottery" system with a Disability Insurance Scheme that is national, non-discriminatory and provides tailored and appropriate support to people with a disability.

"For too long, people with disability, their family, and their carers have been serviced by a sub-standard system that was fragmented, inadequately funded and even unfair," Paddy Crumlin said.

"Prime Minister Julia Gillard, Minister Jenny Macklin, Minister Bill Shorten and Parliamentary Secretary for Disabilities and Carers Jan McLucas deserve the highest praise for their unwavering commitment to ensuring these reforms become a reality.

"Despite initial political bickering from some quarters, this Bill passed the Federal Parliament with unanimous support.

"This is a testament to Julia Gillard's and Jenny Macklin's negotiation skills and their dedication to getting results – it's not a walk in the park to charter historic reforms akin to Medicare and superannuation through a hung Parliament, where negativism rules the day for some politicians.

"Here we are – we have a new law that mandates choice, freedom, dignity and appropriate support for people with disability - the lives of hundreds of thousands of Australians will be forever affected by these reforms. It's an emotional day.

The NDIS trials will start in certain locations from July this year. The legislation requires that the system:

- provides Australians with significant or profound disability access to long-term care and support, regardless of how they acquired that disability
- support people to achieve their goals in a way that is tailored to their needs
- provides for choice, control and dignity

- provides for early intervention therapies and supports to help improve a person's function or prevent worsening of a disability over time

"Those State Liberal Premiers that have tried to generate a debate about funding must come to the table and get on board – it's disappointing really. This landmark achievement for all Australians must be separated from politically driven agendas other than what is the best and most efficient manner of extending the important support mechanisms for many disabled Australians," Paddy Crumlin said.

"State Governments also now need to commit to a National Injury Insurance Scheme (NIIS) – which the Productivity Commission said was a necessary complement to the NDIS. The state lottery when catastrophic injuries take place is unfair.

"Without a NIIS, the NDIS is likely to become overburdened and unworkable. State Premiers can't run and hide on this one – the community hasn't forgotten that the wheels of reform need to hit State Government laws regarding motor vehicle and other serious injuries."



The trawler "Challenge" stranded

## FIGHTING THE O'FARRELL GOVT TO KEEP SYDNEY PORTS SAFE

When the appropriately named "Challenge" became lodged on the rocks off Cronulla Point a few weeks ago, Australians got a somewhat amusing taste of what harbour rescues could be like if Sydney Ports had its way.

With Sydney Ports seeming intent on having the salvage occur without already paid-for MUA-crewed tugs, the operation descended into slapstick comedy.

There were reports of the incident controller stripping down to his budgies and diving in with a piece of rope, some duct tape and a knife between his teeth in a MacGyver-like act of heroism against the odds.

Then, they brought in a tug with a 6-tonne bollard pull to try to shift the 100-tonne *Challenge* off the rocks.

"It was the equivalent of using a kid's scooter to pull a parked car down the road," Sydney Branch Secretary Paul McAleer said.

"Despite the fact that there were emergency vessels ready to help nearby, Sydney Ports failed to utilise the capacity available to them.

"There was also 6,000 litres of diesel and 400 litres of lube on board and the oil spill experts around the corner in Glebe weren't even called in.

### THE NOT-SO-HILARIOUS SIDE

"Only two weeks before the incident, Sydney Ports argued to Fair Work Australia that it didn't need to replace slipped tugs with commercial vessels to ensure operational capacity was maintained.

"Well, if this is how Sydney Ports views a successful operation, the MUA's position has been thoroughly vindicated."

The MUA won that dispute with Sydney Ports in Fair Work Australia but that was only after MUA members refused to dock the Shirley Smith tug in protest.



If only the Sydney Ports authority could call on MacGyver

The failure to replace the vessel would have left Sydney with no firefighting response capability at sea and there were already 26 cruise ships and a dozen tankers on the horizon. This was a clear departure from good practice followed for more than 25 years by successive governments.

"Our comrades on the day in the MUA and AMOU deserve our thanks for their principled stand over such a critical safety issue effecting all of Sydney. Their discipline and calmness through what was an explosive situation was terrific," Paul McAleer said.

"The whole failed rescue would have remained a mere comedy of errors if it didn't raise the serious question – why does Sydney Ports think it's fine to reduce our emergency response capabilities on our coast and in our waterways?" Paul McAleer

told the media.

"We've said time and time again – the O'Farrell Government must ensure that Sydney Ports maintains safety services and direct that it uses resources appropriately.

The MUA believes Sydney Ports' attempts to cut services are a direct result of privatization of Port Botany and Port Kembla by the O'Farrell Government

"The whole concept of selling off the family silver for electoral gain and the long term loss of that income producing asset still rankles us all though.

"Despite assurances from the Treasurer Mike Baird and other Liberal Parliamentarians, Sydney Ports continue on the path of rationalisation the expense of port sites. The MUA will fight this relentlessly until emergency," Paul McAleer said.



The Victoria wharf in earlier days

## MUA GALLIPOLI VETERAN FINALLY HONOURED

**Allan Whitaker survived the wounds he suffered on the beaches at Gallipoli. But, 13 years later, he was shot and felled by the bullet of a police officer. It has taken 85 years to have a plaque placed in Victoria that will begin to tell his story..**

Allan Whitaker survived the wounds he suffered on the beaches at Gallipoli. But, 13 years later, he was shot and felled by the bullet of a police officer. It has taken 85 years to have a plaque placed in Victoria that will begin to tell his story.

Allan and his brother Percy were members of the Port Phillip Stevedores Association (PPSA), a founding member of the Waterside Workers Federation (WWF) that had pioneered many of the best working conditions in the Federation. Their headquarters were in Bay Street, Melbourne where they would do their labour pick-up. The PPSA worked the international ships that berthed at the Port Melbourne and Williamston piers.

At the 1923 Federal Election, Stanley Bruce was elected as the Prime Minister. He was closely associated with British shipping interests. Bruce introduced a referendum in 1926 to impose harsh penalties on striking unionists, which was defeated. He enlisted Chief Justice George Stephenson Beeby, who established a new draconian Award.

The Award removed any maximum shift

length. "Melbourne watersiders, with the PPSA in the van had waged a long fight against scandalous excesses of overtime - the "double headers" or 24 hours shifts, sometimes extending to 48 and even to 72 hours. The record was an 86-hour shift." The PPSA had placed bans on extensions, to cut shift lengths and the "eight hour shifts had made a marked reduction on deaths and accidents and created a fairer distribution of work and wages" The Award cut overtime rates in "Melbourne, Geelong, Freemantle and Geraldton - ports all opposed to the overlong shifts." A 1,000 pounds penalty on unions for striking was passed. The Beeby Award was to come into effect 10th September 1928.

On the night of September 11th Prime Minister Bruce issued a proclamation under the Crimes Act prosecuting watersiders unless they immediately reported for work; it also offered protection for strike breakers. On the 18th September the COM of the WWF resolved that watersiders should present themselves for work under the new Award. They tried unsuccessfully to bring the shipowners and government together for

negotiations but "Working men declining to work under an inhuman award were now outlaws."

