



THE MARITIME WORKERS' JOURNAL

SPRING/SUMMER 2012

GOING FOR GROWTH:
MEMBERSHIP UP

8%



Fitzgibbon Daughters March For Their Father's Memory

FIGHT TO SURVIVE

DEMAND A NEW STEVEDORING CODE OF PRACTICE

NATIONAL COUNCIL: POLITICS, ORGANISING, STRATEGY AND MUCH MORE

2

Logging On:

A Message from National Secretary Paddy Crumlin

4

ITF Week of Action:

On the Frontlines During the Week of Action in Newcastle

11

Asciano Automation:

Patrick Fight Has Just Begun

16

NSCOP:

Fight to Survive: Demand a National Stevedoring Code

30

Blake Prize:

MUA Embraces Art For Justice

32

National Council:

Politics, Organising And Strategy: The Councillors Meet



EDITOR IN CHIEF Paddy Crumlin
NEWS, FEATURES & PICTORIAL Jonathan Tasini
DESIGN Magnesium Media
PRINTER Printcraft

Maritime Workers' Journal
365-375 Sussex Street Sydney NSW 2000
Contact: 9267 - 9134 Fax: 9261 - 3481
Email: journal@mua.org.au
Website: http://www.mua.org.au
MWJ reserves the right at all times to edit and/or reduce any articles or letters to be published.
Publication No: 1235

For all story ideas, letters, obituaries please email journal@mua.org.au

ON THE COVER: MARCHING FOR STEVEDORING CODE OF SAFETY

THIS PAGE (Left): BACKBONE OF THE UNION: MUA ADMINISTRATIVE STAFF AT NATIONAL TRAINING CONFERENCE IN SYDNEY

LOGGING ON

By National Secretary
Paddy Crumlin

A BIT OF JUSTICE

Big Bob McIlwraith, President of the ILWU on the West Coast of North America, has done a day in the nick for seeking to protect his members rights in Longview after the company's attempt to install an inferior non ILWU contract in the small town's bulk loading export facility. He fronted the jury twice, the first time they couldn't agree, the second time they did on much reduced seriousness of the offence. The original charges could have seen Bob doing far more time.

Said El Hairech is a Moroccan dockworker who had had enough of the non-payment of wages on ferries going in and out of his port and did something about it, and found himself in the nick as well for a fair bit longer, months longer, without a conviction, only a charge.

Around the world, dockworkers and wharfies are copping it because they have a bit to say and back it up with a bit more to do. Not a popular thing to do in this day an age where markets prevail, and the slavish media and politicians embrace letting those market forces do any bloody thing they want.

It's extraordinary, really, given that the same sycophantic adherence to market ideology, unencumbered by accountability, drove the Global Financial Crisis. The power of propoganda is that a lie can be made a truth, and the lie we hear now that the crisis was, at least partly, the fault of too much labour regulation. Tony Abbot's refrain. Mitt Romney's swan song.

And, the market ideology continues to blare out that future economic prosperity must be secured by austerity measures, by driving down labour standards and driving up unemployment. That's not a lie, that's psychosis.

In Portugal, and across Europe, another blue is brewing over the deregulation of stevedoring labour regulation. The laissez faire port directive is part of the European unification political process and intends to casualise, outsource and dump cheap labour, including on ships, into the European dock and port industry. It has already been sent packing on two previous occasions. Hopefully, three times and they are out.

In Auckland, the Mayor is in hiding, apparently, and the wannabes and would-bees in Port of Auckland management would rather have a fight than a feed in the long, drawn out attack on their workforce. It just shows that you don't need a private company in charge



Paddy Crumlin celebrates freed Moroccan Trade Unionist Said El Hairech (center)

of things to stuff it up. POA is owned by the Auckland community. Under direction of the City Council.

In Australia Patrick's can negotiate an enterprise agreement, take nearly two years to do it, whinge their guts out to all and sundry about the big bad MUA while locking their workers out, and, then, a few weeks after reaching an agreed settlement with their workers, announce they are sacking half of them in Botany and automating the joint. Perhaps, they forgot to mention it in the negotiations.

It's not the automation itself that is the issue. Dockers and stevedoring workers around the world have been dealing with automation for decades, and a quick look at how ports have changed since containerization in the late 1960s is testament to how much change has taken place.

But, that change was always accompanied by negotiated settlement of issues related to better conditions for the workers who were displaced by automation, including redundancy retraining and replacement, inside and outside of the industry; consolidation of work done inside the perimeters of the stevedoring operation to allow for further job opportunity. And those staying got better working conditions, including shorter working weeks, higher skills and better pay along with enhanced retirement packages.

This approach delivered a world wide and national change in how work was done on wharves and docks, and was largely done by agreement and not through industrial action and adversity.

CLEAR AS A BELL

From Longview to Auckland, Casablanca to Botany, there is a clear message going out from the shitty end of the industry's employers: They don't care what happened in the past, only about what they want in the future. Which is just about everything, including an industry void of strong docker and stevedoring unions.

Their business plans seem largely predicated upon a race to the bottom, lower labour costs, casual work, outsourced work, less regulation including safety, as well as more pervasive industrial conciliation or arbitration. Patrick reached agreement on a five-year deal in conciliation, and in front of a senior industrial arbitrator. Big Bob was

charged with criminal offences over a picket line. Said did what any ITF inspector in any country would do in the face of flagrant abuse of seafarers entitlements. MUNZ has, and continues to put, settlements up, while POA treats them with contempt because the shithouse industrial laws in that country allow it.

In this shipping industry, after generations of abuse and exploitation of merchant seafarers, a couple of things happened. Seafarers started dying in unprecedented numbers for peacetime, as rust buckets continued to fail at sea and disappear. Those ships were largely operated by the grubby end of business that gained commercial advantage simply because they could get away with it.

They were held to account by workers in integrated industries like stevedoring who, through the ITF, mounted a world-wide campaign that continues to transform regulation transparency and accountability in the industry; The Maritime Labour Convention, now enforceable in every port of the world on ships of any nation, is concrete constitutional evidence of that campaign

Similarly, the ITF, and its constituent affiliates throughout the world, will not abide, without a strong similar response, employers who flagrantly disregard and reject responsible partnerships and sustainable industrial outcomes in the stevedoring industry.

So, here's a message, in return, that is hopefully clear as a bell.

Any employer who thinks it can take a shortcut or escape route to a properly effected agreement—an agreement that secures safe, productive stevedoring work—without the involvement of the workers and their organisations can expect a similar ride as those FOC ship operators that have been shown the door.

Then a bit of justice will be done.

ROAD RAIL PORT AND SEA IS WHERE WE'RE GOING TO BE

Any campaigning is a tough slog, whether it be for political, social, industrial or human rights. It takes commitment and resources, leadership and discipline. It has to be largely constructed around an open conversation and

respect between those seeking to direct the campaign to its desired outcome.

And it has to be focused and directed to its object and take full account of those that would oppose it.

Great things come from successful campaigns. Stand out campaigns in that list: The right for men to vote. A long time after that, the right for women to vote. And an even longer time after that, in this country, the right for Aborigine and Torres Strait Islanders to vote.

Labour rights campaigning similarly delivered unemployment benefits: Old age pensions; national health care; shorter working weeks and annual leave; workers compensation and sick leave; and anti-discrimination legislation.

They weren't pieces of social and community construction handed down like the Ten Commandments. They were delivered by active, forthright and forceful prosecution of a case beneficial to the human condition. Often, and at least in the first instance, in the face of fearful opposition.

Success often came from the universality of the cause. Womens' rights in the UK led the way in other countries for suffrage. Australia has a great history of introducing social welfare reforms in the first couple of decades of the last century. Closer to home, cabotage was a US formulation, along with a few other countries. Hiring halls for labour sprung out of stevedoring exploitation and the bull system around the world, from North America to Europe. Early in the last century, the campaign for the International Labour Organisation recognized the network of mutual interest in providing a form of international labour pressure to have minimum standards.

Recognizing the conditions that are constraining or undermining decent protections for human beings drives, and has driven, all these and many more endeavours.

In our shipping and stevedoring industry, our campaigns need to continue to return to these axioms of practical success.

If we want safe workplaces, we need a national, meaningful Code of Practice that takes into account the poor investment, shabby governance and employer indifference to this fundamental protection in the workplace. We are a national industry and need the security of a national standard, as well as an international one in exactly the same industry, mostly with the same employers.

Similarly, it is the primary issue in all freight forwarding. The cargo may move through different workers' hands, at sea, on the wharves, on the back of the truck or rail

carriage, but the standards of safety should not change.

Campaigning against casualization, outsourcing and the disintegration of a single workforce as a tactic to break down labour conditions and rights, needs a national and international approach. Again, it is an employer attack not focused on seafarers and stevedoring workers alone. Rail and Road workers are segregated, separated and often disempowered because of the isolation of their employment from other workers in the industry.

As investments continue to thread the fabric of trade infrastructure, and commercial enterprise adjusts to that broader fabric of global trade, so our campaigning for both the maintenance and protection of workers rights needs to follow the gravity and riverbed of that investment.

Automation is the perfect example. It is used, to greater or lesser degrees, throughout the world, in every mode of freight forwarding. Where it is productively sustainable, it is negotiated; where it is a form of union busting and a race to compete on lower labour standards, it is imposed.

In the labour movement in this country, through the Australian Transport Unions Federation and our Hydrocarbons and Mining Alliances with the AWU and CFMEU, and internationally through the ITF, we are focused on building our campaign in freight forwarding to and from mining and manufacturing. That campaign, with our strong alliances, will ensure that our voice and presence is a feature to be contended with and respected, not ignored or circumvented.

It is the template for the international transport industry as well, including urban transport and aviation.

A couple of weeks ago, the ITF Executive Board endorsed the choice of a new General Secretary, Steve Cotton, who will take over next year to build on the great track record of David Cockfoft who mounted successful international campaign actions over the last 20 years.

Steve Cotton is well known, and respected by our members and union and by the broader ITF family, as a young leader who is committed to making a difference in an industry at the centre of the greatest campaign of all: the consolidation of an international industrial organisation required in the global economy to contend with global employers.

ANOTHER EPISODE OF SHAMEFUL FAILURE

The worsening situation in the Middle East, with the escalation of violence

between Israel and Palestine, is a shocking indictment of the politics of the region.

It is a failure of external agencies and empowered countries to curb the destructive and brutal tendency to resolve an issue of political jurisdiction by, instead, resorting to physical mayhem, which produces a human calamity.

The disproportionate death figures tell the underlying story of where the military power resides. The shocking and concentrated focus of high-tech and multi-million dollar technology, from aircraft to drones, by Israel does not spare the devastation of non-combatants. "Non-combatants" means tiny children, young girls and boys, and their extended families.

Hamas, itself, has rained terror into residential areas and families of Israel, including Tel Aviv, in its latest futile attempt to escalate a crisis, presumably in an effort to tap into Arab solidarity after the Arab spring, which has transformed much of the political scenery of the Arab world.

Fundamentalism within that organisation no doubt fuelled that initiative.

The meticulous savagery and coolly dealt human catastrophe meted back by Israel, however, is dreadful, and, ultimately, harmful to any desire to end the crisis and emerge with two identifiable and sovereign states, living side-by-side, with sufficient international economic support to ensure both are functional in meeting the needs of their people. In fact, it is guaranteed to feed the fundamentalist objectives. Peace will only be found in a shared and properly distributed prosperity, negotiated free of violence and prioritized by the world community.

Hamas, similarly, must stand down to allow room for this intervention.

It's a "she says, he says" war of propoganda, but the impoverishment of the Palestinian people—much of it enforced through embargo, the continuing encroachment by Israel into Palestinian territory and the disproportionate military capacities of the two countries—indicates that Israel would be better directed at pulling a few political triggers to ensure transparency and international respect in delivering a set of conditions that could sustain the two-state objective.

Unfortunately, with an election looming, it looks like it's easier just to pull the other trigger in a region that has become used to the immediacy of that outcome.

No doubt, all will be reported to the world, instantaneously, by tweets from the Israeli military to @warwheneverwewantit

ITF CALLS FOR FEDERAL INQUIRY INTO SAGE SAGITTARIUS

The Gillard Government should carry out an inquiry into the three deaths on board the Japanese owned and operated bulk carrier Sage Sagittarius (IMO 9233545), according to the International Transport Workers' Federation (ITF).

"I haven't seen in all my years at sea, anything that resembles this. I haven't seen two [deaths], let alone three, so closely together," – ITF coordinator **Dean Summers**.

Currently, the incidents aboard the Panama-flagged Sage Sagittarius are subject to three separate investigations – by the Australian Federal Police, by the New South Wales Police and by Japanese authorities.

As the flag state, Panama has a responsibility to investigate the deaths. However, the ITF says the Panamanian authorities have not done anything yet.

"We're calling for a coordinated response that sees across these jurisdictions.

"It's difficult to work in those four jurisdictions but our Federal government has got a responsibility to do that."

The office of the Minister for Justice **Jason Clare** received the ITF's call for an inquiry about a week ago. A spokesman for Mr Clare said that it is still under consideration.

"This series of incidents reinforces the importance and logic of registering these vessels under the new Australian international register," said ITF President **Paddy Crumlin**.

"If ship owners are committed to decent safety and employment standards, along with making a meaningful contribution to the country they dedicate their ship to service, they should register here not under Flags of Convenience."

The ITF is currently undertaking a "week of action" at Newcastle's port to inspect ships sailing under what the ITF describes as "flags of convenience", a union-term for ships flying the flags of open registries.

Panama-flagged ships are on the White List of the Paris MoU – a port state control safety reporting body.

In the period 2009 to 2011, Panama-flagged ships were inspected 7611 times by port state control inspectors resulting in 345 detentions.

Sage Sagittarius is a 105,708 dwt, 2001-built, dry bulk carrier, according to Equasis and Lloyd's List Intelligence.

It is owned and operated by Hachiuma Steamship of Japan, which is a subsidiary of shipping company NYK.



ITF Coordinator Dean Summers speaks to the media (left)

International ITF inspectors and Newcastle members rally in support (below)



"I haven't seen in all my years at sea, anything that resembles this. I haven't seen two [deaths], let alone three, so closely together."

ITF coordinator Dean Summers

GILLARD GOVERNMENT ENDS POLITICAL YEAR ON A HIGH

In a year marked by continued partisan politics from Tony Abbott and a public debate characterised by heightened personal attacks, we take stock of the gains and look forward to an election in 2013.

2012 has been a year marked by continued partisan politics from Tony Abbott and a public debate characterised by heightened personal attacks. Despite the hung Parliament and the at times volatile nature of the numbers in the House of Representatives, Labor has skilfully managed to keep the wheels of Government turning.

For example, the union was able to celebrate earlier this year the passage through Parliament of the Shipping Reform legislation, despite opposition from the Coalition. These reforms will help to secure the future of Australian shipping, strengthening cabotage to ensure Australian-flagged ships carry the cargo on our coast and encouraging investment in the Australian shipping industry, which will support more jobs for Australian seafarers.

The Government has also announced it would close the loophole that allows offshore oil and gas companies to employ foreign workers without a visa; it succeeded in introducing safe rates for Australian truckies; and it committed \$2.1 billion in support of equal pay for workers in the social and community services sector.

The union has been pleased, but not surprised, to see the Prime Minister **Julia Gillard** increase her lead over **Tony Abbott** as preferred Prime Minister and rehabilitate Labor's standing among voters, a trend which is helping move the ALP closer to being competitive with the Coalition at the next election.

To ensure an ALP victory will still require a major trade union effort in the campaign next year.

As the union was able to confidently predict, the carbon tax turned out not to herald the collapse of Australian industry and hurt Australian families, despite Tony Abbott's nauseatingly repetitive claims.

And by the end of the year, the Government was focused on prosecuting policies that

Australians wanted to hear about – the introduction of the historic National Disability Insurance Scheme, putting Australia in the prime position to negotiate the Asian Century, and returning the Murray Darling to health.

What will 2013 bring for the MUA?

The impending election will mean there will be a heavy focus on the policies of the major parties as well as the Greens and Independents, who have come under heightened scrutiny as a result of holding the balance of power in Parliament.

The MUA will be taking this opportunity to push for important policies from all political parties, but there is no doubting one thing: the election of a Coalition Government will do nothing but hurt the union movement.

The union has been working closely with our membership to identify the importance of their political activity and membership in the ALP. This has seen great numbers of our member join (in WA, for example) to ensure that policies supportive of workers rights and the maritime industry are not only put in place but acted upon.

While desperately trying to dodge any suggestions that they will resurrect WorkChoices, the Coalition has made it clear that the union movement is still its greatest enemy and it will continue to target unions if it wins Government. The Coalition has learnt from WorkChoices that it can't win elections by direct assaulting the rights of workers (although Abbott has been clear that there needs to be a readjustment because he believes the laws are too pro-workers rights under Labor). Instead, he'll focus on reducing the power of workers by reducing their ability to unite and fight for rights at work together.

The MUA will be campaigning hard for the re-election of the Labor Government because the union cannot risk a Coalition victory and the rampant anti-unionism it will unleash. The union will be working hand-in-hand with the

ACTU and other unions to run a professional, organised, and focused campaign, similar to Your Rights at Work, to ensure that Australians around the country understand the importance of protecting secure jobs, rights at work and the necessity of having unions to fight for protections, such as parental leave, minimum safety standards and wage justice.

AN ELECTION? WHEN DO WE GET TO VOTE?

The election will take place next year although the exact date is not known. Constitutionally, it must occur before 21 November 2013. However, the Prime Minister has committed that she will serve a full term and that she will hold the election in September or October next year. While the Opposition has been doing what it can to see an early election, if it is held before 3 August, the election of the half-Senate would not be able to occur at the same time, putting the House of Representatives out of sync with the Senate in the electoral cycle. This would mean that, if the Opposition won the next election, it will have to hold a stand-alone half-Senate election in the first year or so of its first term, which is often treated as a chance to protest against the current Government.

Despite the hung Parliament, Labor has skilfully managed to keep the wheels of Government turning.