The PPSA would be the last Branch of the WWF to return did to work. When they did go back they could not get a job, because they became second preference to the thousands of scab's that had taken their jobs. By 2nd November 1,400 men had unsuccessfully attended the pick up at Hogans Flat. When a trainload of scabs arrived at Port Melbourne station, they needed the police escort to get off the station safely when greeted by the wives and mothers of starving families.

They were rushed from the station to start work on the vessels at Princes Pier. The anger of 1,400 men, whose families were in dire straights boiled over and many rushed onto the pier. Police charged the men, waving batons, steam hoses were turned on and pistols were drawn.

After union officials had convinced the men to withdraw and they were beyond the Gatehouse, Chief Inspector Mossop ordered his men to open fire. Witnesses reported over 90 shots were fired so most police were shooting in the air, but at least one was aiming to kill.

Allan Whitaker was shot through the neck, with the bullet breaking his teeth as it came out through his jaw. Allan died on 26th January 1929 (Australia Day) from the wound.

It is vitally important that we do not forget our history. Our opponents would like us to think that Allan Whitaker never existed, but his story tells us much of what has made our country what it is. After 85 years a plaque is to be placed at Princes Pier to recall his story.

*A full version of this account appears on the MUA website.*



## TIRELESS CAMPAIGNER WINS TOP AWARD

**A seafarer who spends his spare time mentoring young workers in the shipping industry was last night named the ACTU's union delegate of the year.**

John "Madge" McGartland, a Wollongong-based seafarer and member of the Maritime Union of Australia, won the Delegate of the Year award on a night when his union scooped the pool at the annual ACTU National Union Awards.

The MUA won four awards, including both Aboriginal and Torres Strait Islander awards, while the long-serving National Secretary of the Communications, Electrical and Plumbing Union, Peter Tighe, was awarded Occupational Health and Safety Campaigner of the year.

Other winners included the NSW Nurses and Midwives' Association for its Unions for Transfusions program for community outreach, and the Swinburne University branch of the National Tertiary Education Union for the best workplace campaign.

"This recognition for our activists and delegates, in so many different arenas of work inside the union, underscores the leadership role the MUA plays throughout the labour movement of Australia," said MUA National Secretary Paddy Crumlin, who also

serves as a vice president of the ACTU.

ACTU President Ged Kearney said John McGartland epitomised the spirit of Australian unionism by tirelessly working for the betterment of his colleagues. Mr McGartland began his seafaring career in Port Kembla, and now works in the offshore oil and gas industry.

"Madge's work is particularly dangerous and he has witnessed the loss of colleagues at work," Ms Kearney said. "He has fought tirelessly to improve the health and safety and other working conditions for his fellow workers. He has proven to be there for members assisting them with industrial issues and encouraging them to become active delegates themselves.

"He is well respected by his fellow members and employers alike for his knowledge of the seafaring industry.

"Madge is also passionate about encouraging and mentoring younger members and while onshore he runs free seafaring courses to help train young



**MUA member John "Madge" McGartland, ACTU Delegate of the year.**

**Top right - McGartland accepts his award from ACTU President Ged Kearney**

**Middle Right - MUA winners with Kearney and Assistant Secretaries Ian Bray and Warren Smith**

**Bottom Right - MUA's Patrick Neliman collected both Aboriginal and Torres Strait Islander awards**

seafarers in important skills"

The MUA took out four awards in total, including the best OH&S Campaign for its work on a national stevedoring code of practice.

The Jennie George Award for contributions to women's advancement in unions was shared by Luba Grigorovitch of the Rail, Tram and Bus Union in Victoria and Lorraine Usher of the Construction, Forestry, Mining and Energy Union, while Darius Altman of the New South Wales Nurses and Midwives' Association was named Organiser of the Year.

# ITF UNIONS SHOW SUPPORT FOR ILWU IN GRAIN DISPUTE

**ITF-affiliated unions around the world are showing support for their colleagues in the ILWU (International Longshore and Warehouse Union) in what could be a major labour showdown in the Pacific Northwest of the USA.**

**M**ultinational grain companies which are currently making record profits have reportedly hired replacement non-union workers to take over work currently performed by ILWU members in case of a lockout in the Ports of Seattle, Tacoma, and Vancouver, Washington, and Portland, Oregon.

Solidarity with their docker colleagues was shown this week, when ITF US West Coast co-ordinator Jeff Engels boarded the vessel Ramada Queen at United Grain in Vancouver, and found that the captain and crew were very aware of the ILWU's labour dispute, and that they expressed solidarity with the ILWU on behalf of their own union, the Japanese Seamen's Union (JSU).

"The captain and seafarers had learned of the ILWU's struggle weeks ago, while they were still docked in Asian ports. As union members themselves, who are among 4.5 million workers united as affiliates of the ITF, they knew the players involved as well as the high stakes for workers" said Mr Engels.

JSU contracts include an ITF solidarity clause that its members will honour other unions' picket lines (see below). The JSU had informed the ship's owner of this clause.

"The crew reiterated that it stand one hundred percent in solidarity with their brothers and sisters in the ILWU," Jeff Engels said.

The ILWU reports that global grain giants are attacking an 80-year-old collective bargaining agreement they have had with the union since 1934. Negotiations began in late August 2012 and ended without a contract in mid-December, with the employer barely budging from its non-starter, concessionary proposals, which are apparently designed to create an impasse. The members are now working under an imposed contract.

"Seafarers from around the world are grateful for the ILWU's solidarity over the decades," said Engels. "They're eager to have the opportunity to support the ILWU in their campaign to secure a good contract with the global grain merchants. They understand that workers need to stick together, or we'll all be exploited by corporations that put profit above the wellbeing of workers."

Corporate owners of the six elevators involved



in current negotiations include Japanese powerhouses Mitsui and Marubeni, Netherlands-based Louis Dreyfus Commodities, and United States-based Cargill and CHS. The companies have hired JR Gettier and Associates, a known strikebreaking firm, and union longshoremen (dockers) have seen replacement workers milling about the facilities. "The global grain giants control the world's food supply, and they're trying to use that power to break unions, even as they are making record profits," said Engels. "The global network of solidarity among workers provides a counterweight to the power of these corporations." ITF president and chair of the ITF dockers' section, Paddy Crumlin, said: "When you sign up to the ITF you sign up to watching out for your mates. That's what solidarity is, and that's what's built into everything we do. I am heartened and not surprised to see this crew spreading that message. "We don't like employers who pretend to be interested in negotiation but reach for union-busting strategies instead. That behaviour has been noticed, and here comes

the warning: our friends in the ILWU can be sure of worldwide support against that type of behaviour." Acting ITF general secretary Steve Cotton added: "ITF unions are on standby to help their colleagues in the US. Whether it's on ships or in ports, workers are watching what happens next and planning accordingly." **Solidarity clause in ITF agreements:** Article 3.2: "Where a vessel is in a port where an official trade dispute involving an ITF-affiliated dock workers' union is taking place, neither ship's crew nor anyone else on board whether in permanent or temporary employment by the Company shall be instructed or induced to undergo cargo handling and other work, traditionally and historically done by members of that union which would affect the resolution of such a dispute. The Company will not take any punitive measures against any seafarer who respects such dockworkers' trade dispute and any such lawful act by the Seafarer shall not be treated as any breach of the Seafarer's contract of employment, provided that this act is lawful within the country it is taken."

## ILWU THANKS CRUMLIN AFTER WORKERS APPROVE HISTORIC HAWAII HOTEL LABOUR CONTRACT

The ILWU has personally thanked the International Transport Workers' Federation (ITF) and President Paddy Crumlin after workers overwhelmingly approved the first labor contract ever at the Pacific Beach Hotel, ending 10 years of labor strife that wound up in the courts.

In a letter to ITF President Paddy Crumlin, ILWU President Robert McEllrath personally thanked him and the ITF for the solidarity provided during negotiations:

"I want to thank you for your support. We would have not been successful without the solidarity from the ITF"

Local 142 of the ILWU announced approval by more than 99 percent of workers, and a source in the union said only one worker voted against it. Voting was completed at the beginning of the weekend and announced Monday morning.

Workers ratified a four-year contract with immediate 5 percent raises for non-tipped employees and 13 percent total over the full term of the agreement, with smaller raises for tipped employees. All employees won fully-paid medical care including dental, vision and pharmaceuticals. They will also receive eight paid holidays instead of the previous three.

Employees first signed a unionisation petition in 2002. "For 10 plus years," the union said, "the workers endured mass firings, intimidation and other obstacles." At one point the owners hired Outrigger to manage the property, then, when a union agreement was near, dismissed Outrigger and created their own management company to be the outside management contractor, resetting contract talks to zero. The National Labor Relations Board ruled that there was effectively no difference between the new management company and the hotel itself.

INTERNATIONAL LONGSHORE & WAREHOUSE UNION  
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January 14, 2013

Mr. Paddy Crumlin, President  
International Transport Workers' Federation  
ITF House  
49-60 Borough Road  
London, SE1 1DR  
United Kingdom

Paddy:

I am pleased to announce that we have finally reached an agreement with the Pacific Beach Hotel in Honolulu, Hawaii. This agreement comes after more than ten years of negotiating since the Hotel was first organized.

The solidarity we received from our brothers and sisters in Hawaii and abroad were instrumental in our success and essential to our survival. For this, I want to thank you for your support. We would not have been successful without the solidarity from the ITF.

With the contract settled, the ILWU is lifting the boycott of the Pacific Beach Hotel. We hope you will spread the good word of our success as the ILWU represents the workers of the Pacific Beach Hotel for many years to come.

Again, thank you for your dedication and support of the ILWU.

In Solidarity,

*Robert McEllrath*  
Robert McEllrath  
International President

RMcE/akj cwa 39521

cc: Titled Officers  
D. Domingo, President, ILWU Local 142

Each time the management contractor changed, the hotel made employees reapply for their jobs.

In 2011, U.S. District Court for Hawaii for the second time granted an injunction sought by the NLRB, which found repeated violations of federal labor law but said it could not get the hotel ownership and management to abide by its orders. "Once again the court agrees that the hotel has engaged in unfair labor practices," ruling said.

The hotel appealed, but the lower court was upheld last year by the U.S. 9th Circuit Court of Appeals. The owners went to the U.S. Supreme

Court but the justices refused to hear the case.

The Pacific Beach Hotel specializes in Japanese trade and may have lost some of that trade when the ILWU told Japanese labor unions what was going on. In 2008 the Japanese Trade Union Confederation endorsed a boycott of the hotel.

"We thank the many people and organizations from Hawaii and around the world who came forward to support this struggle," said ILWU International Vice President Wesley Furtado in a statement.



# MUNZ POAL LATEST: ITF COMMENT



On 31st January, MUNZ reacted with guarded optimism to a POAL statement that the employer is willing to compromise, on the basis of the recommendations of a facilitator, to reach a settlement of a collective agreement at the port. In the wake of initial signs of positive movement in the struggle by the Maritime Union of New Zealand (MUNZ) to gain a fair and just contract with the Ports of Auckland Limited, the Maritime Union of Australia (MUA) and the International Transport Workers' Federation (ITF) are monitoring developments to decide how to continue their support of the struggle. MUNZ national president Garry Parsloe said the union considers the recommendations as a whole to be a useful basis to enter into what it hopes will be a successful round of negotiations with POAL, as is recommended by the facilitator, to reach a settlement that is fair to all the parties.

The recent movement mirrors what Parsloe said in August 2012:

"What we need now is a bit of commonsense. We've had the months and months of fighting. We've had the strikes, we've had the lockouts. It's about time we signed off on a collective, put everyone to rest and let the port kick on again."

"We hope this is a sign that our comrades in New Zealand will soon achieve a just and



(Top) A show of solidarity with our New Zealand comrades. (Bottom) Deputy National Secretary Mick Doleman addresses the rally at the New Zealand consulate in Sydney last year.

fair agreement with an employer that has used lock-outs and anti-union tactics," said Paddy Crumlin, national secretary of the MUA and president of the ITF

"While we welcome the initial signs of progress, we want to make clear that we will not pull back one bit in our global support for the MUNZ workers and we will monitor the developments closely."

"Our comrades in Auckland and their families have been through enough," said Sharon James, secretary of the ITF dockers' section.

"The insecurity must end. ITF affiliates now expect POAL to negotiate in good faith to conclude a fair deal with MUNZ as soon as possible, and continue to back the union until that goal is achieved."

# AUSSIE SHIPMATES



Crew members of the now sunk M/V Global Mariner

During June 1980 I joined an ageing five hatch freighter in Bremen, Germany. The m/v Global Mariner, which had been purchased by the ITF was to be refitted as an exhibition ship and we were to circumnavigate the globe, highlighting the obscenities endured by seafarers of all nationalities serving on ships trading under the flag of convenience system and the misery caused to millions by globalisation.

I was appointed as Bosun for the two year odyssey during which we eventually visited 86 ports in 51 countries, having sailed 77,000 nautical miles attracting media attention wherever we went and hundreds of thousands of visitors.

Although the core crew was British we also were manned by nationals from many other countries. In fact during the voyage we had at 28 nationalities serving in various capacities at different times: Icelander, Norwegian, Peruvian, Croatian, Japanese, German, Filipino, Danish, Burmese, Indian, etc...

We also from time to time carried supernumeraries, pressmen and women, local trade unionists, ITF employees etc... But the most memorable guests were two retired Australian Bosuns who joined for the

passage from Sydney to Fremantle.

Already on board were three Aussie AB's: John Bailey from Queensland, Ian Christiansen from Fremantle, and Todd Richardson - who I think hailed from the Sydney area. These three staunch MUA members had joined us in the Philippines and were welcome additions to the deck crowd as they proved to be first rate seamen and good comrades.

Paul Summers and Harry McCorrison were the retirees joining the ship in Sydney. They decided that they would work their passage on the way round to Perth and two very willing and able hands they were! But as one ex-crewman said to me later: "it was bad enough having one hard-nosed bastard watching us - we ended up with three!" Both these shellbacks were mustered as passengers but upon joining they made it clear that they would be, "turning to," with the dayworkers and requested an issue of protective clothing etc... I tried explained that as our guests they were not expected to work but they would have none of it, both even appearing on the bridge at night to give the watch keepers much welcome breaks, and relieving the boredom for the mates with their tales of sea lore on Australian ships in days gone by.