A LANDMARK REFORM TO MAKE US ALL PROUD

The National Disability Insurance scheme is the most historic and critical social reform in Australia since Medicare and the MUA is in the vanguard to make happen...



Supporters rally in support of NDIS

The union knows that reform doesn't come about because of gentle, natural evolution. Reform has to be fought for; rights have to be fought for.

The union is a strong supporter of the NDIS. Many of our members are touched by disability in some way whether personally or through a family or friend.

While great strides have been achieved in the past year, the union needs to be alert to the fact that the NDIS is not yet certain, it's not at all a fait accompli. The Liberal State Premiers only recently showed that they were happy to put partisan politics ahead of helping people with a disability live with dignity.

Claiming they couldn't afford a few million dollars each to support trials in their state, they embarrassed themselves and attracted the ire of the Australian community.

Some have been forced to recant. Two others, Western Australia and Queensland, are refusing to budge.

National Secretary Paddy Crumlin sits on the Federal Government's Disabilities and Carers' Council. He describes the scheme as a momentous step forward in the way Australians support those with a disability.

"We need a National Disability Insurance scheme to replace the fragmented, poorly functioning state and territory disability

schemes," Mr Crumlin said.

"This is not only a social reform that will help around 600,000 Australians live with dignity, it will also help many people with a disability and their carers return to the workforce.

"The next step is to support a National Injury Insurance Scheme (NIIS), which the Productivity Commission recommended as the necessary twin sister of the NDIS.

"Few people are aware that if you have a motor vehicle accident in some states, you have to prove that someone else was at fault. If you can't prove that, you have very little chance of getting the support you need, which can sometimes mean the difference between overcoming an injury or remaining disabled and without proper support for the rest of one's life.

"The problem is, the NIIS is meant to be funded by the State Governments, some of whom have absolutely no interest in prioritizing the needs of the disabled.

"MUA members are continuing to campaign with great passion for a better system, to ensure that all Governments of all political persuasions commit to overhauling a disability support system that does not work."

Once fully operational, it will revolutionise

From July next year, trial sites across Australia will begin, helping around 10,000 people with a significant and permanent disability.

the way people with a disability, their families and carers are supported in Australia.

Its aim is to provide targeted support to those in need. The support will be consistent, irrespective of which state you live in, irrespective of how a disability comes about.

Delivering on the Productivity Commission's recommendation, it will provide care and support over a person's lifetime.

From July next year, trial sites across Australia will begin, helping around 10,000 people with a significant and permanent disability.

In its first year alone, \$1 billion has been committed by the Gillard Government to these sites and the lessons learnt will help to design the rollout of a national scheme. The scheme is estimated to cost more than \$6 billion to implement.

On top of the union's support for NDIS, there has been the establishment of Hunterlink, which provides early intervention for maritime workers confronted with disability or other health issues related to rehabilitation or substance abuse (see story on page 9)

To join the national campaign, visit <http://everyaustraliancounts.com.au/>

BUSINESS PUSH TO STRIP RIGHTS REPELLED

In a victory for working Australians, the review of the Fair Work Act rejected the suggestion from business lobby groups to restore key planks of WorkChoices.



The union movement has always been very clear about what is fair in the industrial relations system – we believe in job security, workers rights and protections for vulnerable workers, not handing wide discretion to employers.

When Labor swept into power in 2007, it acted immediately to get rid of Howard's WorkChoices and replace it with the Fair Work Act. This new Act went a long way towards fixing some of the injustices towards the previous systems.

But, Big Business didn't appreciate these changes and it has argued consistently that the workplace relations laws were swung too far in favour of the rights of workers.

Because of the scale of the reforms, at the time of its introduction the Government committed to reviewing the operation of the legislation after two years.

The independent review panel established was of extremely high calibre, comprising respected legal and workplace relations

academic Professor Emeritus Ron McCallum AO, former Federal Court Judge, the Hon. Michael Moore, and former Reserve Bank Board Member, Dr John Edwards.

Much to the displeasure of the business lobby, the independent panel found that the current laws strike the right balance and are delivering fairness.

The panel said very clearly: "the current laws are working well and the system of enterprise bargaining underpinned by the national employment standards and modern awards is delivering fairness to employers and employees".

The panel rejected the suggestion from business lobby groups that key parts of WorkChoices should be reintroduced.

The MUA, in solidarity with the ACTU, will oppose any moves by business groups to do anything to reduce workers' rights, including:

- restricting appropriate access to dispute resolution, including arbitration;

- restricting collective bargaining rights (including rights to take protected industrial action);
- flexibility arrangements that allow for displacement of an award or collective agreement;
- undermining who can be represented by a union and who can be organised;
- expanding the use of individual flexibility arrangements;
- facilitating the use of unfair individual contacts; or
- reducing in any way unfair dismissal protections.

There are some recommendations that the union movement does not support, including that the Act be changed to require that strike ballots be issued only after bargaining had started, because there are times when employers refuse to begin negotiations, and the recommendation that a mandatory model clause be developed for individual flexibility arrangements in agreements.

The independent panel's report also confirmed that the slowdown in productivity growth over the last decade is not linked to workplace law and the current form of enterprise bargaining and agreement-making have been successful in addressing problems with previous laws.

The MUA will carefully monitor the Government's response to the Fair Work Act when it is released.

The union movement believes in job security, workers rights and protections for vulnerable workers, not handing wide discretion to employers.

STENA CLYDE DEATHS MUST BE THE LAST

Two more deaths on the Stena Clyde drilling rig in August show Australia is tragically lagging behind our international competitors when it comes to offshore safety.

The tragic death of two workers on the Stena Clyde drilling rig off the Victorian coast recently prompted the MUA to demand urgent action from the Federal Government to address the disparity between the OHS regime for offshore workers compared to onshore.

"The fact that it took an unacceptably long time for unions to get the right to access the site where the deaths occurred to support workers on the Stena Clyde is an illustration of the absurdity of having a system that falls below normal Australian standards," MUA Assistant National Secretary **Mick Doleman** said.

Discussions are underway between the MUA and Resources Minister Martin Ferguson, who has responsibility for the offshore safety legislation needed to address the legislative inadequacies. However an independent report recently commissioned and released by the MUA, AWU and ACTU states that the culture of the regulator needs an overhaul.

MUA National Secretary **Paddy Crumlin** said the National Offshore Petroleum Safety and Environmental Management Authority

(NOPSEMA) largely excluded workers and their representatives such as unions from providing valuable input into safety concerns.

"Deaths are too common in this sector and yet there appears to be an abysmal lack of interest from the regulator, NOPSEMA, in working with unions to prevent safety breaches," Mr Crumlin said.

"Both the regulator and the Australian Government must commit to involving unions in workplace safety matters. Our highest priority is to ensure workers go home the same way they arrive – alive and healthy."

The report found that Australia is lagging behind our international competitors when it comes to offshore safety and that legislation should be introduced immediately to ensure the standards are consistent with the nationally harmonized OHS standards.

The report was written by the former head of the National Occupational Health and Safety Commission, Tom Fisher and was released at the ACTU/Offshore Unions Safety Conference in Perth recently.

The MUA, AWU and ACTU used the report to call for an end to jurisdictional

confusion about the offshore sector. The Navigation Act has been dis-applied from offshore facilities, creating confusion as to what exactly constitutes a ship and therefore which regulator gets involved. There are also differences between international, intrastate and interstate operations, making offshore safety a minefield to navigate.

Mick Doleman said the thoughts of all MUA members are with the families and colleagues of those two men that were killed on the Stena Clyde

"Working in the offshore often involves dangerous tasks and sadly, this tragic incident reminds us of those risks and the need for constant vigilance when it comes to health and safety on the job," Mr Doleman said.

"It is important that action is taken to ensure safety is not compromised offshore – we don't ever want to see this tragedy repeated."

"It is important that action is taken to ensure safety is not compromised offshore – we don't ever want to see this tragedy repeated."

Mick Doleman



(Left): Paddy Crumlin and Minister of Climate Change and Energy Efficiency Greg Combet launch Hunterlink

(Right): Paddy Crumlin (second from left) with Hunterlink officials

HUNTERLINK GOES NATIONAL

Professional counselling and support services are now available for all workers 24/7

For the first time in Australia, workers nationwide will have access to a 24-hour helpline providing assistance with substance abuse, suicide prevention, counselling and early intervention support.

Hunterlink Recovery Services, a successful community-based not-for-profit organisation that was founded in Newcastle with the support of the MUA, has now set up a national helpline for workers to speak to them confidentially.

Member for Charlton and Federal Minister for Industry and Innovation, Greg Combet, launched the new national helpline at the MUA's National Council. Mr Combet said he was proud to see a local Newcastle service widen its support nationally.

"Workers can face a range of issues that affect their ability to work or return to work after experiencing trauma or facing personal issues," Mr Combet said.

MUA National Secretary Paddy Crumlin said Hunterlink has been a crucial lifeline for workers in the maritime sector.

"Only very recently, there have been tragic workplace deaths in the maritime sector up in Newcastle, and Hunterlink has swung into action each time at the request of employers, contacting workers and providing the support they needed to deal with distress at seeing a friend and colleague killed on the waterfront or pass away on a ship," Mr Crumlin said.

"The feedback we have received from employers is that Hunterlink's services to workers was outstanding and we congratulate Hunterlink for their efforts in times of crisis.

"We have always pushed hard for better safety standards and we won't rest until they are achieved, but we are extremely grateful for the support services Hunterlink has provided in these difficult times.

"Hunterlink not only helps Australians, but also our brother and sister seafarers on board vessels at times of stress. That is why Hunterlink is also supported by the ITF and has been called upon by the ITF in a spate of incidents on board ships involved in international trade with Australia," Mr Crumlin said.

The MUA will also be seeking employer commitment to Hunterlink services. Already the Australian Shipowners Association (ASA) has decided to seek a formal proposal from Hunterlink to adopt it as the Employee Assistance Program (EAP) for all ASA members. The upcoming offshore EBA negotiations will also provide an opportunity to use Hunterlink as an EAP.

Manager of Hunterlink Recovery Services, Paul Karras, said Hunterlink offers support services tailored specifically to the individual needs of people in the workplace, their families and the community generally.

"Mental health and substance abuse

"Hunterlink provides support members need to deal with distress at being with a workmate and comrade killed or badly injured on the waterfront or on a ship"

Paddy Crumlin

HELP IS AT HAND

Hunterlink provides a variety of services for workers, including:

- Drug and alcohol addiction support
- Suicide prevention
- Individualised case management and treatment
- Assessment and referral to specialised services
- Relapse prevention
- Transitional accommodation
- Group and peer support
- Anger management training
- Problem gambling information
- Financial management assistance
- Managing successful relationships
- Employee orientation
- Workplace supervisor education

issues can be overcome with the right support," Mr Karras said.

"Hunterlink Recovery Services provides preventative and proactive interventions for early detection, identification and resolution of substance abuse issues and personal problems that are adversely affecting an employee's ability to work or capacity to return to work."

Hunterlink Recovery Services are supported by the MUA, CFMEU (Mining and Energy branch), TWU, RTBU, AMWU and AWU.

The Hunterlink National Helpline is available 24 hours a day, 7 days a week. For assistance through this service, please call 1800 554 654. All discussions are confidential.



WA Branch members and supporters rally at Fremantle Port

BUSWELL LOOSE WITH TRUTH ON FREO STRIKE

Liberal West Australian Transport Minister, Troy Buswell, took a hefty amount of time out of his schedule recently to make false claims about the industrial action at Fremantle Port.

MUA Assistant National Secretary, Ian Bray, has slammed WA's Liberal Transport Minister Troy Buswell, for making incorrect claims about the recent industrial action at Fremantle Port.

Bray said Buswell did not appear to understand that lives have been lost on the waterfront in recent times – including the tragic death of **Greg Fitzgibbon** recently in Newcastle – and that the safety of workers needs to be prioritised.

"Before he comes out and attacks MUA members for taking legally protected industrial action, the Minister would do well to investigate the concerns of workers to avoid further fatalities on the Australian waterfront," Mr Bray said.

"Minister Buswell has made false claims that workers are seeking a 20 per cent

increase in wages in addition to the changed roster but that is a complete misrepresentation of the workers' claims.

"For Minister Buswell, a senior Minister in the West Australian Government, to get basic facts incorrect about the workers' concerns indicates either incompetence or a willingness to misrepresent the truth.

"Instead of politicising and making a mockery of good faith bargaining, the Minister should allow Fremantle Port to continue negotiations and stop misrepresenting the MUA's bargaining position in the media."

WA Assistant Secretary, Will Tracey, said the MUA was seeking a change to the rosters to protect the safety of workers.

"Fremantle Port workers are exercising their rights to hold a legally protected strike

and we believe it is important to do so to protect workers' safety," Mr Tracey said.

"The union is continuing to negotiate in good faith with Fremantle Port to reach a fair agreement."

"The MUA makes no apologies for working to deliver safety for workers on the waterfront."

FACTS ABOUT FREO

- Fremantle Port workers are asking for the same conditions as all other workers on the Kwinana Bulk Terminal strip
- There is a need to address serious safety concerns that have come about as a result of excessively long hours.
- The majority of workers often work a large number of overtime hours and this has put severe pressure on workers and their families, as well as creating a risk of exhaustion that can lead to safety incidents.

"For a senior Minister in the WA Government, to get basic facts incorrect about the workers' concerns indicates either incompetence or a willingness to misrepresent the truth."

PATRICK AUTOSTRADS: WE WILL FIGHT THIS ALL THE WAY

The union is using every legal, political, industrial and commercial step necessary to fight Patrick's plan to sack half its Botany workforce without any negotiated agreement.



The MUA is always prepared to take on new issues and enter into negotiations with employers. But, the process has to be driven by honesty and transparency. That hasn't been the case around the automation proposal at Patrick, which was a sneak attack on the welfare of our members.

Even though Patrick and the MUA were deeply involved in enterprise agreement negotiations, at no time did the company give any sign about the intentions announced on July 18th by Patrick's parent company Asciano

via a press release: the company would introduce autostrads at Port Botany by mid-2014 resulting in the redundancy of almost half the workforce.

In fact, throughout the EBA discussions, the company spoke on numerous occasions about introducing new manned equipment and consistently referred to the need for productivity improvements in Sydney as a result of the introduction of the third stevedore Hutchinson in 2013.

National Secretary **Paddy** (continued)

"Patrick spoke about introducing new manned equipment and consistently referred to the need for productivity improvements."



Crumlin made it immediately clear that the union would fight on the issue using “every legal, political, industrial and commercial step” necessary to ensure that the company’s plan is replaced with an agreed and negotiated outcome.

“We’re looking for a measure of respect, decency and maturity from Patrick’s management to engage in a dialogue with its workforce, rather than this single-mindedness which borders on arrogance,” said Mr Crumlin.

Deputy National Secretary **Mick Doleman** added: “They are shifting away from the rationale about productivity to labour cost savings by reducing half the workforce. Our bottom line is that there cannot be automation without negotiation.”

The MUA mobilized at several levels. Under the leadership of National Secretary Crumlin and Deputy National Secretary Doleman, the union established a high-level campaign project team, including the Sydney Branch, to prepare and implement a multi-faceted strategy to vigorously respond to the Asciano announcement.

At the campaign level, Deputy National

Secretary Mick Doleman, Sydney Branch Secretaries **Paul McAleer, Paul Keating, Joe Deakin and Paul Garrett**, and the entire Patrick committee, backed up by the union’s legal and media team, met with Patrick on Monday July 23 to get a presentation from the company on the details of the proposed automation.

The union leadership also determined the fight needed to be backed up by a deep analysis. So, we turned to an expert consultant company to look at:

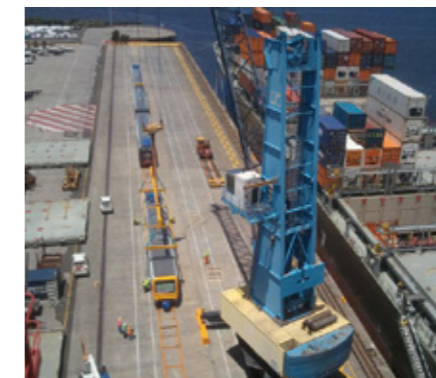
- Asciano’s corporate strategy and financials to examine the business case for the Port Botany Redevelopment and how it will impact on Asciano’s financial performance;
- An analysis of the productivity and cost issues which lie at the heart of the Asciano business case;
- Patrick Terminal’s relationship with its customers, from shipping lines on the sea side, and the port, road and rail operators on the land side.

In addition, to build the union’s firepower

of knowledge, Assistant National Secretary **Warren Smith** and ITF Coordinator **Dean Summers** visited Fisherman’s Island, Brisbane to receive a three-hour briefing on the technology associated with Fisherman’s Island. The union’s consultants followed up with a visit to Fisherman’s Island and, then, met with the leadership of the Queensland Branch to get an in-depth overview of the experience in Brisbane.

And on the international front, National Secretary Crumlin raised the issue at the highest levels of the ITF and dockers section, garnering support from across the world. As **Robert McEllrath**, president of the US International Longshore and Warehouse Union (ILWU) wrote, “Asciano’s attempts to gut jobs at the Patrick Terminal in Port Botany and replace workers with machines is their way of undermining the workforce and taking the union out of workplace decisions.”

On the legal front, the union went to Federal court in September seeking an interlocutory injunction, arguing that the company was violating Clause 14 of the EBA. The clause is crystal clear: “The Company having made a decision that it intends to proceed with any



“Patrick would introduce autostrads at Port Botany over a period of two years, resulting in the sacking of almost half the workforce.”

significant change shall advise the employees in the first instance and the Union of the nature of the change, the reason for it, the timing of it, and any other relevant information. The Company shall consider any views or advice from the Union or employees in relation to the proposed change.”

The kinds of changes deemed significant are outlined as well in the clause: “significant change includes redundancy, changes in the composition, operation or size of the workforce or in the skills required, the elimination or diminution of job opportunities, promotion opportunities or job tenure, the alteration of hours of work, the need for

retraining or transfer of employees to other work or locations and the restructuring of jobs.”

From our view, it is clear the company did not advise either the union or the workers, and was in breach of the EBA.