One day, crossing the bight with a good sea running on the beam and the ship rolling through 15/20 degrees, we were running new slewing wires to number two derrick when the sleeve fouled in a top block some 70 feet above the deck. I just managed to stop Paul who was getting into a safety harness climbing aloft to clear it. I had to play the health and safety card and explain they were not officially part of the crew, and therefore were not insured. He was really pissed off at not being allowed aloft.

Nights in the recreation room were great fun with them. After a beer or two the stories would get racier and more outlandish. Many a good old lamp-swinging session was enjoyed by all of us, especially the younger crewmen, with Paul and Harry regaling them with stories of shipping in the halcyon days long gone.

They had been close friends for a great many years and I was later told they had driven to Fremantle from Sydney together with the kids and all their worldly goods seeking work and settled there. No mean feat I am told, with the type of vehicles they would have owned at the time and the terrain they would have had to have crossed. Both were great trade



Crew members of the Global Mariner

unionists and took relish in joining in with our shipboard union meetings or as they termed them, "stopworks".

Two shipmates of the old school, who used the simile of a man's great grandfather building a house from scratch, laying the foundation deep, cutting and seasoning the timber for the frame and using stones for the stout walls and chimneys. For the rest of his life he maintained it to the highest standard, and in return it sheltered him and his family of four sons and three daughters. After his death successive generations failed to care properly for the old building taking for granted the protection it provided. Eventually, the roof began to leak and the windows and doors began to let the draughts blow through and the house no longer protected the family as it once had.

After years of neglect one of his great grandsons recognised what a wonderful building this was, built on solid foundations. He vowed to put it right. The grandson worked hard and diligently, replacing roof tiles to stop the leaks and replacing the windows and doors which were causing

draughts and soon the old house began again to fulfil grandpa's dream of protection for his family. This, they said, was the story of trade unionism worldwide.

At a recent get together of some of the old crew I was reminded of these two stalwarts who made such a lasting impression on us all. I was given the task of writing to your magazine to thank you for the wonderful hospitality we received back in 1999. Australia was one of the highlights of the tour for many of us who had crewed the ships trading to your shores regularly in the old days before containerisation. Paul and Harry evoked so memories for us all.

It was with great sadness that we learned that Paul crossed the bar for his final voyage in February last year. He is fondly remembered by the guys and girls of the G.M. A view shared I am sure by all who met and knew him. I hope Harry is still around and we would like to say him to him through the medium of your magazine, "Ahoy shipmate, splice the mainbrace". Cheers from all your friends in the R.M.T.  
By Fred Potter, RMT (UK)

**REMEMBER YOUR ANNUAL CHECKUP!**

Recently I was diagnosed with prostate cancer even though it showed no symptoms and had a blood test. The cancer was picked up when as a precaution I had a digital test. I would encourage all male members to have this test done annually. There is a great book called localised prostate cancer (a guide for men and their families) that explains everything about prostate cancer available from the free from the Cancer Council.

Luckily I feel all right but I wanted to alert everyone to the dangers you face when you don't have an annual check-up.

Graeme (hava chat) Bailey

**THANK YOU, COMRADES**

Comrades,  
As many of you know, I suffered a serious illness in the latter part of last year which saw me unable to work. I had been unemployed for months prior to my illness and things were very tough for us at home. I never thought I would find myself in this position and hope to never be so again. Words cannot express the immense gratitude that my family and I feel toward all comrades who helped us through this time. Many ships and the November Melbourne stop work meeting donated money to assist us.

These kind donations enabled us to keep afloat, pay some bills and give our grandchildren a lovely Christmas. I deeply appreciate the kindness shown to me by many old ship mates who called me to see how I was doing and to say "stop bludging and get back to work!" It lifted my spirits and aided my recovery. The Maritime Mining and Power Credit Union has been very helpful and understanding of my situation. I want to particularly thank Barbara Ryan and the girls at our Melbourne Branch. In particular, I want to thank Wayne Doleman, Jason Miners and Gordon Elrick. I do not know what I would have done without all of you. I am now back at work and on the road to recovery. I go back for more tests in April and am hopeful that all will be cleared up by then.  
Yours in Unity,

Wayne Finch 6002299



July 23, 2012

Via Email: [mick.carr@mua.org.au](mailto:mick.carr@mua.org.au)

Mick Carr  
Branch Secretary  
MUA  
Level 2, 365 Sussex Street  
Sydney, NSW 2000  
Australia

Dear Brother Carr:

**Re: Global Solidarity and Victory in Rio Tinto Lockout in Alma, Québec**

The six month lockout of our members by mining giant Rio Tinto in Alma, Québec is over. In a decisive win, members of USW Local 9490 ratified an agreement by a wide margin that strictly limits the company's ability to contract out work at the facility. Rio Tinto was forced to retract its demand that future workers be non-union subcontractors earning half the wages of union members and few benefits.

Our members are proud of their fight and are walking back in the plant with their heads held high knowing that their refusal to accept Rio Tinto's brutal demands and their unshakable solidarity was the foundation of this victory.

But our fight and victory is not ours alone. Rio Tinto's contracting-out demands and our members selflessly standing up for their community and younger workers resonated all over the world. Time and time again, we heard of similar stories coming from Rio Tinto facilities in North America, Europe, Australia and Africa. The struggle in Alma became a global fight against de-unionization in the resource sector. And so their victory is all of labour's victory and should inspire all of us.

This success could not have been achieved without the support of workers and their unions all over the world, and we are writing to thank all the unions for your support which came in many forms – donations, messages of solidarity, hosting us in our global tour, and attending the rally of 8,000 persons in Alma.

The Off the Podium campaign exposed the hypocrisy of Rio Tinto's Olympic involvement and pressure mounted through an outpouring of support: 13,000 citizens and 60 national unions from over 30 countries wrote to their Olympic committees to protest Rio Tinto's involvement. Australian unions and Unite in the UK were particularly active in demonstrating at Rio Tinto's annual general meetings and in protesting the company's participation in the London Games

United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union  
Five Gateway Center, Pittsburgh, PA 15222 • 412-562-2400 • www.usw.org

The USW is fully committed to continuing the struggle against Rio Tinto under the leadership of IndustriALL and the CFMEU of Australia which is coordinating the building of a stronger global network of trade unions at Rio Tinto. We believe that all of us working together have sent an unmistakable message not only to Rio Tinto but to all of the multinational companies that we will fight globally and can win.

*Leo W. Gerard*  
Leo W. Gerard  
International President  
United Steelworkers

*Ken Neumann*  
Ken Neumann  
National Director for Canada  
United Steelworkers

*Daniel Roy*  
Daniel Roy  
District 5 Director  
United Steelworkers

*Marc Maltais*  
Marc Maltais  
President  
USW Local Union 9490

LWG/KN/DR/MM/dk

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## VALE REX MUNN

**R**ex Munn was born in the River Murry town of Mannum in 1928 in the midst of the great depression. The third of seven children Rex was required to deliver milk and trap rabbits amongst other odd jobs in his childhood to help sustain the family in harsh economic times. He was 12 when the family moved to the Port Adelaide suburb of Semaphore and so was born a lifelong love of the Port Peninsula and its people.

Rex was a gifted scholar and could have gone on to an academic path in life but given the economic realities of the day it was difficult for his family to provide that opportunity. So Rex naturally sought work in a number of occupations, first as a clerk immediately after school followed by construction jobs.

In 1951 aged 23 Rex became a wharfie this was at a time when the Waterside Workers Federation controlled the labour and new entrants had to be nominated, seconded & paraded in front of a meeting of members. The significance of which was to establish whether one was physically fit enough for the rigors of the job but more importantly whether one was a SCAB or a known non unionist. Rex clearly passed the muster. The 1950's were days of great struggles to improve working conditions and wages on the waterfront and Rex fast became an active participant in working class struggle. Influenced by the struggles of the day and the leadership of the Union notably Jim Healy, Rex joined the communist party in 1953 and became a member of the Red Gang on the waterfront, known for its militant activity both politically & industrially.

1956 saw the culmination of an industrial dispute years in the making where wharfies went on strike for 3 weeks. The mobilization of union activists to support the strike resulted in Rex leading the entertainment committee. Those lucky enough to know Rex would be aware of his fine singing voice and his enthusiasm to entertain a crowd whether in plays such as Reedy River or singing the "ballad of 1891" or revolutionary songs such as The Internationale, The Red Flag and Solidarity Forever.

Rex often regaled and reminisced about the unity and solidarity on the waterfront, of the great leadership and unwavering support of the membership, whether it was

struggling for safety, better conditions of employment, permanency or more altruistic purposes such as aboriginal rights, peace movement or international campaigns such as the anti apartheid movement & FOC Campaign.

At this time a number of campaigns were activated and in particular the Peace movement, Rex and a number of other Comrades gained some international notoriety when they painted "Ban the Bomb" on an Australian warship visiting Port Adelaide and on the lifting Birkenhead Bridge that when drawn allowed half of Port Adelaide to see the message. The resulting media attention and exposure is considered the genesis for the "Ban the Bomb" slogan and rally cry internationally

Given Rex's political and industrial activity he was an obvious choice for delegate on most shifts he worked, he was considered a tenacious advocate for members but considered in his approach to

### Vale Comrade Rex Munn. An inspiration to all who he encountered.

ensure any organising met with the objects and rules of the union, or simply put Rex "didn't go off half cocked".

Rex spent 36 years on the wharf, hard years, long before mechanization, when men carried sacks on their backs and a man's best help was his Gang. In the final stages of his career Rex was elected as the Vigilance Officer (VO) for the WWF Port Adelaide Branch a position he held until his early retirement in 1987.

Rex and his wife Marcia embarked on overseas travel followed by the grey nomad caravan tour around Australia before settling in the Clare Valley, South Australia. After 8 years in the Clare they returned to Adelaide where Rex relaunched himself into Union and Political activity.

Rex became the President of the South Australian MUA Veterans Association and worked tirelessly with other retired Unionist groups and also Pensioner organizations. During the Your Rights at Work Campaign Rex campaigned solidly, leafleting and

door knocking hundred of houses and was a shining example to younger activists of the campaign. He truly lived by the MUA Veterans slogan "retired from the workforce not from the Struggle"

Rex was also the Unions representative to the SA Government Asbestos Advisory Group and a leader in fair go for pensioners, a volunteer to the Port Adelaide Maritime Museum and a committee member of the Port Adelaide Branch of the National Trust which successfully ensured the preservation of the Waterside Workers Federation Hall in Nile St Port Adelaide, fittingly the Building where Rex Munn's memorial was held.

To the South Australian Labour Movement Rex was probably best known for his association with May Day. Rex was Vice President of the May Day Committee, awarded the May Day "Spanner Award" for service to the ideals and promotion of May Day. Rex was best remembered for leading the "internationale" & "Solidarity Forever" songs at the conclusion of the May Day Dinner and it is here he was referred to as the Singing Socialist.

While Rex was revered for his unflinching support of his union and industrial & political struggles he knew he couldn't do this without the unwavering support of his beloved wife Marcia and the support of his children and extended family. Never have you seen 2 people so devoted and so in love. Rex would fondly leave every meeting by saying "right I have to get back to my darling".

Rex had many other varied pursuits outside of the union & politics, his love of gardening, his famous home brew and a 50 year association with the Tea Tree Gully Football club, where Rex was a life member and in 2012 was awarded supporter of the year and saw the club win the premiership. Rex is survived by his wife Marcia, Children: Norma, Michael, Janet & Step Children: Mary, Ruth, Jane, Sally & May and many grandchildren.

Vale Comrade Rex Munn. An inspiration to all who he encountered.

(Rex will be eternally remembered with his name inscribed on the Port Adelaide Workers Memorial coinciding with May Day Events this year).

Jamie Newlyn  
Maritime Union of Australia South Australian Branch Secretary (on behalf of Rex's family)



## VALE KELI MOIMOI

**I**t is with sadness that the Queensland Branch relays to the broader membership the passing of Keli Moimoi, who lost her long battle with breast cancer. Keli was one of the first women engaged at Patrick as an operational watersider worker, coming in the industry in October 1998.

Keli was an active member of the Union and represented the Branch at the 2004 National Women's Conference.

Anyone who had personal dealings with Keli would appreciate that she was certainly forthright and made no bones about coming straight to the point; an attribute that many admired.

Keli was certainly a very strong woman

and many would be aware during her cancer battle, that Keli was more worried about the plight of others in the workplace, rather than focussing on or being downcast about her own situation despite often being in immense pain.

A funeral service was held at 10.00am on Monday 21st January at the Great Southern Memorial Park, 1774 Mt Cotton Road, Carbrook. There was a large attendance at the funeral with around 60% of the current workforce, as well as retired members. All local Patrick management attended as well.

Speakers at the Service reiterated what has already been stated above: with Keli, what you saw is what you got.

**At the funeral, thanks were made to her workmates for their love and support**

## VALE SVEND PEDERSEN

Sadly we regret to inform the members of the passing of Svend Pedersen. The lanky Viking Bosun retired from the Iron Yandi in 2010 after having served as Chief I.R. in the Iron Yandi for approximately 10 years. Possessing a dry sense of humour and a valuable contribution to both the running of the vessel and shipboard life in general, he was very rarely at a loss for words.

One of Svend's great passions in life was his beloved yacht, in which he spent a considerable amount of time sailing and maintaining while on leave and on his retirement in Hervey Bay.

We extend our condolences to his wife and family. Farewell comrade, from the delegates and crew of the M.V. Mariloula ex Iron Yandi crew.

Keli was a beloved wife to Ron Moimoi and leaves behind 2 children. She had an immense love for her family. Ron was a former member, who left Patrick in December 2008 to pursue other career options.

At the funeral, thanks were made to her workmates for their love and support, demonstrated by their selfless gifting of sick leave and contributions via the Patrick's Benevolent Fund.

The Branch expresses our condolences to family and friends. Keli Moimoi – Rest in Peace – never forgotten.