Once the union took the matter to Federal Court, the judge directed the parties to move the dispute to Fair Work Australia and the matter was brought before Deputy President Peter Sams for conciliation. At the reporting deadline of this article, the confidential conciliation process is underway.

But, your union has made it clear: we will take up this fight until agreement is reached.



1998 ALL OVER AGAIN AT PATRICK’S PORT BOTANY

Patrick’s management has resorted to its mean and tricky ways of 1998 with today’s shock announcement that it will sack more than half its Port Botany workforce.

The company has announced that 270 of its 511-strong Port Botany waterfront workforce will be made redundant by mid 2014 and replaced with automated technology.

MUA Deputy National Secretary, **Mick Doleman** said the move is ideologically motivated and will decimate the workforce, while failing to deliver any benefits for shareholders and clients.

“This is an extraordinary sleight of hand tactic by Patrick’s management following a protracted 20-month wage negotiation that was only resolved recently.

“The use of Autostrad technology was never discussed in these negotiations. In fact, we were given explicit guarantees that all straddles would be fully manned.

“The technology Patrick’s is introducing is unproductive and very expensive. This will not lift productivity, and will become a millstone around shareholders’ necks.

“In Brisbane, where this technology is used, target box rates in the EBA are lower than elsewhere in the country.

“This proves that this move is about ideology, not productivity. Patrick shareholders should be outraged at this move.”



Maritime Union of New Zealand
PO Box 27004
Level 1
Waterloo House
220 Willis Street
Wellington
New Zealand
Telephone +64 4 801 7014
Fax +64 4 3848 706
Email joe.feetwood@munnz.org.nz
Website www.munnz.org.nz

Paddy Crumlin
National Secretary
Maritime Union of Australia

By email paddy.crumlin@mua.org.au

Cc: David Cockcroft, Shannon O'Keefe, Frank Leys, Steve Cotton, Mick Doleman, Ian Bray, Warren Smith, Paul McAleer

8 August 2012

Dear brothers and sisters,

The Maritime Union of New Zealand is outraged to learn that, after nearly two years of negotiations in your terminal without mentioning the issue, Patricks have now informed you that they propose to automate Port Botany and, as a result, terminate over 200 dockers' jobs.

We are sending our solidarity and support to you during your imminent fight against these job cuts and against Patrick's apparent attempt to cut out the union from workplace decisions.


Dockers and their unions will all be challenged by technological developments in the stevedoring industry.

Indeed, we have discussed this at ITF international forums on many occasions. Our position is clear, dockers' unions should be part of any discussions around changes to working practices.

In this case, MUNZ is appalled to note the apparent underhanded way that Patricks have chosen to push forward the agenda of automation in Botany Bay that will almost halve the workforce.

After the despicable way that Patrick's behaved in 1998, leading to a major dispute in the dock, we can only surmise that this is another thinly-veiled attack on unionised labour in the Australian port industry.

We know that your strength won the dispute in 1998 and we know that you can do it again, with the support of dockers around the world.



**INTERNATIONAL
LONGSHORE &
WAREHOUSE UNION**
AFL-CIO

1188 FRANKLIN STREET
SAN FRANCISCO
CALIFORNIA 94109
(415) 775-0033
(415) 775-1302 FAX
www.ILWU.org

ROBERT McELRATH President
RAY A. FAMILIAR Vice President
WESLEY FURTADO Vice President
WILLIAM E. ADAMS Secretary Treasurer

August 8, 2012

Paddy Crumlin, National Secretary
The Maritime Union of Australia
Level 2, 365 Sussex Street
Sydney NSW 2000
Australia

Paddy:

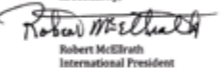
On behalf of the International Longshore and Warehouse Union (ILWU) and as a fellow dockers' affiliate of the ITF Dockers' Section, I am writing to send the MUA our full solidarity and support as you continue the fight against anti-worker company Asciano. Asciano's attempts to gut jobs at the Patrick Terminal in Port Botany and replace workers with machines is their way of undermining the workforce and taking the union out of workplace decisions.

It is unbelievable that after nearly two years of negotiations in your terminal, Patrick Terminal now informed you they intend to automate Port Botany and, as a result, terminate over 200 dockers' jobs. Dockers and their unions will all be challenged by technological developments in the stevedoring industry. Indeed, we have discussed this at ITF international forums on many occasions.

Our position is clear: dockers' unions should be part of any discussions around changes to working practices. In this case, we are appalled to note the apparent underhanded way Patrick Terminal chose to push forward the agenda of automation in Botany Bay that will almost halve the workforce.

Given Patrick Terminal's past practice, I can only assume this is another thinly-veiled attack on unionised labor in the Australian port industry. However, with the support of dockers around the world, I have no doubt the MUA will be successful in this fight.

The ILWU stands with the MUA in your fight to preserve the rights of dockers and their unions and to protect decent jobs on the waterfront.

In solidarity,

Robert McElrath
International President



RTBU
RAIL, TRAM & BUS UNION AUSTRALIA

8 August 2012

Paddy Crumlin - National Secretary
Maritime Union of Australia
Level 2, 365 Sussex Street
Sydney, NSW, 2000

Dear Paddy,

Re: Port Botany Automation

The Rail, Tram and Bus Union is concerned that Patrick has decided to halve its workforce by automating its stevedoring operations at Port Botany. It is disappointing, to say the least, that this was done without any consultation with the Maritime Union of Australia.

The precondition for the introduction of new technology, such as automation, must surely be that this is done in conjunction with genuine good faith bargaining with the employer. That Patrick announced their decision after the conclusion of 2 years of negotiations with the MUA for a collective agreement is particularly worrying.


The RTBU will be mindful of this breach of trust by Asciano as we continue our negotiations. After their conduct in the 1998 Waterfront Dispute it is hard not to see this recent announcement as anything other than another attempt by Patrick to de-unionise their workforce.

The RTBU is committed to standing in solidarity with the MUA in this fight to ensure that workers' rights to consultation, decent working conditions and respect at work are preserved at Patrick.

In Solidarity

Bob Narva
NATIONAL SECRETARY

Office: 83-89 Penwick St, Redfern, NSW 2015 Phone: (02) 9310 3900 Fax: (02) 9319 2096 Email: rtbu@rtbu.org.au



National Federation of Dockworkers Unions of Japan
(ZENKOKU-KOWAN)

Nakoku-kawan,
10-2, Kamata - 5.Oma -ku,
Tokyo 144-0052
Tel: +81-3-3733-2561
Fax: +81-3-3733-2627
E-mail: zenkoku-kowan@train.com.np.jp

8.August.2012


To the members
Maritime Union of Australia
Port Botany
Sydney
Australia

On behalf of the 25,000 members of Zenkoku Kowan (National Federation of Dockworkers Unions of Japan), I am writing to express our sincere solidarity for the members MUA at port Botany.

There has been changing on the Dockers industry for decades, I know now container terminals would be automation. Japan has only one automation terminal which is Tobishima Container Terminal (TCB) at Nagoya that background is Toyota but we were able to discuss on this issue between employers and Unions before the terminal its began to handle. Therefore, the dockers were able to get another jobs in the terminal. Employers must take care of employees if there is a big changes in industry.

We have to fight for our members and secure jobs, therefore we already stand by your side and monitoring very closely.

When you need any support, please let us know.




SEKO
Facket för Service och Kommunikation

Box 1022
111 81 Stockholm
Barnhusgatan 6
Tel: +46 8 791 41 12
Fax: +46 8 791 41 13
E-post: seko@seko.se
www.seko.se

Maritime Union of Australia
Attn: Paddy Crumlin

Message of solidarity with the workers on Patricks

SEKO - Union for Service and Communication employees in Sweden express our support and solidarity for the workers on Patricks. We support the actions taken by MUA - Maritime Union of Australia.

For Seko

Thomas Ahlström
Vice President
Seko - Union for Service and Communication employees



Maritime Union of New Zealand
PO Box 27004
Level 1
Waterloo House
220 Willis Street
Wellington
New Zealand
Telephone +64 4 801 7014
Fax +64 4 3848 706
Email joe.feetwood@munnz.org.nz
Website www.munnz.org.nz

Paddy Crumlin
National Secretary
Maritime Union of Australia

By email paddy.crumlin@mua.org.au

Cc: David Cockcroft, Shannon O'Keefe, Frank Leys, Steve Cotton, Mick Doleman, Ian Bray, Warren Smith, Paul McAleer

8 August 2012

Dear brothers and sisters,

The Maritime Union of New Zealand is outraged to learn that, after nearly two years of negotiations in your terminal without mentioning the issue, Patricks have now informed you that they propose to automate Port Botany and, as a result, terminate over 200 dockers' jobs.

We are sending our solidarity and support to you during your imminent fight against these job cuts and against Patrick's apparent attempt to cut out the union from workplace decisions.

Dockers and their unions will all be challenged by technological developments in the stevedoring industry.

Indeed, we have discussed this at ITF international forums on many occasions. Our position is clear, dockers' unions should be part of any discussions around changes to working practices.

In this case, MUNZ is appalled to note the apparent underhanded way that Patricks have chosen to push forward the agenda of automation in Botany Bay that will almost halve the workforce.

After the despicable way that Patrick's behaved in 1998, leading to a major dispute in the dock, we can only surmise that this is another thinly-veiled attack on unionised labour in the Australian port industry.

We know that your strength won the dispute in 1998 and we know that you can do it again, with the support of dockers around the world.



NIE
Nordiska Transportarbetarfederationen
Nordic Transport Workers' Federation
Pohjoissuomalainen Käytöstyöntekijäliitto
Norrena fútrngamannasamband

Maritime Union of Australia
Attn: Paddy Crumlin

Dear Brother,

We have just learned that Patricks intention is to cut more than 200 dockers' job under a large-scale automation plans in the Port of Botany, Australia. We are surprised that this has been announced by the Patricks now and not during your nearly two years of negotiations for a new Collective Agreement with Patricks.

We all know that our industry is under constant technological development, but we have clearly indicated to the industry that we also have to be a part and to be discussed with when major changes are planned in our Ports such as automation.

This letter is to let you know that NTF, the Nordic Transport Workers Federation and its Dockers section are standing behind you in your struggle to protect decent jobs, pay and health and safety standards as well as Trade Union rights.

United we stand!

In solidarity

Peter Löfvist
Federation Secretary

Terje Samuelsen
Dockers section Chair

Barnhusgatan 8
111 23 Stockholm
Sweden
Ph: +46 8 791 41 12 / +46 8 791 41 13
Fax: +46 8 411 51 14
www.nordictransport.org

President Jan Villadsen Federation Secretary Peter Löfvist

“After the despicable way that Patrick’s behaved in 1998, leading to a major dispute in the dock, we can only surmise that this is another thinly-veiled attack on unionised labour in the Australian port industry.”

Harold J. Daggett
President of the
International Longshoremen’s Association, AFL-CIO

FIGHT TO SURVIVE: DEMAND A NATIONAL STEVEDORING CODE OF PRACTICE

It's time to step up the fight for a strong National Stevedoring Code of Practice



Sydney Branch Secretary Paul McAleer rallies members in the lobby of Shipping Australia.

Only one day after our comrade **Greg Fitzgibbon**, a 56-year old wharfie, was killed while working on board the Weaver Arrow in Newcastle, major stevedoring companies and Shipping Australia have made a last minute attempt to block the code and water down stevedoring safety standards.

This is an insulting slap in the face to wharfies and the families of those who have lost their lives in this dangerous industry that needs as much safety protections as possible. MUA Members have been shocked at the insensitivity of the timing. Safety standards on wharves need to be boosted, not bombed by what we see as greedy employers worried more about the bottom line than a worker's life.

We must show these companies that safety matters. We must continue to apply pressure to improve safety until a new National Stevedoring Code of Practice is achieved.

The MUA and our members have spent years fiercely fighting for better safety standards in stevedoring. *Safe Work Australia*, the national regulator, has agreed that standards need to be improved through a National Stevedoring Code of Practice. Following submissions from more than 1100

“Major stevedoring employers – DP World, Asciano/Patrick, and QUBE – have joined together with foreign shippers to attack and reject a significant proportion of the content of the draft Code of Practice.”

MUA members, the first draft of the code looked positive and included key protections such as retaining the hatchman, a vital role that oversees workplace safety in stevedoring.

But now, major stevedoring employers – DP World, Asciano/Patrick, and QUBE – have joined together with the representatives of foreign shippers, Shipping Australia, to attack and reject a significant proportion of the content of the draft Code of Practice.

These employers have been meeting with the MUA for more than two years to develop the draft code, and have contributed little to raising standards. Only now, just days before a draft was to be agreed, employers have ripped up the draft code. This is nothing short of outrageous given the tragic fatality that occurred in Newcastle on Sunday night (23rd Sept) which demonstrates the need for better safety standards in stevedoring.

What the companies are arguing for:

- No general requirement for Hatchman/cargo space lookout
- A reduced role for Health and Safety Representatives
- Removing requirements to consult with workers and their representatives on health and safety issues
- Reducing the scope of stevedoring activities and attempting to split and divide unions by seeking inclusion of other unions into the code who don't cover wharfies.
- Generally lower safety standards on the waterfront.



(Top) Assistant Secretary Warren Smith speaks flanked by Taylor Fitzgibbon (far right) and Georga Fitzgibbon (second from left)

(Bottom) Hundreds of MUA members and supporters march to Shipping Australia.

“Now, just days before a draft was to be agreed, employers have ripped up the draft code.”



Employers say they are happy to support a Code of Practice. They support a Code of Practice but only if it is weak, meaningless and pointless. They frequently refer to costs of meeting safety standards but of course they ignore the fact that there is no way to measure the cost of someone's life.

After a short campaign, Toll has withdrawn its participation in the industry group and requested its logo be removed from the document. We still have to fight to convince the other participants to abandon their appalling stance.

We will not rest until safety on the waterfront is secured for workers. The MUA is coordinating a broad-ranging activist campaign involving legal, political, workplace and communications strategies to fight this employers' war on safety.

In the meantime, we must send a strong message to these companies that safety matters.

Take action in your workplace now to escalate the campaign. Contact MUA Assistant National Secretary **Warren Smith**.

“Following submissions from more than 1100 MUA members, the first draft of the code looked positive and included key protections such as retaining the hatchman, a vital role that oversees workplace safety in stevedoring.”



RALLY DEMANDS NATIONAL STEVEDORING CODE OF PRACTICE

Callous indifference on the part of employers to a Newcastle wharfie's death has sparked a "enough is enough" grassroots call.



On October 30th 2012, MUA members all over the country took part in a National Day of Action, following the death of 56 year-old Newcastle wharfie, **Greg Fitzgibbon** last month.

A 20 tonne pallet of aluminium ingots on board the Weaver Arrow crushed Mr Fitzgibbon on September 23.

A day later, despite Mr Fitzgibbon's death, major employers such as Patricks, Qube and DP World moved to block a stevedoring code of practice that would make the Australian waterfront a safer place to work. The major employers have been joined by Shipping Australia, a lobby group representing foreign shipping companies, who don't employ a single worker on the waterfront, yet are blocking a fair safety code and trying to drive down safety standards.

"Tragically, we saw the reality of the danger of working on Australian wharves just last month," MUA Assistant National Secretary, Warren Smith said.

"Despite the tragic death of Greg Fitzgibbon, Qube, Patricks and DP World seem to think it's acceptable to drag their heels on workplace safety.

"Working on the Australian waterfront is dangerous work, something these corner office crusaders would not understand.

"These companies simply refuse to behave reasonably. Every day of delay puts our members' lives at risk.

"The tragic death last month of Greg Fitzgibbon ought to be a wake up call. Australian wharfies deserve the highest possible standard of safety. We will continue to campaign until we have a safer waterfront."



A day later, despite Mr Fitzgibbon's death, major employers such as Patricks, Qube and DP World moved to block a stevedoring code of practice that would make the Australian waterfront a safer place to work.



(top) Taylor Fitzgibbon (front row, third from left), and sister Georga listen at pre-rally meeting

(bottom left) Posters of killed wharfies outside Shipping Australia office

MEMBERS THROW LIFELINE TO HATCHMEN

Hatchmen, or cargo space lookouts, are vital to safety. The hatchmen are the eyes and ears to identify and eliminate hazards, call for assistance or give instructions when the crane operator cannot see.

Every day hatchmen help prevent accidents and save lives and an overwhelming response from members means that we now have 1122 submissions in favour of retaining hatchmen in the new Stevedoring Code of Practice. MUA safety reps would like to thank everyone who took the time to lodge a submission – it has made a great difference.

Major stevedoring companies are trying to water-down the role of hatchmen in Safe Work Australia's guidance material. In fact, Shipping Australia, which represents the interests of foreign ship owners, is seeking to eliminate hatchmen from the material altogether.

The members' show of support will send a strong message to Safe Work Australia: preserve the role of hatchmen in the Stevedoring Code of Practice. Submissions were provided by a variety of individuals including workers throughout the maritime industry, families, and concerned members of the community. Your input gives us the best possible chance to maintain and improve safety standards.

The feedback is being forwarded on to SWA this week. SWA will publish a first draft of the new code later this month.



6 THINGS YOU CAN DO RIGHT NOW TO PROTECT YOURSELF ON THE JOB

■ **Demand consultation on every single issue that affects safety:**

Employers are obliged under health and safety laws to consult workers, and their representatives, about any issues that affect health and safety. Are the bosses at your company consulting properly? MUA members have seen first-hand the tragic consequences. We must insist on genuine consultation on every issue.

■ **Inspect every ship:**

Go over them with a fine-tooth comb. Are there health and safety issues? Does it comply with Marine Order 32? If safety is not up to scratch, now is the time to act. Contact your branch and inform your HSR if you think a vessel is unsafe. They can assist in escalating your concern if your employer doesn't listen to you.

■ **Use PIN notices to help resolve issues:**

Trained HSRs can issue 'PIN notices' - a legally binding direction requiring an employer to fix a health and safety breach. Raise the issue first. If the company fails to consult or refuses to address a legitimate issue, use a PIN notice to get their attention. Make sure you get collective support or pass a resolution from members in your workplace.