Trevor Munday  
QLD Deputy Branch Secretary  
Queensland Branch

## CRUMLIN ADVANCES MUA SHIPPING AGENDA WITH CHINESE LABOUR

**National Secretary Paddy Crumlin engaged in an in-depth conversation with a delegation of leaders from the All-China Federation of Trade Unions (ACFTU), led by Madame Zhang Shiping who is a Vice President of the ACFTU's Secretariat. The trade union leaders met in Sydney on December 8th to share strategies and possible areas of cooperation.**

Crumlin and Madame Zhang discussed the potential alliances between the MUA and the ACFTU. Crumlin focused on shipping and bi-lateral trade relations between China and Australia. In particular, Crumlin discussed the use of Australian flagged ships to move the large supplies of iron ore flowing from Australia to China. Crumlin briefed Zhang on the broader discussion the MUA is having with the federal Government, particularly the ministers of trade and foreign affairs, about maximising Australian economic opportunity from the 2012 shipping reforms. Crumlin told Zhang that he has put forward a proposal to the Government that it develop a shipping reform implementation plan that would seek to engage international leaders with experience

in shipping, particularly in countries like China. After listening intently to Comrade Zhang, Crumlin observed that the challenge for the ACFTU is to address the needs of 200 million rural workers, who are struggling to make ends at a time when housing prices are rising dramatically, and, at the same time, work to defend the middle-class wages attained by millions of urban dwellers. Crumlin has been active in building relationships with Chinese trade unions, most recently during his 2012 visit to China in which he represented the Australian Council of Trade Unions as part of a global delegation of the ITUC. They reviewed the history of their respective unions, including the support the MUA gave for the China Seaman's Union during World War II. Madame Zhang said that she, and

her comrades, would never forget the hand extended by the MUA to the CSU during very difficult times. The ACFTU represents 130 million workers, according Madame Zhong Xia, Deputy Director General of the ACFTU's Women Workers Department, who participated in the discussion with Crumlin. Madame Zhang started out as a worker in the early 1970s in an auto repair factory of Xicheng District, Beijing. In addition to Comrades Zhang and Zhong, the delegation included: Guo Mingshan, Deputy Director General of the Staff Service Center; Peng Yong, Deputy Director General of the International Department; Yao Li, researcher for Asia and Pacific of the International Department; and Liu Xiaoqin, from the ACFTU's General Office.



National Secretary Paddy Crumlin presents MUA T-shirts to Madame Zhang and her delegation

## HOLLYWOOD HAILS BEST VICTORY AFTER BEST KNOCKOUT

**MUA Wharfie Chad Bennett moved closer to a shot at the World Boxing Organisation's junior-welterweight belt after beating Ghana's Ben Ankrah in Las Vegas on Australia Day.**

Bennett weathered some early punishment before landing a third-round knockout. The 39-year-old described his second fight in the US as "the best win of my career", especially given the boost it has given to his reputation abroad. "He came out strong and landed some big shots on me which rocked me in the opening round, but I came back and smashed him out," Bennett told the Newcastle Herald. The Novocastrian's US-based agent, Vlad Warton, will now attempt to negotiate a world-title fight for him in Newcastle in April, possibly against another Ghanaian, Ebenezer Lamptey, the WBO's African junior-welterweight champion. Lamptey, 26, has won 22 of 23 professional fights, including 17 by knockout. Bennett's record is 31 wins, 22 by stoppage, four losses and three draws. Bennett's former manager, Newcastle businessman Richard Claut, said yesterday the win in Vegas would "open up options" for Bennett. "He was fighting under the banner of Oscar De La Hoya's Golden Boy Promotions, so there were people there like Oscar De La Hoya and Shane Moseley who have now seen Chad fight," Claut said. "And his promoter, Vlad Warton, is a guy with contacts throughout the industry. "A win like this can really give him and Chad some bargaining power." Bennett, a former World Boxing Federation champion, was expected to arrive back in Australia overnight and begin planning his next bout, which is likely to be on April 5 at Newcastle Entertainment Centre.



## MCGRATH FOUNDATION

They have a reputation for being tough, but Maritime Union members donned pink hard hats for a good cause last week. And the cause was the McGrath Foundation, which received a donation of almost \$9,000 from the men and women in pink. Supported by the MUA and PB Sea Tow, MUA Queensland organiser Jason Miners said the initiative was driven by the employees. "The MUA has a rolling fund our members pay into - it's a fighting fund, but we also use those funds to support charities. We have a long history of helping out at a local level," he said. "Kellie came to us with the idea and

no one even hesitated. The workers chipped in 25%, the Queensland branch of the MUA 25%, and PB Sea Tow the remaining 50%." Employee Kellie Northfield said, as a woman, she was breast care aware and wanted to help the McGrath Foundation. "And I knew the guys would love the chance to wear pink," she said. "I'm stoked with the support the members have shown; I never thought we'd raise that much money." Gaylene Weir, breast care nurse and McGrath Foundation representative was on hand to receive the cheque. Gaylene was thrilled with the donation.



(Above) MUA members celebrate money collected to fight breast cancer.

## IMPORTANT NOTICE FOR SEAFARERS

AMSA has issued a new Marine Notice and made a number of changes to the validity and revalidation of seafarer certificates.

All seafarers must hold a security awareness endorsement by December 2016 but are eligible to gain this endorsement by gaining recognition of sea service.

**This sea service recognition must be applied for BEFORE DECEMBER THIS YEAR.**

One of a number of new requirements is for all seafarers (Masters, Deck Officers, Engineer Officers, Ratings (Deck and Engine Room) and holders of Certificates of Safety Training (COST) to hold a Security Awareness endorsement. If a seafarer does not hold the endorsement their certificate will not be valid after 31 December 2016.

There are two options for obtaining a Security Awareness endorsement:

**Option 1** – until 1 January 2014 seafarers may apply to AMSA if they have approved qualifying sea service of at least 6 months between 31 December 2008 and 31 December 2011.

**Option 2** – complete an approved Security Awareness training course at an AMSA approved college.

AMSA is concerned that seafarers holding an AMSA issued STCW certificate with at least 6 months qualifying sea service, served between 31 December 2008 and 31 December 2011, may not be aware of option 1 and not apply to AMSA before 1 January 2014.

**If they do not take the opportunity and apply in 2013 they will be required to complete the full approved course at an AMSA approved college, which AMSA says has the potential to have a significant financial impact on the Australian maritime industry as a whole and inconvenience many seafarers.**

All seafarers are advised to act now, rather than leave it until it is too late, to have their sea service assessed and recognised by AMSA and be issued with the Security Awareness endorsement. After 1 January 2014 AMSA will no longer be able to recognise the sea service in lieu of an approved training course.

Seafarers who believe they have satisfied the qualifying sea service requirements for a Security Awareness endorsement should forward, before 1 January 2014, their STCW certificate (Masters, Deck Officers, Engineer Officers, Ratings (Deck and Engine Room) and holders of Certificates of Safety Training - COST) to AMSA, together with the completed form AMSA 63, (attached) the appropriate fee and proof of sea service in the form of an original letter, on letterhead paper, from the employer.

The STCW Convention specifically states that the transition period for recognising at least six months sea service is between 1 January 2009 and 31 December 2011. AMSA cannot change this as it has agreed the content of the Convention at the diplomatic conference in Manila in 2010 along with 154 other countries.



The National Secretary in full flight

## MUA DEMANDS FACTS NOT FICTION FROM AUSTRALIAN LOGISTICS COUNCIL

**MUA National Secretary Paddy Crumlin used a high-level panel debate at the Australian Logistics Council forum in Melbourne recently to demand an open, factually accurate debate about the future of Australian shipping from the ALC.**

Described by Lloyd's List as "a contest as fierce as an AFL grand final", Paddy locked horns with Don Telford, the ALC's Chairman. Don Telford tried to argue that the Federal Labor Government's changes to cabotage laws and changes to the Single Voyage Permit system were too restrictive and labour costs were too high.