■ **Never hesitate to stop work when there is a serious health and safety issue:**

All workers have the right to stop work when there is a serious risk that is immediate or imminent. This right is protected in legislation. Just make sure you inform your immediate supervisor of the serious issue and make yourself available for alternate duties.

■ **Invigorate your health and safety structures:**

Do you have a strong HSR structure? Does your health and safety committee meet regularly? Let's get more health and safety reps elected and trained in every terminal and every port. Once reps are trained, they can access rights and powers. Ask your branch for support to do this.

■ **Adopt a collective approach to health and safety:**

We are always at our best when we act together. Safety is no different. HSRs and delegates must work together. If employers want to bomb safety on the waterfront, we've got to be extra vigilant and protect our lives. We need to fight for NSCOP. We need to look after our mates and comrades, and at all times act in the safest manner. We need to fight and act together to survive! For more information please contact your branch.



Paddy Nelimen (center) receives Uncle Bob Anderson Award, with Queensland Branch Secretary Mick Carr and Deputy Branch Secretary Trevor Munday looking on

PADDY NELIMEN AWARDED FOR INDIGENOUS ACTIVISM

The MUA congratulates Paddy Nelimen for receiving the Uncle Bob Anderson Award to celebrate his achievements in the area of indigenous rights and for his role as a union activist.

Paddy has been an exceptional leader in the trade union movement and has set a strong and positive example for all with his striving for equality and fairness for all. Paddy was nominated by the Queensland Branch and was awarded at the Queensland Council of Unions NAIDOC event earlier this year.

The award is named after Uncle Bob Anderson, who was an activist in the TUM since the 1950's, a State Organizer for the BWIU in 1963, and has participated in many struggles over his long life. Uncle Bob was involved in the

Paddy has been an exceptional trade union leader and has set a strong and positive example for all with his striving for equality and fairness for all

1967 referendum, the Vietnam moratoriums demonstrations, the Pine Gap anti nuclear demonstrations where he was jailed for 5 days for refusing to pay a fine for trespassing on a US military base, and the tent embassy in Canberra. Uncle Bob remains a true inspiration to young Aboriginal and Torres Straight Island people.

Congratulations to Paddy for this exceptional achievement and we thank you for your remarkable contribution to the social justice cause.

140 YEARS OF STRUGGLE AND SOLIDARITY



The Maritime Union of Australia this year celebrates 140 proud years of standing up for the rights of our members, the community, and the trade union movement worldwide.

The MUA and its forerunners are the oldest continuing maritime union in the world.

The Maritime Union of Australia was formed in 1993 with the merging of several maritime unions, principally the Waterside Workers' Federation (covering stevedores or dock workers) and the Seaman's Union of Australia.

However the history of maritime unionism in Australia dates back to 1872, with the formation of the Sydney Wharf Labourer's Union and, independently, the first maritime union in the world – the Seaman's Union in Melbourne.

This makes the Maritime Union of Australia and its forerunners the oldest continuing maritime union in the world.

The Waterside Workers' Federation (WWF) principally built its strength around campaigning against the 'bull' labour pick up system. The Bull system ensured that the largest men (the bulls) were chosen first for work, whilst other workers often missed out. Eventually, after years of struggle, the WWF fought and won the 'gang' system – where men worked in rostered groups, or gangs.

The Seaman's Union (SUA), throughout its history, underwent several amalgamations to increase its coverage of maritime workers, particularly as the size of the workforce decreased due to automation and the use of flag of convenience vessels. The Marine Cooks Bakers and Butchers Association (formed in 1908) amalgamated with the SUA in 1983, and the Federated Marine Stewards and Pantrymen's Association merged in 1988. In 1991 the Professional Divers' Association also amalgamated with the S.U.A., shortly before it joined with the Waterside Workers' Federation to become the Maritime Union of Australia (M.U.A.).

With 15,000 members, the MUA holds one of the highest rates of union density, with over 90% of maritime workers in Australia being members of the MUA.

Since amalgamation into the MUA, the flagship industrial dispute has been the 1998 Patrick dispute, a watershed event in Australian industrial and social history.

It revolved around the company Patrick Corporation ('Patrick's') and its CEO



Chris Corrigan, who undertook an illegal restructuring of their operations for the claimed purpose of increasing the productivity of their workforce.

The Maritime Union is a strong union, with a long history of solidarity and activism - working for its members, the community and causes such as the environment, an anti-nuclear Pacific, Peace, land rights and justice for Aboriginal Australians, independence for East Timor and trade union rights worldwide.

The union is active in the International Transport Workers' Federation (ITF) with National Secretary Paddy Crumlin being

elected President of the ITF in 2010.

- Waterside Workers' Federation
- Seaman's Union
- The Marine Cooks Bakers and Butchers Association
- Federated Marine Stewards and Pantrymen's Association
- Professional Divers' Association
- Maritime Union of Australia

MUA holds one of the highest rates of union density, with over 90% of maritime workers in Australia being members.



“It was this day, the 21st of September, 1872, where seamen came to meet about being forced to do stevedores work.”

Kevin Bracken.



CELEBRATING 140 YEARS – VICTORIA BRANCH

One hundred and forty years ago, the Melbourne Seamans Union (Later to become the Seaman’s Union of Australia), held their first meeting on Friday 21st September 1872 at the New Great Britain Hotel in Port Melbourne, in which they sought to fight for better wages, conditions and job security for Australian seafarers. All fights which your union is still actively battling today.

Lead by branch secretary Kevin Bracken, the Victorian Branch gathered and on Friday the 21st of September 2012, exactly 140 years since that first meeting and celebrated at the nearby Port Melbourne Bowling Club, not only to recognise the first meeting place but to also commemorate the contribution of George Sangster the first leader of the Melbourne Seamens Union.

“It was this day, the 21st of September, 1872, where seamen came to meet about being forced to do stevedores work,” said branch secretary Kevin Bracken.

“It was the first time where people got together and organised to get fair conditions of work out of their employer.”

Assistant National Secretary **Warren Smith** hailed the significant milestone in the history of our union and also spoke of the political mark the union has left in Australian history:

“For us to be existing since 1872 and have a whole vast array of political culture and history, both the SUA and WWF, is a truly remarkable thing.

“We have always knew who we were and who the enemy was.

“We have always had solidarity, we recognize solidarity as a fundamental working class trait, and we have always had destructive attacks from the ruling class, governments and the corporate elite,” said Mr Smith.

“Those have happened since the inception of our union in 1872, and occurred everyday of our existence, we have to fight on a daily basis because we have to fight,”

“Few unions have left their mark on the political landscape on the country as ours have.” Added Smith.

In 1988, an anchor had been erected by the Seamen’s Union of Australia and the City of Port

Melbourne in recognition of a lifetime of service and struggle by George Sangster (1845 to 1915).

Kevin Bracken laid a wreath as we remembered the great past leaders of the Melbourne Seamens Union.

It was apparent all of the unions past officials, shared a passion for a fairer, more just and equal society. Even as far back as George Sangster, he opposed participation in the Boer War.

“As a local councilor he opposed the Boer war and constantly sought better conditions for local workers and better schools for their children.” Kevin Bracken said.

For many of our members, the SUA hold a very special place in their heart, as so many of our members had their first opportunity to go to sea because an official of the SUA got them their first job at sea.

Speakers also included Roger Wilson, Former Victorian Branch Secretary of the SUA, MUA deputy branch Secretary Dave Schleibs and rank and filers.



140 YEAR ANNIVERSARY: PADDY CRUMLIN LETTER

Dear Kevin, Sorry I can't be in attendance tonight, but I have international responsibilities this weekend consolidating our international dockworkers campaign, particularly in dealing with the great challenges of automation and also the consolidation of our shipping agenda through the promotion of cabotage and shipping industries that support national employment.

I would much rather have been sinking a few beers with my Victorian comrades and their families celebrating the extraordinary history of our union and of the Victorian branch itself. The Victorian seafarers formed a union there in 1872 at the same time that the Sydney wharf labourers formed a union in Sydney. Both unions were known for their militancy and political and industrial activity. The vision of Victorian Seafarers and NSW Wharf Labourers was the catalyst for the formation of branch unions across the country and subsequently the Seamen's Union of Australia and the Waterside Workers Federation representing all of those seafarers and waterside workers into single national unions.

The history is celebrated and identified as

being amongst, if not the most, militant and progressive record of political and industrial achievements of any international union. The great seafarers strikes of the late 19th century and the wharf strikes of the first part of the 20th century carved out decent working and social conditions for workers in the maritime industry. It came at great cost to the families and individuals including death on Victorian docks.

Many other aspects of the long history will be celebrated there tonight; it is a record of achievement that is unbroken for that 140 years and has been translated into a continuing determination to defend and advance our working conditions along with the working conditions of other working men and women, not only in this country but internationally.

In your great hall that I have been to many times in celebration and in determination of our working rights I am there with you again tonight as much as Tassie Bull, Geoff Swayne, Bert Nolan and the many other great working class leaders that you have honoured and that form such an important part, not only of your hall but of trade union history. There are too many to mention but certainly the role of Elliott V Elliott, Jim Healy were carved predominantly into our history due to the great political vision of a fairer, more just and equal society through socialism that accompanied their generational leadership in industrial progress and working conditions.

As Vice President of the Maritime Union Kevin and together with Dave Schleibs on the National Council I have had the great honour

of helping to shape the current protections and supports for maritime workers for the last 11 years as National Secretary. Also I would like to acknowledge the hard and determined work of the Victorian Branch Executive as a whole, including Dave Cushion and Bob Patchett who along with your Branch Committee and active Rank and File and wonderful hard working and extraordinarily patient staff continue to keep the Victorian Branch true to the historical directions of our great union.

So again to the very many friends of the MUA, Rank and File Members, Veterans, their wives, husbands and families lets raise our glasses to the working class and to the MUA that is here to stay for many generations to come.

Yours in Unity

*Paddy Crumlin
National Secretary MUA
On behalf of all of the Officers, Staff and Members of the MUA
And President of the ITF on behalf of all International Transport Unions and their members*



WORLD'S MARITIME AND TRANSPORT WORKERS WELCOME RELEASE OF MOROCCAN DOCKER

Said El Hairech addresses ITF executive Board, as ITF President Crumlin looks on

The release of a Moroccan dockworker from prison was welcomed by transport workers around the world. Maritime Union of Australia (MUA) National Secretary and International Transport Workers' Federation (ITF) President **Paddy Crumlin** said today.

On June 16th active trade union leaders, **Said El Hairech**, General Secretary of ITF-affiliated union, Union des Syndicats UMT des Transports, chair of the ITF Arab World committee and **Mohamed Chamchati**, General Secretary of the merchant seafarers' union were arrested for trade union activities.

El Hairech personally thanked President Crumlin and the ITF for their intervention and solidarity, which led to his release.

"Dockworkers, seafarers and other transport workers around the world and their unions welcome the release of Brother Said," said Mr Crumlin.

"Unfortunately he was gaoled for nothing more than meeting the obligatory international obligations in protecting labour rights and obligations applying equally to

including employers and governments."

It is believed that El Hairech was imprisoned for his recent involvement in high-profile union cases in Morocco, he assisted in defending the rights of stranded Moroccan seafarers following the bankruptcy of the Comarit-Comanav ferry company, and was also closely involved in the securing of a collective agreement for dockers in the Eurogate terminal in Tangiers, Morocco.

Mr Crumlin also said that the Moroccan Government must take further measures to ensure that they do not violate people's rights.

"The Moroccan Government now has a clear opportunity to show regional

leadership by ensuring those obligations are protected in national law in away acceptable to every country accepting it's civil human and labour rights aspirations and responsibilities."

El Hairech, was arrested on 16 June on charges of 'sabotage and endangering national security'. He consistently rejected the accusations and has been backed throughout by the ITF, which has believed all along that he was wrongly charged. Both he and Mohamed Chamchati have proclaimed their innocence throughout. The ITF has mobilised its resources worldwide in support of Said and Mohamed and their fight for justice.

"He was gaoled for nothing more than meeting the obligatory international obligations in protecting labour rights."

AUSSIE CREWED VESSELS SHOW SHIPPING REFORM IS WORKING

The Maritime Union of Australia (MUA) has welcomed news that companies have embraced the new shipping legislation by manning their ships with Australian seafarers.

The Panamanian-flagged African Kingfisher and United Kingdom-flagged RTM Piiramu, which is owned by Rio Tinto, will now both operate with full Australian crews.

MUA National Secretary Paddy Crumlin, who worked tirelessly on the shipping reform campaign together with union officials and members, said there is much more to come from the legislation.

"This is only the beginning, better taxation arrangements for ships will mean that it is affordable - and profitable

- for Australian companies to invest in shipping fleets."

"Shipping reform is without doubt, one of the most important pieces of legislation passed by the federal government in Australian maritime history," Mr Crumlin said.

MUA Assistant National Secretary Ian Bray has also welcomed the news and said that the new shipping legislation means that cabotage is back on the menu for seafarers worldwide.

"Australia has shown the way in international shipping - we have demonstrated that flag of convenience shipping can be defeated and that all seafarers have a right to work in the industry."

"Since the passing of shipping reform we have fended off the campaign by conservative shippers, foreign ship owners and the federal

opposition to destroy the legislation and the industry," Mr Bray said.

The federal government introduced shipping reform in June 2012 after a seventeen year long campaign by the MUA.



Courtesy of: Rebel Youth Magazine

FREE THE CUBAN 5

Who are the Cuban (Miami) 5?

The Cuban (Miami) Five are Gerardo Hernández, Ramón Labañino, Antonio Guerrero, Fernando González and René González, five Cubans falsely accused and jailed by the US government of committing espionage against the United States.

What did they do?

For more than 40 years, right wing Cuban exile groups based in Miami have killed almost 3,500 people in terrorist attacks against Cuba, with the complicity of the CIA and US government.

The US government repeatedly failed to act against the perpetrators of such crimes, including the blowing up of a Cuban airliner in 1976 (killing 78 people) and a bombing campaign against Cuban tourist hotels in the 1990s (killing an Italian tourist).

To save lives, Cuba sent five men to Miami to infiltrate and monitor the groups. At the request of the US government, this information was passed to the FBI in 1998.

But instead of arresting the terrorists, the FBI used the information to identify and arrest the Five anti-terrorists on September 12, 1998 in Miami, where they were illegally held in solidarity confinement for 17 months.

A miscarriage of justice

The trial began in November 2000 in Miami, a hugely hostile environment where the anti-Castro Cuban-American community wields enormous political influence.

Defence attorneys' motions for a change of venue were denied five times by the judge, although it was obvious that a fair trial was impossible in the city.

During the trial, the judge, prosecution and US government officials suppressed defence evidence and ensured key witnesses would not testify.

Despite intimidation of witnesses by the press and testimonies by prominent US officials that the Five had not accessed any classified documents, the jury reached a unanimous guilty verdict on all charges, without once seeking clarification of any evidence.

The Five were convicted on charges ranging from being foreign agents to conspiracy to commit murder, and sentenced to between fifteen years and double life.

Furthermore, in June 2011, a Freedom of Information request revealed that the US government had secretly paid journalists to write prejudicial articles in the media at the time of the trial and therefore undermined the defendants entitlement to a fair trial.

The trial began in November 2000 in Miami, a hugely hostile environment where the anti-Castro Cuban-American community wields enormous political influence.

Families torn apart

On top of the severe sentences, the Five are denied regular family visits. The US infrequently grants visas to close family members.

Two of the prisoners wives, Olga Salanueva and Adriana Pácrez, have been refused visas on ten separate requests and are denied visitation rights.

Human rights organisations have condemned the trial and the treatment of the families. Amnesty International has described the treatment of the Five as 'contrary both to the standards for the humane treatment of prisoners and to a states' obligation to protect family life.'

MUA STANDS WITH THE CUBA AND THE CUBAN 5

MUA National Secretary Paddy Crumlin pledged the MUA's unwavering support to Cuba in its fight against the blockade by United States and in the international campaign for the liberation of The Cuban Five.

As President of the International Transport Workers' Federation, Mr Crumlin told the National Council that on a recent high level ITF visit to Havana, he personally spoke with union leaders and relatives of the Cubans five and intended to ramp up the campaign in the coming months.

"A number of international initiatives have stemmed from [the MUA 2012] National Conference, including a revitalisation of our support for Cuba, Carribean, Central, Latin America and associated campaigns," Mr Crumlin said.

"In keeping with National Conference resolutions he MUA is in the process of launching an international push to support the Cuban five and establish a closer working relationship directly with our comrades in Cuba," he said.

National Secretary Crumlin also stated that the MUA, through the Tas Bull International Aid Foundation, would continue giving support to the William Soler Children's Hospital in Havana, for which members have already raised well over \$10,000.

In having a strong relationship with the Cuban Embassy, the MUA invited the Cuban Ambassador, Pedro Manzon, to address the rank and file at National Council:

In his address, the ambassador exposed with amplitude the antecedents and consequences of the politics of blockade to Cuba by the United States, he offered information to the presents on the long injustice against The Five Cuban and the world campaign to free them, and he thanked the solidarity shown from the union.

ATSI REPORT

2012 marks further progress in your Union's support of advancing the rights of Aboriginal and Torres Strait Islander people



ATSI Committee delegates addressed Torres Strait Islanders at the 20th Anniversary of Koiki Mabo's death, marching alongside his family and people to celebrate his life and his achievements.

The Growth & Campaigns team has national responsibility for the advancement of Aboriginal & Torres Strait Islander (ATSI) people. It can be reported that further progress has been made in this area following on from the successes made in 2011. In 2012 we have continued to;

- Engage with local communities and Land Councils to establish Social Compacts
- Created and established a National ATSI Committee with representation in most branches
- Commenced initiatives that will focus on ATSI training and employment in the Maritime Industry
- Made a decision to ensure that ATSI National Committee is engaged and works closer with other committees with the MUA National Structure
- Social Compacts

In 2012 part of our work has been to expand and engage with more local communities and Land Councils to discuss the possibility and potential of developing a social compact. We have engaged with the following Land Councils;

- Kimberley Land Council
- Gladstone Land Council
- WA South West Land Council
- Northern Land Council

All discussions with each of the relevant land councils has been very positive and all are in favour of working with the MUA and the broader union movement to see the development and implementation of Social Compacts that will deliver power through organising and opportunity through training and employment prospects.