"While most of the industry has been transparent and objective and argued the merits of robust and economically responsible policy that has the national interest in mind, the ALC has trafficked in arguments that have either no basis in fact or are inconsistent, which does not serve the national interest," Paddy told the audience.

"The ALC's approach to coastal shipping is all about two things: let the market run

amok and let's blame the workers when it comes to productivity.

"I'm here to assure you – we are not the Bandidos. In fact, we're much closer to the Salvation Army.

"The ALC's rhetoric is driven by the foreign ship owners. The shipping reforms are about creating an opportunity – not for a foreign shipping task, but a domestic task, predicated on capital expenditure, ships that are able to trans-ship, and short-sea shipping.

"The new laws will ensure the interaction of foreign and domestic ships in a way that would be intelligent and sustainable."

Don Telford responded by saying the new shipping laws didn't take economics into consideration. Paddy Crumlin fired back.

"Don, I like your parties, they're great parties," Paddy said, a reference to the

famous 1970s Australian film, Don's Party.

"But we're not just here for the fun of it, we're here for the truth of it and you've again picked an ALC worst-case scenario."

Paddy Crumlin described the ALC approach as "blanket opposition based on premises that don't stack up in a majority of areas".

"Your approach, Don, in your party, is that you only look at the problems, you don't come up with the solutions."

The speech coincided with the MUA's release of a detailed critique of the ALC's positions, titled 'Fact Versus ALC Fiction' (which can be found on the MUA website at [www.mua.org.au](http://www.mua.org.au)) to contrast the MUA's responsible and economically sound positions that are in the interests of the Australian community, against the ALC's self-interested positions.

The Maritime Union of Australia (MUA) has been a strong advocate for the revitalisation of shipping for several decades, but particularly since 1996 when the reforms of the 1980s were dismantled by the Howard Government.

During the period since 1996 until the Gillard Government reforms passed the Parliament in mid June 2012 and commenced on 1 July 2012, we worked closely with shipping industry owners and operators, the associations representing those owners and operators, with academia, with think tanks and transport and logistics consultancy firms and, of course, with the Government to develop a sound policy package that was tailored for the Australian shipping industry. We researched all the world's cabotage systems, and at no stage did we advocate some other country's model, like the US Jones Act or European model, the Brazilian or Indonesian model. We developed a unique Australian model that was responsive to our volumes, our trades, our geography and that was consistent with other aspects of transport and logistics policy.

We were transparent and passionate about our advocacy. We argued the merits of robust and economically responsible policy that had the national interest in mind. It is true that there are more seafarer jobs in an expanding shipping industry, and that is good for seafarers and for the MUA. But, there are also more efficient supply chains, more taxation revenue, more support and service industry opportunities, and more investment in the economy. These are all good for the economy, for the business sector and for the nation.

By contrast, the ALC policy position is inconsistent when it comes to shipping. While the ALC has consistently argued for Government intervention to provide a sound and comprehensive regulatory framework for road and rail, and intermodal infrastructure, including support for Government funding of infrastructure, its approach to shipping is the opposite. It claims that shipping regulation, even light handed regulation as embodied in the 2012 shipping reforms, is unnecessary and is undermining competition. Thus, its schizophrenic and inconsistent approach suggests the ALC is running some political agenda to advance particular sectional interests.

In this context the ill-informed and misleading statements of the Australian Logistics Council (ALC) about Australian coastal shipping cannot go unchallenged. For an organisation that presents itself as a leader in the transport policy debate, and as an advocate of the Australian transport and logistics industry, it has demonstrated a policy ignorance of monumental proportions, and an embarrassing lack of understanding of the shipping industry in its statements about Australian coastal shipping.

The MUA has reviewed the ALC interventions in the Australian coastal shipping debate over

the last 2 years and has identified its position to be a series of misinformation and disingenuous statements. This must surely call into question the integrity of the ALC. In what follows, we have pointed out the FACTs. We will let you be the judge.

#### Australian coastal shipping

##### The ALC's Dream World:

ALC has requested the review into the regime with the intention of removing restrictions, which prevent the efficient operation of the coastal trade.

(Source: 25 February 2013 – ALC Media Release entitled "ALC calls for review to test objectives of coastal shipping legislation")

##### The Real World:

These comments show that the ALC fails to understand the Coastal Trading Act nor does it have any idea of how the sea freight market works.

What the CT Act has done, combined with the taxation measures is establish a comprehensive package of reform that has in fact removed the barriers to enable shipping to compete with other freight modes on fair competitive terms in the domestic freight market, and in that way deliver efficiencies to shippers.

The CT Act has in fact established a new and transparent process to enable General Licensed vessels to contest coastal cargoes that would otherwise be carried on Temporary Licensed foreign ships, subject to a set of tests – tests that are largely self regulated with a light touch oversight by public officials acting under delegation of the Minister.

If the ALC had taken the time to understand shipping and to understand the legislation, they would realise that the legislation is carefully designed to ensure that where trade can sustain either a GL ship/s, or a combination of GL and TL ships where the combination of the 2 license types delivers a sustainable freight rate, as it does in the bauxite trade and the petroleum trade to name just two, there this is an acceptable and deliverable outcome.

It is that flexibility in the structure and operation of the CT Act that delivers the efficiency by creating the opportunity for shippers to move away from the high cost and variable spot market (represented by TLs and formerly permits) to sustainable and secure freight rates delivered through long term freight contracts which deliver business certainty and which have been a feature of the sea freight market since sea freight commenced.

Long term freight contracts deliver a competitive outcome, not just on price (freight rates) but also timeliness, fit for purpose ships, safe and environmentally efficient ships, highly qualified crews, ships that suit the requirements of Australian ports e.g. the need for self dischargers where port stevedoring cannot be sustained. These are areas where the efficiencies kick in and which makes GL vessels competitive.

##### The ALC's Dream World:

The ALC claims that the coastal shipping reforms were not justified through the government's regulatory impact statement (RIS). The RIS didn't attempt to quantify any of the additional costs that would be faced by shippers as a result.

##### The Real World:

The Government's Regulatory Impact Statement (RIS) did in fact show that the reforms would deliver a net present value benefit on 3 out of the 4 scenarios analysed (see Table 2 on P. vii of the RIS found at [http://www.infrastructure.gov.au/maritime/shipping\\_reform/files/RIS\\_post\\_OBPR\\_20110816\\_formatted.pdf](http://www.infrastructure.gov.au/maritime/shipping_reform/files/RIS_post_OBPR_20110816_formatted.pdf)).

##### The ALC's Dream World:

On January 25, soda ash company Penrice explained that it would begin importing rather than making soda ash. ALC claims that one reason given by chairman David Trebeck was "restrictive and costly coastal shipping regulation."

(Source: Penrice media release of 28 February 2013, and CEO investor public Conference Call of February 2013)

##### The Real World:

Penrice did not cite coastal shipping regulation as a factor in its decision to close its Australian soda ash manufacturing business in its investor briefings or in public statements. Rather, Penrice cited:

1. Declining demand in client industries such as the glass, detergent and aluminium market
2. The high Australian dollar
3. Increased import competition placing pressure on prices and margins
4. Continuing falls in major downstream markets such as construction
5. Labour cost increases in manufacturing
6. Government taxes and charges.