ATSI Training and Employment Initiatives
There have been many different initiatives regarding training and employment of ATSI people however most of them are struck at a moment of opportunity and until recently we have struggled to achieve a strategic national approach in what is a very difficult area to get traction. It should be noted however that despite a sporadic approach towards ATSI training and employment, we have been very successful with the initiatives that we have undertaken and are now considered one of the most effective organisations in the country when it comes to ATSI training and employment.

In September 2012 the MUA (represented by National Office, QLD, WA & NT Branches) met with Tribal Warrior and Indigenous Mining Services to bring together ATSI training and employment companies to work together cooperatively on joint initiatives with the union for employment in the Maritime Industry.

THE ATSI COMMITTEE

The National MUA ATSI Committee has now held 2 phone conferences and 1 face to face meeting at the NT Branch Conference.

The committee has designed ATSI Committee supporter shirts to raise money to assist with the making of a film about the late comrade, Chicka Dixon. To date, the committee reports they have raised \$1500. (see Back Page)

ATSI Committee delegates addressed Torres Strait Islanders at the 20th Anniversary of Koiki Mabo's death, marching alongside his family and people to celebrate his life and his achievements. MUA ATSI Committee Chair Patrick Neliman continues to work with elder Patrick Whap in Townsville towards the second part of a campaign to see social compacts established in the islands. There was much positive feedback from Torres Strait Islanders following the delegation, lifting the profile of the union in the Torres Strait.

The ATSI Committee is broadening the mapping to identify the traditional owners for each workplace in their respective branches in order to meet the National Conference resolution to post in each union amenities or building an information plaque or poster showing the Australian Aboriginal and Torres Strait territories including information particular to the traditional owners of where it is posted.

ATSI Committee Chair Patrick Neliman should be congratulated for being awarded the Uncle Bob Anderson Award earlier in the year by the Council of Trade Unions in Queensland. The chair of the MUA National ATSI Committee has worked tirelessly for the trade union movement not only within the MUA but actively in his state and community.

At the same time as these discussions were taking place separate discussions have been ongoing with Tribal Warrior and Svitzer. Assistant National Secretary Ian Bray had been in previous discussions with Svitzer regarding the possibility of donating a tug to Tribal warrior for training purposes.

Svitzer have responded favourably and have donated the tug Wandilla to Tribal warrior.

MUA YOUTH GO GLOBAL

Comrades attended the NSU (Norwegian Seafarers Union) national youth conference in Oslo and the ITF Youth Conference in Montreal, Canada.

With Norwegians still grieving from the mass murder incident last year, Comrades Kyle McGinn and Sarah Maguire attended the Norwegian Seafarers Union national youth conference, later marching with other MUA delegates and the NSU in the May Day march in Oslo.

National Secretary Paddy Crumlin spoke very passionately about May Day and the tragedy, which captured the attention of the ever increasing crowd. There were many unions in attendance at the march but, in true maritime spirit, the NSU made their presence felt; it wasn't just the orange hats and outlandish slogan on their banner but the respect and passion each member had for the day.

After the march all the youth gathered in a conference room next to the square to listen to Comrade Crumlin and the president of the NSU Jacqueline Smith. Each gave motivational speeches, which were aimed at youth participation and progression. However, Comrade Crumlin's speech in particular was very emotional and overwhelming, as he spoke about the bomb and the union overcoming the tragedy, he fought back tears.

Comrades McGinn and Maguire also spoke with WA Branch Secretary Chris Cain and Assistant Branch Secretary Will Tracey about organizing a rally in front of Chevron because of the Allseas dispute. At the Chevron office, a group of NSU members waited with MUA flags and signs chanting, "MUA HERE TO STAY". The demonstrators could see people flocking to the windows above to see what all the fuss was about, people came out and asked for information on the dispute.

The MUA also sent a four person delegation to the ITF Youth Conference in Montreal, Canada. The delegation included Comrades Paul McAleer, Danny Cain, David Ball and Kellianne Hunt and occurred on 17, 18, and 19 September. The conference had 120 participants from 54 unions from 28 countries and was the first Conference to occur outside of an ITF Congress and demonstrates the enhanced role young workers are playing within the ITF. The Conference saw Paul McAleer finish his term as Co-Chair of the ITF Young Workers Committee with Canadian Auto Workers



(L to R): Kyle McGinn, NUS Secretary Jacqueline Smith and Sarah Maguire rally outside Chevron's Oslo Office.



(L to R): Paul McAleer, Danny Cain, David Ball, Kellianne Hunt in Montreal.

representative Travis Harrison assuming this role for Conference.

The Conference discussed numerous challenges facing young transport workers with there being a number of breakout groups on Strengthening the ITF and its affiliates, the ITF young workers network, Precarious employment, and Climate Change. The MUA ensured that there was an MUA representative in each of the sessions.

One of the standout moments of the Conference was when well known Environmental campaigner and trade unionist Jonathon Neale delivered a presentation on the impact of climate change and what should be a transport workers union global response. The presentation was delivered in a way that young workers could understand with complex information outlined in a basic but solutions based way. Dave Spooner from the Global Labour Institute spoke about the disastrous outcomes for those in precarious work, and its particular impact on young workers whose job security is shattered by these informal arrangements and the challenges this has for organising opportunities across transport sectors in many parts of the world.

Panel sessions on the FOC Campaign, Organising Globally, Global Supply Chain, and the POC Campaign also illuminated young transport workers on the breadth of ITF campaigning across regions and sections.

Paddy Crumlin spoke very passionately about May Day and the tragedy, which captured the attention of the ever increasing crowd.

The ITF Conference highlights the difficulties that the Asia Pacific region has in advancing this work with very few unions participating from the region. Conference also passed a strong resolution condemning Patricks in its implementation of automation without negotiation. Young transport workers from the Arab world attended and highlighted the enormous struggles and sacrifices young workers make, including one comrade who had been gaoled for his alleged involvement in democracy demonstrations.

The MUA attendees served their union proudly and demonstrated that the MUA is providing the necessary resources so that MUA young workers can participate in any global forums. The four areas have already been identified as key areas that the MUA young workers committee need to invest energies in, having been incorporated into the MUA policies on young workers as a result of attendance at previous conferences.

There were many unions in attendance at the march but, in true maritime spirit, the NSU made their presence felt; it wasn't just the orange hats and outlandish slogan on their banner but the respect and passion each member had for the day.

MUA WOMEN

MUA's National Women's Liaison Officer, Mich-Elle Myers, reports on issues relating to women and gender



It is hard to believe that it has been 9 months since National Conference however I am pleased to report that we are well on our way with the work plan that

came from our conference resolutions relating to women.

A major project has emanated from conference resolution 15.4.2 which states that the Union will develop an Equal Opportunity and Anti Harassment and Bullying policy that is current for this day and age.

We understand the Union has done work in this area previously and, in line with a recommendation from the Women's Committee, will have a revision of the policy through an independent organisation. This Organisation is to then report its findings back to the Women's Committee.

This resolution will be addressed in the EEO Project being conducted by an outside contractor which has come highly recommended by long time trade union women that have conducted similar projects.

The project will include:

- Definitions- what is and what is not discrimination, harassment and bullying
- The MUA commitment to prevent and deal with discrimination, harassment and bullying, and why MUA will not tolerate this behaviour by members or employers
- Legal rights of members experiencing this behavior, and what the legal consequences of this behavior can be for members and employers
- Complaints procedure for members experiencing this behavior, from self-help strategies through to full legal process, with a focus on resolving the matter as promptly, confidentially and informally as possible
- Protocols of how MUA will respond when a member accuses another member of discrimination, harassment or bullying
- The role of MUA officials, delegates and workplace Contact Officers in resolving discrimination, harassment and bullying matters for members

This is an exciting project which will bring our policies up to date

- The arrangements for training and informing members, delegates, Contact Officers and officials on their roles in preventing and resolving discrimination, harassment and bullying matters in the workplace. The project will consist of several stages that cover all aspects we need to achieve in this overhaul of policy such as:
- Review union's existing Equal Opportunity policies
- Survey members to identify incidence and nature of discrimination, harassment and bullying in workplaces, and analyse findings of the survey
- Consult existing MUA committees for nominated groups (e.g. the Indigenous Committee) regarding workplace discrimination issues for the nominated group
- Draft policy with attention to issues identified in the survey and consultation, and submit to Women's Committee for comment
- Incorporate comments and finalise policy

This is an exciting project which will bring our policies up to date and also give us much needed information with regards to the issues being faced by our members.

I ask that all members participate in the survey when it commences.

We have a representative in every branch on the national women's committee.



WOMEN IN MALE DOMINATED OCCUPATIONS AND INDUSTRIES

The Women in Male Dominated Occupations and Industries Conference (WIMDOI) was established in 1993 coordinated through the ACTU Women's Committee to bring together and raise awareness of women working male dominated industries and provide an avenue for these women to share experiences and knowledge and address particular issues that affect them.

National WIMDOI Conferences have been conducted every two years since that time and is widely recognised as an important and unique affirmative action initiative for women workers in male dominated occupations and industries in Australia.

The MUA has been a supporter of WIMDOI since the beginning with many of our female members attending the conferences over the years.

Women have been an important part of the trade union movement since its inception in Australia with 40 per cent of unionised workers being women. It is imperative to ensure that women continue to be members and activists in their union.

The benefits derived from WIMDOI are numerous, below is a snapshot of these benefits:

Unions utilise the forum to educate and inform women members on various issues such as OH&S, industrial matters and superannuation etc

Unions utilise the forum to be informed and active on issues and barriers facing women members

Unions can tap into a national women's network

Renewed emphasis on the need for workers and particularly women workers to be members and active participants in their unions

Recruitment, retention and mapping in the workplace initiatives can be developed

The development of empowered and enlightened activists

The conference was held in Adelaide this year with 7 delegates from the MUA. Tamara Stubbs WA, Jade Kemp VIC, Tania Jones VIC, Ann Gray QLD, Mich-Elle Myers NSW, Lucy Niemann SA, Dianne Babbington SA.

It was a great success and enjoyed by all.

MUA SECURES FIRST-EVER DOMESTIC VIOLENCE CLAUSE IN AN EBA

For the first time in its proud history the Maritime Union of Australia has secured a Domestic Violence clause in an Enterprise Bargaining Agreement.

The agreement, which was negotiated with Geraldton Port Authority in Perth, WA, contains a clause which recognises that employees sometimes face situation of violence or abuse in their personal life that may affect their attendance or performance in work.

Particularly detailed, a worker is entitled to leave and covers a range of domestic violence abuses including physical, sexual, financial, verbal or emotional by any immediate family member.

WA Branch Secretary **Chris Cain** said that MUA members in Geraldton, a regional town on the middle of Western Australia's vast coast line, should be proud to be supporting members and their community as a whole by achieving the MUA's first domestic violence support clause for workers in their collective agreement.

"The MUA leads the way in tackling issues in our workplaces and communities that our politicians promise to fix but never deliver.



"They do the talking, we just get it done," Mr Cain Said.

The MUA is also a big supporter of the White Ribbon campaign, which is an organisation that is working to prevent one of the most common and pervasive forms of male violence, that towards women.

MUA Deputy National Secretary and White Ribbon Ambassador of the Year, Mick Doleman said that the clause in the EBA was a credit to the working men and women of

A worker is entitled to leave and covers a range of domestic violence abuses including physical, sexual, financial, verbal or emotional by any family member.

the maritime industry.

"This clause is a direct outcome of the maturity which has developed in the maritime industry and particularly amongst the working men and women that domestic violence is a real issue and that workers, women in particular, need to have time no different to sick leave or compassionate leave to deal with this terrible problem in their personal and working lives."

DAD AND PARTNER PAY



together with their new baby and there is no reason why work should prevent them from doing so.

"We know all parents want to spend time with their children when they are born.

Meaghan Flaksbard with newborn Luiz)

Thanks to the Dad and Partner Pay leave scheme, which passed through Parliament this week, eligible partners will have access to two weeks' government-funded Dad and Partner Pay at the rate of the national minimum wage.

Mr Oliver said unions were already talking to employers about 'topping up' the minimum wage amount to reach their workers' ordinary wages as part of workplace agreement negotiations.

He said the new laws would allow fathers and partners, including adopting parents and partners in same-sex couples, could freely seek access to leave.

"Many dads and partners do get to share in the joyous time when their new baby arrives already, but there are also many who either do not feel comfortable asking for time off when their partner gives birth, or simply have their request rejected.

ACTU Secretary **Dave Oliver** said unions had campaigned for paid parental leave for both parents for more than 30 years.

"Unions welcome the expansion of the Government's paid parental leave scheme to include the right for dads and partners to spend time with their family after the birth of their child," Mr Oliver said.

"All parents have a right to spend time

"This is wrong and unions are pleased that these new laws means all employers will now have to move into the modern era and will help ensure workplaces reflect the reality of modern working families"

Mr Oliver said the financial support would be especially important for the growing number of workers in insecure work, particularly those in casual or contract work, who usually had to forfeit all leave entitlements.

"With 40% of the workforce in insecure work, until now a large number of partners would not get any leave pay at all if they wanted to spend time with their new family," Dave Oliver said.

"This new leave entitlement will be especially welcome news to these men and partners"

National Women's liaison officer Mich-Elle Myers says "This is a significant breakthrough in our long campaign to ensure that working families get to spend time with their newborns.

"It is also pleasing to note that all partners are recognised in this law" she continues "Just another example of what the union movement do every day, make life better for families!"

ARTIST CAPTURES REFUGEES' LOT

The MUA Blake Prize is awarded for a work that addresses issues around the nature of Human Justice. This year's winner maintained the high standards set by the prize...

The MUA Blake Prize is awarded for a work that addresses issues around the nature of Human Justice. This year it was presented to *Unfolding History, 2012*, a digital work by artist **Saif Almurayati**. This work presents a range of labels and signs rendered in English and Arabic script that, like slogans, seek to name issues of identity for this Iraqi born artist.

Having lived in three different cultures, including Australia, and having walked from Iraq to Turkey on his long journey to Australia, Almurayati traces and then erases the labels used to define and limit the nature of individual identity as it slips between

these cultures. It is a pulsing visual work undergirded by a traditional religious chant that evokes the wider search for meaning found in the experiences of those who are displaced.

Almurayati describes his artistic process: "The religious Shi'a rhythm as a soundtrack of this erasure video helps me to drive to my buried memories and go into a trance that allows me to express freely my loss of identity. By writing and erasing I am trying to create an unusual spiritual relationship between the text, the sound and the audience." The prize was officially announced by MUA National Secretary **Paddy Crumlin**

"Saif Almurayati's work is an outstanding expression of what many people who are refugees experience and feel..."

Paddy Crumlin

at a packed celebration of the awards on November 8th at S.H. Ervin Gallery, Observatory Hill in Sydney. Mr. Crumlin served as one of the two judges for the Human Justice award.

"Saif Almurayati's work is an outstanding expression of what many people who are refugees experience and feel," Mr. Crumlin said.

"This stressful, and at times, tragic mobilisation, is often not of their own choosing but a survival mechanism. Almurayati captures the challenge of how people search for their place in new cultures. The work reflects the patience and determination

required to meet new demands, along with the flexibility and imagination to cope with constancy of change and movement.

"The MUA is proud to sponsor the Blake Prize for Human Justice, and the many impressive submissions we reviewed are a testament to the artistic endeavours pursued by many Australians and the importance of the Blake Prize for Human Justice."

The MUA Human Justice prize is sponsored by the Maritime Union of Australia (MUA) which has a long history of working with artists and filmmakers to break new ground in challenging the perceptions we have about the Society in which we live.

(This Page): MUA National Secretary Paddy Crumlin evaluates the work of Iraqi born artist Saif Almurayati. (Top Right): Paddy and MUA Human Justice Prize Winner, Saif, standing next to the winning entry, while (Below Right): Paddy inspects the MUA Blake Prize entries.



2012 NATIONAL COUNCIL REPORT

The full range of the MUA's vision and strategy was on display at the 2012 National Council meeting, as the leadership of the union grappled with the fight for a national safety code, shipping reform, global strategies and the political environment heading into the Federal elections in 2013.

The influence of the MUA throughout the political and union world, in Australia and around the world, could be felt as the NC greeted, over four days, three Government Ministers, key Australian labor national secretaries from all sectors of the movement, international representatives from the Pacific region and the Cuban ambassador.

National Secretary Paddy Crumlin's opening address to the NC reflected the broad agenda of the union. "We have taken on the responsibility that under our watch in this union we will do everything possible to reinvigorate the shipping industry, creating opportunities for young workers to follow a career path, while ensuring every workplace on every ship and in every port provides a safe and secure workplace," National Secretary Crumlin said. "We have to understand that these are issues facing workers all over the world. For a small union

we have had a large impact internationally and we are involved abroad and in Australia at the highest level of policy.' Comrade Crumlin made it clear that the NC's key role was to ensure that the union's leadership was implementing the policy decisions made by the rank-and-file at the 2012 National Conference.

Setting the tone for several days of discussion and debate, on the first day the NC heard from Anthony Albanese, Minister for Infrastructure and Transport who thanked the MUA for its leadership and patience in the landmark shipping reform legislation. Comrade Crumlin pointed out that the legislation "will assist the country, the industry and the union with jobs and stability".

Given the success of the shipping reform legislation, and the need to have a pro-union Federal government in place, politics was very much on the minds of the Councillors, as we head towards federal elections in 2013. George Wright, National Secretary of the ALP, laid out an in-depth strategy for the elections, which he said the ALP can win—but only with the strong participation of the union movement. Comrade Crumlin, with the strong support of the NC, emphasized that the MUA

will be fully engaged in the election.

Comrade Crumlin called on Council to remember Greg Fitzgibbon, an MUA member who was killed in Newcastle in September. Fitzgibbon's memory should remain on the minds of all the Councillors while reviewing the union's national efforts to push through a first-ever National Safety Code for stevedoring. Just one day after the death of Fitzgibbon, the large stevedoring companies and Shipping Australia (the association that represents foreign shipping companies) blocked the code.

Assistant Secretary Warren Smith was blunt: "We need to name and shape employers and expose them as liars" who do not care about worker safety. The NC solidly backed the escalating nationwide campaign for the Code, which included a broad media campaign, rallies, and videos to press for adoption of the Code.

The NC also addressed a key challenge facing the union: automation. Deputy Secretary Mick Doleman outlined the union's legal and media strategies, particularly around the campaign at Patrick. "Our bottom line is that there cannot be automation without negotiation," Comrade Doleman said.

Campaigns build the union's power and its numbers, as the growth report from Assistant Secretary Ian Bray showed. The union grew 8 percent, adding 2,156 new members to hit a total membership of 15,279. "Our outstanding growth is the envy of the entire Australian labor movement," Comrade Bray said.

"While certainly our growth has been riding the resources boom, members just don't appear out of thin air. It takes hard work and commitment on the parts of all sectors of our leadership and organizing teams. Our strategy is sound, and with this track record, we're taking it to the next level in 2013"

Our alliances are strong, here and abroad. "We work here and around the world for economic reasons as part of our long history of solidarity and economics and social justice," said National Secretary Crumlin. "It's in our self-interest but it's also the right thing to do".

Reflecting those alliances, the National Council meeting hosted a series of panel discussions with key leaders from the Australian trade union movement. Paul Howes, National Secretary of the Australian Workers Union and Scott McDine, AWU Assistant National Secretary kicked off a report and strategy discussion about the MUA-AWU



(Opposite): National Councillors listen to Minister Bill Shorten. (Top Right): Deputy National Secretary Mick Doleman outlines strategy for Council. (Top Left): Assistant National Secretary, Ian Bray delivers the growth and campaigns team report. (Bottom Right): Paddy Crumlin discusses policy with Minister Anthony Albanese.

Hydrocarbons Alliance. Howes also discussed a new alliance that will bring the Coal and Metal Mining unions together, a step forward which he credited to the brokering role of Comrade Crumlin who brought Howes and CFMEU's Tony Maher together.

The Council also grappled with the future of manufacturing in a discussion with Tony Maher, General Secretary of the CFMEU's Mining and Energy Division, Tim Ayres, NSW Branch Secretary of the Australian Manufacturing Workers Union and Misha Zelinsky, AWU Policy Advisor. Maher pointed out that, "Our unions are of the real economy. We don't just serve members we shape the society we live in."

From abroad, the Council welcomed leaders from Kiribati Islands, East Timor, MUNZ and RMTU from New Zealand, PNG, Tuvalu, Vanuatu, Fiji and the Philippines. The work in the region is part of the critical role we play in the work of the International Transport Workers Federation (ITF), for which National Secretary Crumlin serves as president. "The international aspect is integrated into every part of our agenda," Crumlin said to the attendees. "The keys are bottom up organizing, working more strategically with

the ITF resources and strengthening the freight forwarding chain."

That transport and logistics chain organizing has a solid link at home. Tony Sheldon, National Secretary of the Transport Workers Union, and Allan Barden, of Rail, Tram & Bus Union, raised new strategies to strengthen the Australian Transport Union Federation. "Freight forwarding and transport infrastructure is one of the most important issues facing the country, and our alliance is giving us strength," Comrade Crumlin remarked.

Of course, running a national union requires a firm hand on the financial side. And the union finds itself in sound shape, despite the lingering effects of the Global Financial Crisis (GFC).

"We are not in the business of making money but servicing members and putting the union in the best financial position possible," said Comrade Crumlin. "That said, the union's finances are conservatively managed, our assets are primarily property, as we feel that is the safest way and our exposure to the market is quite small which has softened the impact of the GFC". Assets of the union reached \$35 million with just \$4 million in liabilities.



QUBE AGREEMENT CONCLUDES WITH PROMISE

After an exhaustive negotiation process the QUBE Part A agreement has reached a conclusion—and it is a positive one for workers.

After an exhaustive negotiation process the QUBE Part A agreement has reached a conclusion—and it is a positive one for workers, delivering considerable gains, some of which we haven't progressed since the inception of Enterprise Bargaining.

"In the end we delivered a solid position on which to continue to build our industry and protect and extend the interests of members in Bulk and General stevedoring," said Assistant National Secretary Warren Smith, who led the negotiations.

The agreement took place under an organised and orchestrated campaign by Australian employers to wind back wages and conditions of Australian workers. In the environment of the ongoing Fair Work Act review, the union movement as a whole had to push back against reasonable demands that employers ultimately agreed to in the end.

The MUA EBA campaigns across the majority of the stevedoring industry were also tough struggles but that encouraged the MUA

to devise sharp tactical approaches to issues and in particular industrial action was taken by the union to avoid the attempts of stevedoring employers to also have matters arbitrated.

The QUBE agreement was reached, despite some rocky moments when MUA members were locked, including in Bunbury, Fremantle, Melbourne and Port Kembla. Without a doubt, the action from members around the country was fundamental in securing the final outcome.

After resolving the Bunbury and Fremantle lockout situations in December 2011, Workplace Relations Minister Bill Shorten intervened and the negotiations proceeded to Fair Work Australia for a lengthy conciliation process before Deputy President Peter Sams.

During this conciliation, the union developed counter-arguments to QUBE's costings of our claims, reducing the company's estimate from an initial \$75m to around \$11m. The conciliation process encouraged the company to move.

"In the end we delivered a solid position on which to continue to build our industry and protect and extend the interests of members in Bulk and General stevedoring,"

Warren Smith



The ruling meant that foreign workers on the project would not need to apply for work visas.

BOWEN STEPS IN TO WIND BACK VISA RORTS

The government has moved to change the Migration Act to close a loophole denying the opportunity to fully regulate the employment of guest workers on offshore oil and gas projects.

Politics matter. And having the right government in power matters a lot to MUA members. Take the Allseas fight where the government has taken strong action on behalf of the rights of workers.

As reported in your Journal (Autumn-Winter 2012), Allseas Construction had argued in the Federal Court that their employees are not working in Australia's migration zone and therefore do not need to obtain 457 work visas.

A Federal Court judge ruled in favor of Allseas, declaring that the Lorelay and Solitaire vessels, which are operated by Allseas in the massive \$43 billion Gorgon/Jansz-LNG gas project off Western Australia, were not "resources installations" as defined in the Migration Act. That ruling meant that foreign workers on the project would not need to apply for work visas.

Now, the government has stepped in to respond to that ruling. In a statement released by Minister for Immigration and Citizenship Chris Bowen, the government made clear that it will move to change the Migration Act

to close a loophole whereby guest workers on offshore oil and gas projects are outside the migration zone and are therefore not required to hold a work visa, denying the Government the opportunity to fully regulate the employment arrangements applying to such workers.

Specifically, the government's key objectives are to:

- ensure that the right to work in the offshore resources industry by persons who are not Australian citizens is, to the maximum extent permitted by Australia's international obligations, regulated consistently in all areas over which the Australia has jurisdiction
- create legislative certainty in order to promote continuing investment in offshore industry
- promote opportunities for Australians to work on Australian resources
- protect the rights of workers in the offshore resources industry

- maintain the integrity in existing, interrelated, border legislation.

The MUA welcomed the action as a great win for offshore workers.

"We thank the Australian Government for listening to our concerns and for responding to close this loophole, which has been exploited by companies like Allseas, which was operating under a Chevron tender," said MUA National Secretary Paddy Crumlin. "We are extremely pleased that the Australian Government is clarifying that it will regulate the employment arrangements for all workers in the Australian resources industry, including guest workers. Australian workers were excluded by one operator from working on one of these nationally important, high risk and rapidly growing projects through exploiting a technicality in the law."

Crumlin added: "The MUA has campaigned hard to close this gap in the legislation, which effectively denied Australians jobs in these offshore projects. The Maritime Union of Australia looks forward to participating in the Australian Government's review to assist in developing the legislative amendments required and we look forward to seeing the legislation introduced in early 2013."



(Left): South African miners march. (Top): Bodies of miners killed by police.

SOUTH AFRICAN MINES VIOLENCE SPARKS ALARM

MUA stands with South African unions and workers in the wake of the death of 35 workers in clashes with police at Lonmin's Marikana mine.

The MUA has been deeply alarmed and concerned with reports of violence against miners in South Africa.

In August, 35 workers died in clashes between South African police and striking workers at Lonmin's Marikana mine. National Secretary of the Maritime Union of Australia, Paddy Crumlin, said, then, the thoughts of all MUA members were with the victims and their families at such a terrible time.

"These deaths are extremely upsetting and we back calls for Lonmin to take responsibility to ensure that the violence ends and order is restored," Mr Crumlin said.

"We support the National Union of Mineworkers in South Africa and the Congress of South African Trade Unions' call for a thorough investigation into these tragic events and for those responsible for these reprehensible killings to be brought to justice.

"Workers are entitled to raise their concerns with management, including when they are facing appalling living conditions and poor pay."

The site descended into violence following allegations of collusion between management and a rival union of the

National Union of Mineworkers (NUM). In total, 44 people died at the mine in mid-August and unrest spread to other mines.

Mr Crumlin, who is also President of the International Transport Workers' Federation, said that it is critical that the union movement in South Africa remains united.

"Unity is absolutely key here and we understand the unions will help to bring about peace and an agreement with management," Mr Crumlin said.

"At the same time as that, the employer must immediately stop its inflammatory tactics that have so far led to tragedy."

Soon after the August killings, the Lonmin miners, who earned no more than \$555 a month, won a pay raise of up to 22 percent—in part thanks to the solidarity expressed throughout the world for their brave strike.

The story does not end there, however. A commission of inquiry set up to investigate the shootings of the miners found strong evidence, according to The New York Times, "that weapons were placed next to the bodies of dead miners, in an attempt to make it appear that the police had no choice but to fire on them, according to lawyers representing the families of the victims."

"These deaths are extremely upsetting and we back calls for Lonmin to take responsibility to ensure that the violence ends and order is restored,"

Paddy Crumlin



United Steelworkers reps Guy Farrell (right) and Marc Matasi addressed the MUA's Quadrennial Conference in March.

ALMA STEELWORKERS SEE OFF RIO TINTO CHALLENGE

Victory came recently for 780 Steelworkers were locked out by Rio Tinto Alcan in the small town of Alma in Quebec, Canada.

The MUA stood in solidarity for many months while 780 Steelworkers were locked out by Rio Tinto Alcan in the small town of Alma in Quebec, Canada. But, victory came recently when a collective agreement that will run to the end of 2015 was ratified Thursday by USW Local 9490 members by a wide margin.

Striking USW members Guy Farrell and Marc Marais addressed the MUA National Conference in Sydney earlier in the year and, then, joined members of the MUA, AMWU, AWU, CFMEU and the Queensland Council of Unions at a protest in Queen Street against Rio Tinto.

"Rio Tinto made \$14 billion profit last year and the response to the workforce in Alma - who helped provide the productivity which underpins this company's operations - has been to lock them out and seek to replace them with non-union labour," MUA Queensland Branch Secretary Mick Carr said at the time. This is another one of the important fights that requires global solidarity."

That solidarity was crucial. "The key to victory was the enormous solidarity shown by our members in Quebec who inspired trade unions across the globe to support them," said Daniel Roy, USW Quebec Director. "After union members around the world learned that our members were selflessly fighting to protect their community and future generations of workers, support and funds came pouring in."

The Alma workers were locked out in late December 2011, after they refused to accept Rio Tinto's demand that retiring employees be replaced by non-union contract workers earning half the wages and no pensions or benefits. The USW maintained Rio Tinto's plan was to increase profits at the expense of young workers and the community.

The new contract rejects Rio Tinto's demand. Contracting out will be strictly managed and limited for the collective agreement's duration, up to Dec. 31, 2015.

The solidarity action was a reaffirmation of the strategy led by National Secretary Paddy Crumlin to build alliances throughout the world, especially when it comes to Rio Tinto given its operations in Australia. "The USW will continue working with unions around the world to demand that Rio Tinto respect workers' and human rights and the environment," Neumann added. "We know there will be new attacks by Rio Tinto on trade unions and communities. The Steelworkers will be there to help them resist Rio Tinto's assaults."

The workers used an extremely clever strategy. A key component of the global campaign against Rio Tinto was to expose the company's hypocrisy as official supplier of the metal used to make 4,700 Olympic medals for the 2012 London Summer Games.

The London Games promised to be the greenest and most sustainable Olympics ever.

But these principles were contradicted by the official designation granted Rio Tinto, given the company's long record of alleged labour and human rights abuses and environmental destruction.

More than 13,000 persons wrote letters to the International and Canadian Olympic committees protesting Rio Tinto's involvement in the London Olympics (see www.offthepodium.org).

Fifty national trade unions in 37 countries sent letters to their respective Olympic committees asking that Rio Tinto be taken off the Olympic podium. Demonstrations were held in several nations on three continents, including the Switzerland headquarters of the International Olympic Committee.

It underscored the strategy to look for innovative ways to take on employers.

Fifty national trade unions in 37 countries sent letters to their respective Olympic committees asking that Rio Tinto be taken off the Olympic podium.

NT conference participants fly the flag



NT CONFERENCE LEADS TO GREAT CATCH

The Northern Territory Branch held its Triennial Conference in August to discuss the challenges facing the union in the next four years and the campaigns it will be focusing on in the Territory.

The Conference attracted strong rank-and-file attendance and involving guests from Timor Leste, NLC Sea Rangers, Unions NT, the Northern Land Council and representatives of the Larrakia people.

Several seafarers who happened to be in port at the time also attended.

An interesting range of presentations were made, including about the Work Health and Safety Legislation and its uses for members on the job.

On the day immediately following the Conference, the NT Branch Youth Committee

raised \$2250 for Tas Bull International Aid on a fishing charter sponsored by Broadsword Marine.

"A great day was had by all with Michelle Summers blitzing the boys when she brought a massive shark to the surface," NT Branch Secretary Thomas Mayor said. "Patrick Delegate Jason Murphy and his son Mitch Murphy also did well with an impressive Mackerel.

"The NT Branch wants to thank the many people involved in bringing the conference together."

RESOLUTIONS

A range of resolutions were adopted at Conference, including:

- the Branch will increasingly build relationships with indigenous communities, including through social compacts and with Aboriginal Sea Rangers
- the Branch will step our engagement with our comrades in Timor Leste in advancement of their rights as workers and free citizens
- the Branch should continue to increase female membership and encourage the involvement of young people as well in the union

MUA SAYS NO TO NUCLEAR WASTE DUMP ON TRADITIONAL LANDS

Union delegate Jason Murphy travelled to a meeting of the Australian Nuclear Free Alliance (ANFA). Here is his eye-witness report:

During the weekend of October 5-7 2012 I was invited to attend a meeting in Alice Springs to show solidarity between the MUA and Australian Nuclear Free Alliance. ANFA brings together Aboriginal people, environmental and health groups and trade union representatives concerned about uranium and nuclear projects. The alliance has been running strong and holding annual meetings for 15 years

As a union delegate I am interested in solidifying relationships between our union and the community and remain active in fighting injustice. The weekend event was informative; a learning experience that will stay with me for life.

The Federal Government is planning to build a nuclear waste dump at Muckaty Station, 120ks north of Tennant Creek in the Northern Territory. During the weekend, I

"The waste could get into the water system and start poisoning their country."

listened to the objections of the Aboriginal people concerned with the way in which they are being forced by the government to bury this waste in their backyard. They spoke of their connection to the land and the devastating effect this proposed waste dump will have on their way of life.

They explained that the proposed waste will stay in the ground for hundreds, possibly thousands of years. The waste could get into



STRUGGLES OF THE AUSPORT MARINE LINESMEN

Ausport Marine has operated in Sydney since 2004 introducing competition in the lines industry. There has been a great deal of uncertainty, volatility and hostility throughout every one of these years.

The parties have been entering into an agreement upon commencement without being certified, even though a number of agreements have been negotiated and implemented up until now. The first document to be certified only occurred recently.

Members throughout the years have undergone a great deal of struggle to ensure continuity of employment, payment of superannuation, and safe manning, amongst a host of other industrial issues which have included stoppages, strikes, commission hearings, dismissals and lockouts, company closure and reopening after two of the three directors walked away.

The recent agreement generated 18 per cent in wage increases over three years. This

outcome stands testament to the patience, solidarity and struggle of the Ausport Marine linesmen in what has been an incredibly difficult environment over many years.

The Sydney Branch was looking forward to some functionality across the lines industry in Sydney, with agreements trying to be reached for Ausport in other areas, however a new entrant is looking to enter the port placing the viability of companies and jobs in further jeopardy.

the water system and start poisoning their country. This inevitably leads to the breaking down of Aboriginal land, their law, culture, their spirits and their stories.

The objection to this nuclear dump has international legal standing. Article 29: The United Nations Rights of Indigenous Peoples declares:

"States shall take effective measures to ensure that NO storage or disposal of hazardous waste materials shall take place in any lands or territories of indigenous peoples without free, prior and informed consent."

This should solidify the objection of the landowners to this proposed waste dump, yet the government has not let go of this idea. Since 2010 the Traditional Owners have taken Federal Court action challenging the Federal

Government and the Northern Land Council over nominating their land for the dump without consent.

The proposed waste dump is unnecessary. Most of the long-lived intermediate level radioactive waste is currently stored at Lucas Heights, the nuclear research reactor site south of Sydney. The Australian Nuclear Science and Technology Organisation (ANSTO) has acknowledged that it can continue to store the waste at Lucas Heights, saying in a public forum in 2004 "ANSTO is capable of handling and storing wastes for long periods of time. There is no difficulty with that."

Other waste destined for storage at the waste dump is reprocessed fuel rods returning from France and Scotland. These fuel rods are intermediate level waste and are the most radioactive of what is destined for the dump. Until plans are scrapped at Muckaty or

in the Territory we cannot rule out radioactive waste coming through the Darwin Harbour and being handled by workers at our wharfs.