##### The ALC's Dream World:

The ALC has long advocated that the effect of regulation should not distort the mode by which consumers dispatch freight.

(Source: 13 April 2012 – The ALC Submission to the House of Representatives Standing Committee on Infrastructure and Communications Inquiry into the Shipping Reform Bills)

##### The Real World:

The ALC at no stage acknowledged that the liberal permit system that it passionately defended was premised on the continuing use of foreign labour using developing nation labour standards in the Australian domestic sea freight industry. It was this feature which distorted competition in the domestic freight market. The question must be asked: Does the ALC also advocate the use of foreign labour with foreign nation labour standards for domestic trucking, rail and aviation?

##### The ALC's Dream World:

The ALC said the move away from the way in which the current single voyage permit (SVP) system is administered may make the use of commercial shipping a less attractive option

for shippers, leading to greater costs and competition for space on land based transport as well as increased congestion around cities and higher carbon emissions.

(Source: 5 March 2012 – ALC Comment on the Shipping Reform Bills)

##### The Real World:

Unless action was taken to revitalise the Australian domestic shipping industry by moving away from the permit system which was undermining the Australian industry, by establishment of a fair competitive system that created conditions for investment in Australian coastal trading ships then there would inevitably be a transfer of freight costs to the land transport system and land transport infrastructure – the complete opposite of the ALC position.

##### The ALC's Dream World:

The ALC said that if the taxation incentives do not increase the number of Australian flagged vessels, the compliance costs imposed on industry members, including shippers, inherent in the provisions of the Coastal Trading Bill would effectively be deadweight losses passed on to customers with no benefit.

(Source: 5 March 2012 – ALC Comment on the Shipping Reform Bills)

##### The Real World:

The ALC at last acknowledges that if there are increased numbers of Australian ships, compliance costs will fall, which you would expect would be welcomed by ALC. However, it should be noted that the compliance costs on industry in conforming with the Coastal Trading Act are negligible and furthermore, the whole rationale of the legislative package is to deliver benefits to shippers in being able to secure long term freight contracts in reliable, safe Australian ships rather than reliance on the spot market process of the permit system or temporary license system where quality assurance is not guaranteed and has in fact led to major costs being borne by the industry e.g. the clean up of the container spill off Queensland, arising from a foreign FOC ship.

##### The ALC's Dream World:

The ALC said the general welfare of the Australian community is advanced if shippers have the capacity to use the most efficient method of shipping cargo from port to port.

##### The Real World:

The ALC has completely ignored the detrimental impact on the national interest through maintaining the SVP and CVP system in terms of maintaining a domestic seafarer skills base that a shipping nation requires to support its port operations, its pilotage services, its regulatory systems and its training providers. It has completely ignored the national interest in terms of the interlinking of the merchant industry with Navy in terms of national defence, nor of national security benefits to arise from maintenance of a domestic shipping industry and skilled workforce. It has completely overlooked the national interest in terms of ship

safety benefits from Australian shipping. It has dressed up sectional interests as the national interest, and has harmed the credibility of the ALC.

17 February 2011 - The ALC response to the Department of Infrastructure and Transport Discussion Paper "Reforming Australia's Shipping"

##### The ALC's Dream World:

The ALC queried how the proposal to consider the abolition of continuing voyage permits and a reduction in the use of single voyage permits is reflective of international best practice in the context of expanding Australia's productive capacity.

(Source: 17 February 2011 - The ALC response to the Department of Infrastructure and Transport Discussion Paper "Reforming Australia's Shipping")

##### The Real World:

The increasing use permits created a dysfunctional sea freight market that undermined investment confidence and simply lined the pockets of international shipping lines. International best practice requires a level field for competition to thrive – there was no level playing field under the permit system. Minister Albanese's shipping reform legislation is an attempt to level the playing field to enable Australian ships to compete on a level footing with other transport modes in the domestic freight market.

##### The ALC's Dream World:

The ALC said the restriction in the use of international vessels in domestic shipping, as proposed by the paper (the Department's shipping reform discussion paper of December 2011), moves Australia from having one of the world's more liberal cabotage regimes to one of the more restrictive models, thus restricting competition in the Australian domestic sea freight market.

##### The Real World:

The Discussion Paper did not advocate a restricted competitive model but rather a more balanced model of cabotage providing flexibility through the access by shippers to both Australian ships and foreign ships. Nor has the policy response, as reflected in the shipping reform legislation, created a restrictive competitive model. Not one party advocated a US Jones Act solution for Australia. The legislative package has delivered a flexible model that provides for more cargo to be carried on Australian General Licensed ships while maintaining a Temporary License system for foreign ships in circumstances where the cargo value or trade does not sustain one or more GL ships.

##### The ALC's Dream World:

The ALC submission claimed the tax changes were to be imposed on shippers.

##### The Real World:

There was never an intention to "impose" any tax changes, but rather, to provide

discretionary tax concessions for ship owners and ship operators. Furthermore, the tax changes were never intended to apply to shippers, they were only ever intended for ship owners and ship operators. They actually offer one of the most generous investment stimulating tax benefit of any package offered to an Australian industry sector – bearing in mind that is required to ensure Australia is competitive in an international shipping market

##### Stevedoring

##### The ALC's Dream World:

There is a "causal link" between the establishment of FWA and more confrontational relationships. Negotiations between employers and unions are no longer just about pay, but about the ability of unions to "dictate to management" how the business would be run.

(Source: Australian Financial Review 20 April 2012)

##### The Real World:

There is no such evidence and we challenge the ALC to produce evidence for its claim. The MUA has exercised its limited right to take protected action in accordance with the Fair Work Act in support of fair wage outcomes during bargaining negotiations. We have never sought to dictate to management about how to run its business but we have and will continue to discuss issues which affect employees, such as rosters, safety, training and career progression. Does the ALC seriously argue that those are not matters on which workers have a legitimate interest and should be seeking agreed outcomes with the employer?

##### The ALC's Dream World:

Regarding the national stevedoring code of practice, the ALC claims the draft Code failed to meet seven key principles set down by the Office of Best Practice Regulation for the design of regulations.

(Source: 30 October 2012 – ALC Media Release headed "Stevedoring Code of Proactive needs to Reflect Best Practice")

##### The Real World:

The ALC simply quoted from an industry paper prepared by the stevedoring companies and Shipping Australia, which had its facts wrong. The so-called 7 key principles of best practice regulation identified in that industry paper do not reflect the current policy of the Australian Government. The 7 principles were apparently drawn from a 'checklist' in the Productivity Commission's annual report of 2001/02. The current requirements are set out in *The Best Practice Regulation Handbook* of June 2010, administered by the Office of Best Practice Regulation (OPBR). They make no mention of whether the regulation is prescriptive or performance based, but of course require a cost benefit analysis. The ALC made no mention of the costs to individuals, to the industry and to stevedoring operations of the high number of fatalities and serious injuries in the Australian stevedoring industry.

DP WORLD

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**Tell Em They're Dreaming**



MUA  
Here to stay!

**Management taking our jobs!  
No trial run!  
More casualisation!  
What! No Clerks!  
How many jobs?**