The MUA has had a strong voice on this issue both in the Territory and at a national level. Like many others, we have called on the Government to take a responsible approach to nuclear waste management and initiate an inquiry or commission into how best to deal with Australia's nuclear waste.

As a worker, father and husband I say "no" to any nuclear waste being shipped through Darwin or transported through our communities. I ask all who read this to help the Northern Territory and Muckaty Traditional Owners oppose the waste dump.

For more information on the issue:

- *Beyond Nuclear Initiative:* www.beyondnuclearinitiative.wordpress.com
- *'Muckaty Voices' video documentary:*

THE MARITIME UNION OF AUSTRALIA AND ITS SUBSIDIARY
CONCISE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2012



The Concise Financial Report is an extract from the Union's Full Financial Report for the year ended 30 June 2012. The Financial Statements and specific disclosures in the Concise Financial Report have been derived from the Full Financial Report. A copy of the Full Financial Report is available to members at any branch of the Maritime Union of Australia.

AUDITOR'S OPINION

The audit of the Maritime Union of Australia and its subsidiary's Financial Report for the financial year ended 30 June 2012 resulted in an Unqualified Independent Auditor's Report.

OPERATING REPORT

The names of the officials in office at any time during the financial year and to the date of this report are:

Austin, A (Retired 1 July 2011)	Covell, L * (Retired 1 July 2011)	McAleer, P
Boyle, J (Retired 1 July 2011)	Crumlin, P	Munday, T
Bull, P * (Retired 1 July 2011)	Cushion, D	Newlyn, J
Bracken, K	Deakin, J	Outram, D * (Appointed 1 July 2011)
Bray, I	Doleman, M	Patchett, R
Burford, A *	Evans, A	Schleibs, D
Cain, C	Garrett, P	Sheehan, P
Campbell, J	Hill, I * (Appointed 1 July 2011)	Smith, W
Carr, M	Horgan, L * (Retired 1 July 2011)	Tracey, W
Carter, S * (Appointed 1 July 2011)	Keane, G	Williams, G (Appointed 1 July 2011)
Clothier, C *	Keating, P	

* Honorary Electorate

Officials have been in office since the start of the financial year to the date of this report unless otherwise stated.

No significant changes in the Union's state of affairs occurred during the financial year.

The principal activities of the Union during the financial year were the provision of Trade Union services to its members. No significant change in the nature of these activities occurred during the year.

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the economic entity, the results of those operations, or the state of affairs of the reporting unit in future financial years.

The Union operates predominantly in one business and geographical segment being Trade Union services in Australia.

All transactions and balances are reported in local currency unless otherwise stated.

Revenue from member contributions is recognised on an accrual basis. These comprise of actual contributions received during the year and contributions due at reporting date.

The lead Auditor's Independence Declaration for the year ended 30 June 2012 has been received and can be found on page 5 of the Full Financial Report.

The Financial Report of The Maritime Union of Australia and its Subsidiary Company for the year ended 30 June 2012 was authorised for issue in accordance with a resolution of the National Council on the 18th of October 2012.

INCOME STATEMENT	Consolidated		Chief	
	2012	2011	2012	2011
Operating income and expenses				
Revenues from operating activities	16,303,951	13,686,584	16,303,951	13,686,584
Employee benefits expense	(9,261,324)	(7,769,646)	(9,261,324)	(7,769,646)
Depreciation and amortisation expenses	(643,033)	(589,158)	(643,033)	(589,158)
Other expenses from ordinary activities	(6,844,919)	(5,184,852)	(6,844,919)	(5,184,852)
Operating surplus/(deficit)	(445,325)	142,928	(445,325)	142,928
Non-operating income and expenses				
Increase/(Decrease) in investments	(557,752)	(13,810)	(557,752)	(13,810)
Income from managed investments	187,496	203,280	187,496	203,280
Foreign currency exchange gain/(loss)	3,861	(26,923)	3,861	(26,923)
Interest received	117,186	178,971	117,186	178,971
Management fees	-	(6,484)	-	(6,484)
Property revaluations	2,059,013	-	2,059,013	-
Non-operating income and expenses	1,809,804	335,034	1,809,804	335,034
Net surplus/(deficit) from ordinary activities	1,364,479	477,962	1,364,479	477,962

THE MARITIME UNION OF AUSTRALIA AND ITS SUBSIDIARY
CONCISE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2012



BALANCE SHEET	Consolidated		Chief	
	2012	2011	2012	2011
Current assets	2,773,190	5,324,613	2,765,572	5,316,995
Non-current assets	32,952,087	30,311,592	32,967,078	30,326,583
Total assets	35,725,277	35,636,205	35,732,650	35,643,578
Current liabilities	3,412,906	4,617,391	3,412,906	4,617,391
Non-current liabilities	1,153,424	1,224,346	1,153,424	1,224,346
Total liabilities	4,566,330	5,841,737	4,566,330	5,841,737
Members' equity	31,158,947	29,794,468	31,166,320	29,801,841

CASH FLOW STATEMENT	Consolidated		Chief	
	2012	2011	2012	2011
CASH FLOW FROM ORDINARY ACTIVITIES				
Receipts from members	16,392,691	14,247,733	16,392,691	14,247,733
Payments to suppliers and employees	(18,408,189)	(13,713,387)	(18,408,189)	(13,713,387)
Rent received	317,398	428,771	317,398	428,771
Other receipts	846,794	321,139	846,794	321,139
Donations	44,625	27,289	44,625	27,289
Net cash provided by/(used in) operating activities	(806,681)	1,311,545	(806,681)	1,311,545
CASH FLOW FROM INVESTING ACTIVITIES				
Interest received	98,100	178,971	98,100	178,971
Repayment of Official loan	24,700	5,581	24,700	5,581
Proceeds from sale of investments	-	1,262,012	-	1,262,012
Purchase of investments	(61,397)	-	(61,397)	-
Proceeds from sale of property, plant and equipment	86,619	112,764	86,619	112,764
Purchase of property, plant and equipment	(1,634,953)	(2,292,188)	(1,634,953)	(2,292,188)
Net cash used in investing activities	(1,486,931)	(732,860)	(1,486,931)	(732,860)
Net increase/(decrease) in cash and cash equivalents	(2,293,612)	578,685	(2,293,612)	578,685
Cash and cash equivalent at the beginning of the financial year	3,592,462	3,013,776	3,585,393	3,006,707
Cash and cash equivalent at the end of the financial year	1,298,850	3,592,461	1,291,781	3,585,392

CHANGE IN MEMBERS EQUITY	Fighting Fund Reserve	Revaluation Reserve	Retained Surplus	Total Equity
	Consolidated			
At 1 July 2010	18,739	-	29,297,767	29,316,506
Net surplus for the year	-	-	477,962	477,962
At 30 June 2011	18,739	-	29,775,729	29,794,468
Net deficit for the year	-	-	(694,534)	(694,534)
Other comprehensive income	-	2,059,013.00	-	2,059,013
Total comprehensive income	-	2,059,013	(694,534)	1,364,479
At 30 June 2012	18,739	2,059,013.00	29,081,195	31,158,947
Chief Entity				
At 1 July 2010	18,739	-	29,305,140	29,323,879
Net surplus for the year	-	-	477,962	477,962
At 30 June 2011	18,739	-	29,783,102	29,801,841
Net deficit for the year	-	-	(694,534)	(694,534)
Other comprehensive income	-	2,059,013	-	2,059,013
Total comprehensive income	-	2,059,013	(694,534)	1,364,479
At 30 June 2011	18,739	2,059,013	29,088,568	31,166,320

End of Concise Financial Report

ARALUEN SPIRIT- THANKS FOR THE MEMORIES

The Araluen Spirit, formerly the Helix finished up in November last year after transferring from Shell to Teekay then receiving notice from Shell that the vessel would no longer be required to service their Australian supply. Unfortunately Shell did not see the wisdom in waiting until the Shipping Reform legislation passed and let the jobs of 18 MUA members go along with a reliable job that had serviced the Australian coast since 1997.

The Helix spent many years on the East Coast run before running supply out of Singapore to the Northern Australian Ports for a few years before being finished up. I joined the Helix towards the end of 1998 and for many years had the support of the crowd as delo, along with **Bruce Fray** there until she finished up.

We always had an aim of improving safety, working and living conditions onboard so that if a replacement was engaged those conditions would flow on throughout the industry. We put a lot of work into improving the EBA over the years and ended up with a document that ensured fair remuneration and conditions for our members with the focus being on conditions rather than large wage increases.

The Shell EBA was the first agreement to achieve paternity leave and door to door travel, 16% super and many other conditions. We went from an EBA in 1997 when cost savings were being made to Aussie vessels where we took a hit to an EBA in 2008 that is still one of the best blue water agreements on the coast. Though we took no greater priority than making sure our ship mates that had been injured were treated fairly by the company, as was the case with our comrade **Jim McCormack**.

I would like to thank some of the past and present officials that supported us over the many years the vessel ran including **John Higgins, Dick Ryan, Bob Patchett** and especially **Paul Garrett** and Warren Smith for their assistance and support when the vessel was finishing up. As a result Warren instigated the mapping of the tanker fleet with the help of **Penny Howard** which has been of great value to our organisation and will continue to be now that the Shipping reform has passed.

We had many laughs and good times along the way on the Helix. As delo I enjoyed solid support from the comrades I sailed with and that will stay with me in years to come.

*In unity,
Matt Leach, Union No. 6003259*

NEW QUEENSLAND BRANCH ORGANISER

It's with great pride that I have been appointed as a Branch Organiser for the Maritime Union of Australia – Queensland Branch. My appointment is a culmination of many years of Union activism and agitation for workers' rights as a proud Rank-and-File MUA Seafarer makes this a dream come true.

My appointment sees me working in one of the most important MUA growth sites, the Port of Gladstone, home to Queensland's largest multi-commodity port - and I couldn't be more proud to represent my colleagues, friends and Comrades in such a vital chink in the MUA chain.

Upon arriving in Gladstone it only took a few days to get a grasp on the huge task at hand. The rapidly changing nature of the Port of Gladstone is astounding. In only a short period of time the Port of Gladstone has almost doubled in the size. While the expansion of the Port of Gladstone is very much welcomed by Queensland MUA for all that it is able to provide to our Members, we must approach expansion with caution and be conscious of the many opportunistic companies that may exploit business opportunities at the expense of maritime workers' rights.

The Port of Gladstone is currently about 55 per cent unionised with several 'Dad & Dave' operations conducting business in and out of the port. Gladstone presents an interesting dichotomy of a modernised maritime hub with many heavily unionised operations in action, contrasted against several conservative, de-unionised worksites that exist in the Port.

We have developed an initial plan to reinvigorate the de-unionised sections of the Port of Gladstone. By implementing a newly developed organising model, we aim to make ourselves as available as we can across all marine workforces.

The task ahead for the MUA Regional QLD team should not be understated. While the redirection and reinvigoration of our focus in the Port of Gladstone will be challenging, I hold great hope in light of some of the examples of solidarity and long term activism that I have witnessed on the ground in Gladstone.

The influence of many Gladstone Rank-and-File members over an extended period of uncertainty needs to be acknowledged as a priority. The Meirs family and the PB SEA TOW Rank-and-File under the leadership of **Paul Gallagher, Gary McCarthy, Terry O'Shane** and **John Lunt** need a particular mention for their dedication to our cause.

These Rank-and-File Members have fought to not only secure decent working conditions and fair and equitable pay for MUA members, but they have also dedicated themselves to fighting against some of the most aggressive, anti-union companies in Australia and beyond. These multinationals continue to work against all MUA efforts in Queensland by means of submissions to the Government advocating for foreign labour

to take the rightful jobs of our MUA Queensland Members. It is a priority of the new agenda of Regional Queensland MUA to oppose any move to replace MUA Members with any and all de-unionised, foreign unskilled labour.

The Members that upheld the industrial strength of the MUA in regional Queensland before my appointment are also those that strived to uphold the proud socially just values of our great organisation. These same Members that ensured MUA Rank-and-File members received just pay and worked in decent conditions also raised money to send MUA Regional Queensland Member and boxing sensation **Billy Ward** to the London Olympics and to support the construction of a Children's hospital in Brisbane.

This is how the MUA operates. We look after our Members at work and we contribute to the social fabric that binds us together to make the working class strong. With the continuation of these ideals, I hope to make Regional Queensland MUA bulletproof against any attacks to our socially and industrially progressive way of life.

Over the coming weeks, we will be launching our Queensland Regional Port Committee, which will comprise of Delegates from all facets of our great Port. I believe that this will be a vital step in executing our newly devised Regional Queensland Branch Plan that aims to empower new activists and reinvigorate those that have continued to agitate for our cause.

Given the current political landscape we are witnessing in Regional Queensland in light of the election of the callous conservative Newman led Liberal National Government, we need the numbers on the ground that having a strong active Queensland Regional Port Committee will provide. This will help us carry out the work that needs to be done to make Gladstone a safe, Unionised, socially progressive Port – something that MUA Queensland Regional Members deserve.

I look forward to promoting the case to unorganised workplaces of the benefits that an active and socially progressive Unionised workforce can provide. I also look forward to tackling the challenges we face in Gladstone and Regional Queensland, shoulder to shoulder with the Rank-and-File of the Mighty Maritime Union of Australia.

I must give thanks to the MUA National Executive that have supported my appointment as Queensland Branch Organiser and also to the Newcastle and Sydney Branches for their tutelage and ongoing support that has ultimately led to my appointment to this esteemed position.

*In unity,
Jason Miners,
Queensland Branch Organiser*



VALE VICTOR CHARLES SLATER, WORKING CLASS LEADER AND ACTIVIST

It is with great sadness that we have learnt of the passing of one of our dearest Comrades, Victor Charles Slater.

Vic joined the Waterside Workers' Federation before his 21st birthday, in January 1965 and rose to become WA Branch Secretary.

Vic played a critical role in the amalgamation of the unions to form the MUA. He became a Deputy National Secretary in 1993 and was Assistant National Secretary between 1995 and 1999.

MUA National Secretary, Paddy Crumlin, said Vic was one of the leading lights of the labour movement.

"Vic was a political activist and internationalist of the highest regard and he devoted his life to the union, the international working class, and socialism," Mr Crumlin said.

"Vic was part of the leadership that formed the MUA and he was an essential player in developing our industry and political campaigns over many decades. Even after his stroke, he retained a strong interest in all

matters related to the union and he will be sadly missed by us all."

Former MUA National Secretary, John Coombs, said Vic should be remembered for his strength of belief and for his tireless dedication to the labour cause.

"Vic was a keen intellect, extremely well-read and worldly, but he put his knowledge to good use. He was a thoughtful and passionate person who dedicated his life to the working class. Amongst his many successful campaigns included winning compensation for victims of asbestosis and their families and helping to forge new legislation to protect victims," Mr Coombs said.

"Vic played a pivotal role during the 1998 waterfront dispute but he involved himself in a wide range of struggles, including occupational safety and was briefly imprisoned for his activism against the Vietnam War."

Vic served as a member of the



(Left): Vic Slater. (Top Right): Slater organising in the streets. (Bottom Right): Paddy Crumlin lays a rose on Slater's coffin.

ACTU Occupational Health and Safety Committee (1990-1998), the Asbestos Disease Society of NSW, the Environment Protection Agency Hazardous Waste Policy Reference Group and the ACTU trade union aid group, Australian People for Health, Education and Development Abroad Inc. Vic also served as a director of the Stevedoring Employees Retirement Fund which Business Review Weekly listed as the top industry fund in 1998 and as a member of the International Cargo Handling Coordination Association Australian Executive Committee.

Vic was a long-standing member of the Communist Party until its dissolution in 1991. His parents, Joyce and Jim, were similarly devoted members of the CPA since the Great Depression. Prior to that, Vic was a member of the Eureka Youth League.

In more recent years, Vic has been involved in the Search Foundation, which is dedicated to the socialist tradition of struggling for workers' rights and human rights.

Vic passed away on 31 October 2012, at age 68, and he is survived by his two daughters.

Vale Comrade Slater, a working class hero and leader, now at rest.



VALE COMRADE: MICHAEL CHARLES POWER

Jim Donovan gave a moving eulogy for our passing comrade, Michael "Mick" Power

"Today we come to say farewell to Michael Power and we also come to celebrate a most remarkable person and his life. So let me begin by saying on behalf of Jacqueline and Victor, his family, comrades and friends, I have been given a special honour to say farewell to a warm, extraordinary and wonderful person.

Michael Charles Power was born in April 1938, to parents William and Mary at Preston, Melbourne. Anne his sister said he was Mum and Dad's favourite. Mick had four sisters and four brothers with Mick being the third born.

Mick's brother Peter who is here today with sister Anne tells me Mick was very close to his Mum and Dad and in fact to the whole Power family and I have it on good authority they could nearly fill the Melbourne cricket ground if they all got together. Mick made many trips to Melbourne especially to see his Mum. And it was on one of these visits Mick suffered an horrendous accident. I will relate further on.

Mick took up amateur boxing at an early age and later fought as a feather and welterweight. Around the late '60s boxing was seen on television as "TV Ringside" with Melbourne's Ron Casey as the host and Mick's was the first fight ever broadcast live to Sydney and Melbourne and as his brother Peter puts it, he was the first fighter ever to lose a fight on TV. And his great mate **Harry Black** also remembered it on more than one occasion.

Before that Mick fought Max Carlos to see who represented Australia at the 1956 Olympic Games. Alas Mick also lost than one too, but Max went on to win an Australian title. Mick had some professional fights but retired not long after he came to Sydney.

Looking at Mick's fight record I think the best thing Mick did was to retire from the ring as there were not many victories recorded, but he made many friends from this profession.

When I was informing Mick's many friends and comrades, all were so surprised to hear of Mick's passing, but it was their endearing remarks about Mick. We have lost a wonderful person, so caring, a great fighter for his class, a

great comrade, kind and gentle always caring for others. A very polite man especially to women.

Mick came to Sydney in 1960-61 and lived in Harris Street, Ultimo. He joined the Sydney waterfront in 1960 and worked a bodgie brief, but got his own in 1963 and this was to become a great and wonderful venture for the next 35 years of Mick's life.

It was here that working class politics come to the fore. He had joined the waterfront when many changes were taking place and many more were to come in later years.

It was this period where he cemented many endearing friendships, and many of those friends and comrades are here today. Sadly some preceded Mick and I mention them later.

In 1964 Mick was in a [wharfie] gang of notable fighters and the gang was called "The Fighting Gang". **Jack Hassen** (Australian title holder); **Bruce Farthing** (another holder); **Graham Moffett, John Hawthorne** (non-title holders); **Athol Dixon** (who went on to become a great Aboriginal rights fighter); and **Owen Porter** were the gang leader.

They were a very militant gang; would stop work on any issue. Getting them to start work was another thing. It was in the period Mick took out a delegate's brief and around 1965-66 Mick joined the Communist Party of Australia and became a member of the Street Branch with **Harry Black, Ina Heidtman, Johnny Healy, Bob Bolger, Matt Munro, Tom Nelson** and myself were just some of the then branch members.

At this stage Mick was working for some unsavoury persons as an SP bookmaker at the Bondi Hotel. He took on the work of the Party with vigour and this put a stop to his SP ventures.

During this period of time the Party was in a bit of turmoil going through some disruptions relating to the true teachings of Marxism and Leninism. And this is where he met his great mentor **Jack McPhillips**, whose friendship was to last for many years and of

course his other mentors being Harry Black and Ina Heidtman.

It was a great learning period for Mick with the final outcome being the formation of the Socialist Party of Australia of which Mick gave total support and commitment.

His love of the Marxist Leninist teachings led Mick to the Soviet Union and Moscow in 1975 and in 1980 to the Lenin Institute to study their teachings. Again this was a turning point in his life for his studies of the classics brought Mick to a better understanding of the class nature of society – and the reasons for the class struggles.

And on his return to Australia he applied these new learnings to the application of his work on the waterfront.

Mick developed into a first class and most respected delegate. He was elected to Patrick's Committee on many occasions. Mick's activities in both the Party and the union slowed down because of a visit to Melbourne in 1987, where he went to assist some people who were being assaulted by a group of men. These thugs overpowered these people and Mick. As a result they took Mick and dropped him from a height onto his head seriously injuring him to near death.

Mick recovered after many, many months of rehabilitation and it took him some years to regain his full health. This was a setback, but it never deterred him from both the Party and union work.

While in the Soviet Union, Mick took a liking to the great composers of classical music.

His brother Peter tells me when he went to visit him in Melbourne Mick would play the classics for hour after hour and Peter would yell out Mick "enough is enough turn that (expletive) off".

The Fighting Gang broke up and Mick formed another one in 1974 with many other notables in it including **Terry McNamara, Trifecta George, Bob Leman** and his good mate **Alistair Lowe** whose family he loved very much, and my own family and the Robertson's and of course many other families.

And so many events were or had been taking place on the waterfront: the great battle over permanency, containerisation, the Vietnam War, the US blood bath in Chile, the US blockade of Cuba. The election and dismissal of the Whitlam government. Peace, apartheid in South Africa. His absolute rejection of the Accord process of the Hawke-Keating government of 1983.

These were just a few of the many tasks confronting communists and Mick was to the forefront on all of these issues. Of the many issues just mentioned Mick's fighting for peace and his love of Cuba were uppermost in his thoughts and deeds.

With Harry, Ina, Joy Barlow, Jack McPhillips, **Stan Moran, Anne Duffy-Lindsay** and **Jim Robertson**, hundreds of weekends were taken up on the streets of Sydney's Balmmain talking

and gathering signatures for peace.

I know I will leave some people out when I mention some of Mick's close comrades, so please forgive if not mentioned – **Ray Ferguson, Jake Haub, Andrew Irving, George Gotsis, Donna, Denis and Hannah, Anna Pha, Warren Smith, John Graham and Joe Deakin**.

His love of Cuba and the Cuban people took him to Cuba on many, many occasions. He was the first to volunteer for the Cuban Work Brigades working holidays and of course this is where he met his future wife to be, Jacqueline, in the early 1990s.

Jacqueline came to Australia in 1995 and they were married in 1996 with many here today at the ceremony Mick retired after the 1998 lockout by Patrick's of which Mick played a leading role on the people's peaceful pickets. Mick would often retell stories of that time and there were many mostly good tales.

Mick had a very good sense of humour and wit, he loved a beer like most of us, sometimes he was off the wagon for health reasons but on most occasions fell off that wagon. It was during this time Mick would open up a bit more, and he and others would solve the problems of the world.

On retirement Mick joined the Maritime Union of Australia Retired Member's Association – "Retired from the workplace but not the struggle" – and Mick attended most meetings and joined in all the other activities.

A measure of any person's life on this earth can be measured by the question - did that person leave it better than when they first came into it?

I am sure that all of us here today would whole heartily agree Mick did just that. For without people like Mick and his devotion to peace and the betterment of human kind this world be a very different world.

And on this note we now say farewell to our dear friend and comrade.

Jim Donovan, MUA

VALE: TED SIMS

Ted Sims passed away on 14th July after a short illness. He was 84 yrs old. Ted spent 42 years at sea. He was a retired member of the M.U.A and the S.U.A. Ted retired from seafaring in 1990, along with his old mates Jock Auld & Tom Quinn. He was a fine seaman and shipmate. His last ship was the Australian Exporter. Ted spent his retirement years with his wife Dot in Lismore.

Retired member Harry Sims.



VALE: ANTHONY SCOCCO (Union Number: 9004232)

Anthony and his Sister Jacqueline would often come on board ships I was working on with their Mother while they were growing up and they loved it.

One Ship they both remembered fondly was the *Zincmaster* that they christened the "Scoffmaster" where the crew on board would ply them with Tim Tams and bucketloads of ice cream. So it was inevitable that Anthony would follow in his Old Mans' footsteps up the Gangway.

He proudly announced to everyone that he had been accepted to go to the Maritime College in Launceston on his wedding day in 2003. Anthony commenced his seagoing Career with CSR on the Ormiston as a TIR. He remained with that company for 2 years on the *Kowalka and Goliath* after getting his IR's ticket because he considered it the right thing to do. He felt he was repaying them for putting him through his training and as always showed commitment and integrity.

He made the move to offshore work on the *Highland Rover*. Anthony revelled in the training. He loved the life, the work and the comradeship. Anthony was above all else a family man and lived for his children **Lexi** and **Domenic**. Unfortunately, this industry is very hard on relationships and his wife ended their marriage but this only made him a more dedicated Father.

Over the next few years he'd tried his hand at just about every type of vessel working in the Offshore industry, from Rock Dumpers, Pipe Layers, Tenders and Chase Boats to Rigs, Dive Support Vessels and Seismic. He'd stepped up to Chief IR on a lot of those jobs.

One Christmas I was fortunate enough to sail with my son on the Geco Eagle with him as CIR and me as Chief Cook. It put a smile on my face to see how much he enjoyed what he was doing. Landing Choppers and slinging Yokohamas over the side with a massive crane reminded me of him and his toys as a little boy. Now they were Big Boys Toys.

Anthony's life seemed perfect when 4 years

ago he met Jamie. They were to be married soon and he had commenced procedures to adopt Lockie, Jamies' Son. They were a happy blended Family with 4 great kids.

What went wrong? We may never know but Anthony was very concerned about not having a job after his last swing and had reason to believe that his Children were to be moved away from him. That must have been too much to bear.

If Anthony leaves a Legacy to his beloved Industry and Union it is this:

Don't just bottle up your feelings. Talk to your Family, your friends and your Shipmates.

There is help available and there is no problem that we can't solve together if you just ask.

Kevin Rowley (Union No 6015007)

MINUTE'S SILENCE HONOURS WHARFIE

On October 3, maritime workers at every major port in Australia observed a minute's silence to commemorate the tragic death of Newcastle wharfie Greg Fitzgibbon.

Mr Fitzgibbon, 56, a Newcastle stevedore, was working on board the Chinese-registered bulk carrier Weaver Arrow on September 23 when a 20-tonne pallet of aluminium ingots unexpectedly shifted and crushed him.

A funeral for the Adamstown father of two was held yesterday at St Columba's Catholic Church at Adamstown, while a minute's silence was observed at wharves and docks nationwide at noon.

Maritime Union of Australia national secretary Paddy Crumlin attended yesterday's funeral on behalf of the union.

Union assistant national secretary Warren Smith said the union was angry the industry's major employers were resisting implementation of a National Stevedoring Code of Practice.

"There have been too many deaths on the Australian waterfront in recent times," he said.

"It's time employers stopped undermining safety and looked after workers as much as they look after the bottom line."

Mr Fitzgibbon was born and raised in Carrington and worked on or around ships for most of his life.

Australian Transport Safety Bureau investigators are compiling a draft investigation report into the incident. *NEWCASTLE HERALD | Oct. 3, 2012 | MUA*



SHORTEN TO REVIEW SEACARE SCHEME

Workplace Relations Minister Bill Shorten has announced a targeted review of the Seacare legislation, a crucial scheme for seafarers.

"The current coverage of Seacare is complex, resulting in uncertainties in determining which vessels are covered under Seacare and which are covered under the various state or territory workers' compensation and occupational health and safety schemes," said Minister for Workplace Relations **Bill Shorten**. "Federal Parliament recently passed important maritime industry reforms, including the Gillard Government's Stronger Shipping for a Stronger Economy changes, and replacing the century-old Navigation Act to establish a single national maritime regulator.

"With the Government's introduction of the national work health and safety laws, it is important to ensure Seacare continues to provide an effective framework for rehabilitation and compensation support to injured seafarers, and provides practical, clear and consistent OHS guidance to maritime operators," he added.

Minister Shorten also said that it is the Government's intention that the review will not consider any reduction in existing benefits afforded to workers covered by the Seacare scheme.

The MUA welcomed Minister Shorten's announcement that the Government is committed to ensure that the Seacare Scheme represent best practice, and that it will have the best features of comparable other Australian work health and safety and workers' compensation schemes.

MUA National Secretary Paddy Crumlin said that Seacare review would benefit injured workers and, as a result, reduce labour costs to employers.

"The review will provide an opportunity to ensure workers' compensation performance is improved through development of better return to work practices and other reforms that will benefit workers who are injured at work and to ensure that the scheme operators efficiently, thereby reducing labour costs to employers," Crumlin said.

"As it currently stands the Seacare scheme has not been harmonised with the model OHS laws, and as a result does not have the benefits of best practice OHS, yet, OHS performance in the shipping industry remains behind national standards," he added. "Injury, fatalities and suicide in the Australian maritime industry remain unacceptably high,"

Crumlin finally noted that, "We anticipate the review will be one way to focus on reforms that will ensure the regulatory framework provides for all interests. Employers, workers and contractors can reduce the levels of incidents and to make working in the Australian shipping industry a safer place."

The review will inquire and report on the coverage of the Seacare Scheme, including:

- The interaction of the Occupational Health and Safety (Maritime Industry) Act 1993 (OHS(MI)) with state and territory schemes and the Offshore Petroleum and Greenhouse Gas Storage Act 2006;
- A legislative framework for the Seacare Scheme that identifies the relevant coverage for a particular maritime activity;
- The availability and scope for exemptions from Seafarers Rehabilitation and Compensation Act 1992 (Seafarers Act).

The National campaign to protect IR's on FPSO's has been boosted by AMSA's recent decision to revoke current MSMD's on Woodside FPSO's.

- The scope and necessity for amending and updating any legislative inconsistencies in the Seacare Scheme, including:
- Any provisions in the legislation which need to be updated; and
- Ensuring consistency between the Seafarers Act and the Safety, Rehabilitation and Compensation Act 1988 (SRC Act).
- Legislative changes required to OHS(MI) to ensure consistency with the model work health and safety laws.
- The scope for amending the Seafarers Act to help reduce workers' compensation premium costs.
- The governance arrangements for the Seacare Scheme.

The review of the Seacare Scheme will report by 22 February 2012.

(Top Left): Minister for Workplace Relations Bill Shorten

"The review will provide an opportunity to ensure workers' compensation performance is improved through development of better return to work practices and other reforms that will benefit workers who are injured at work and to ensure that the scheme operators efficiently, thereby reducing labour costs to employers,"

Paddy Crumlin

THE UNION WARNS OF A KOORAGANG CANCER CLUSTER

The Maritime Union of Australia has called on the O'Farrell Government to immediately initiate an investigation into the causes of a cancer cluster at Port Waratah Coal Services' Kooragang Island coal facility in the Hunter.

In early 2005, MUA members at PWCS Kooragang Island raised concerns with the company about what appeared to be a greater number various types of cancer's being diagnosed amongst their comrades, both retired and still working.

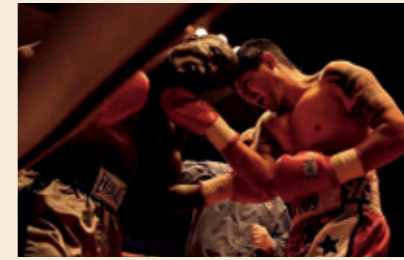
Through the perseverance of the Branch's OHS committee, PWCS engaged the University of Newcastle to undertake an independent study to investigate these higher rates of cancer. The study took over six years to complete and, while the report identified that our members were at least three times more likely to be diagnosed with various types of cancer compared to the Australian population or, their Carrington terminal comrades, there was no evidence of the exact causes of the cancers.

PWCS maintains that the types of cancer identified by the study are both hereditary or lifestyle related cancers and that there is no link to occupational or environmental causes regardless of the lack of conclusive research or information supporting this claim. At the initial briefing on the report, the Branch proposed to the company that all employees should be immediately provided the top private health insurance to ensure that when MUA members are diagnosed they are provided the best medical care available. PWCS rejected the demand but the Branch is pursuing the issue through claims for the new enterprise agreement.

Newcastle Branch Secretary, Glen Williams, said the study left unanswered questions.

"This study was not designed to find the cause of these cancers and was only designed to see if there was a higher rate," Williams said. "What it boils down to is that you are nearly three times more likely to contract some forms of cancer if you work at the PWCS Kooragang terminal than if you work somewhere else."

Williams added that, "Our members are concerned for their safety - whether they've been working there for five years or 25 years. They're worried about their ongoing health. More work needs to be done in the form of a fully independent inquiry to find out why our members keep getting sick."



'HOLLYWOOD' CHAD PAYS TRIBUTE TO 'GAF'

Newcastle stevedore and boxer Chad Bennett dedicated his recent title fight rematch win to fellow wharfie Greg Fitzgibbon, who was tragically killed while working on the waterfront.

In a moving gesture, Newcastle stevedore and boxer Chad Bennett dedicated his title fight rematch win against two-time former Commonwealth champion James Armah to fellow wharfie Greg Fitzgibbon, who was tragically killed while working on the waterfront.

Fitzgibbon, a 56-year-old father of two, was working on board a Chinese-registered bulk carrier on September 23 when a 20-tonne pallet of aluminium ingots unexpectedly shifted and crushed him.

"Hollywood" Chad Bennett and Fitzgibbon, known as "Gaf", were close comrades and worked together at Newcastle Stevedores.

"When you go to work, you should be able to come home at the end of your shift," Bennett said.

"We held a minute's silence for Gaf, and the MUA Newcastle Branch arranged for his daughters to be on a table at the fight,"

"He was a loyal MUA man and there will be a lot of MUA members at the fight to support him, so I'm dedicating this fight to Gaf and to all MUA members. The MUA have been very good to Gaf's family since he passed away and they've always been good to me and supported me."

"Hollywood" was reluctant for the rematch to go ahead but granted Armah's wish after his management said he wasn't allowed to fight out of the trouble he was in last time, and believed that he was ahead on the cards.

"That annoyed me but I didn't protest. I said 'Let's do it again,'" Bennett said.

But there were no protests on fight night after the referee counted

Armah out just as he regained his feet with about 30 seconds left in the fourth round.

Bennett trapped Armah in a corner with a flurry of 20 unanswered punches and the African fighter was finished.

"He's a very good boxer and he boxed really well at the start of the fight, and he hit me a lot," Bennett said.

"The game plan was to try to pressure him and suck a bit of fuel out of him then later in the fight bail him into a corner, similar to what happened last time, but this time it happened a lot earlier than I expected.

"He started to fire a bit in the fourth round and he went into a corner, then I jumped on him in the corner, landed some good shots, and that was the end of him.

"I landed some good shots, and the left hook I hit him with was probably the best punch I've thrown in a long time, and that hit him flush.

"I thought he was going to get back up - he tried to get back up - but the referee counted him out, and they didn't complain at all this time."

Bennett, the two-time former World Boxing Foundation welterweight champion, will speak to an American-based promoter to finalise details of his next fight against Ghanaian national welterweight champion Ben Ankrach in November.

That has been tentatively scheduled for November 17 in Las Vegas or Lake Tahoe.

If he wins, Bennett hopes to headline a Warton-promoted WBO world junior welterweight title fight at Newcastle Entertainment Centre in February.



Wayne Lamb (standing, second from right) with charity group climbers.



Deputy National Secretary Mick Doleman hands White Ribbon trophy to Swans White Ribbon Ambassador Jarrad McVeigh

WAYNE'S ADVENTUROUS WORLD!

Well where do I start? After having a near death motorbike accident back in may 2009 and having to take a forced TPD, nearly losing my home and losing a marriage I decided that when I was able I would give something back to those who helped me. I also wanted to donate my time to a charity that needed some help. I meet Rick and Emily Parish who lost their 4 year old boy to cancer some 17 months ago. They started THE TELETHON ADVENTURES. They have changed my life in so many ways! We raise money for research regarding childhood cancer and ultimately finding that cure to stop losing our kids. The way we do it is to go around the world where there is a challenge and put ourselves out of our comfort zone. It pales into insignificance compared to what the children have to go through with the operations, drugs and

rehabilitation. Attempting the Grand Paradiso (height 3200m) which is the highest mountain in Italy was without doubt the hardest thing I have attempted, although I didn't make it to the top because of altitude sickness and also lack of fitness, I went somewhere to knowing what these kids go through. We have raised over \$100,000 for the climb and every cent goes towards finding a cure. From France and Italy I went to Las Vegas for another adventure which was to ride Harleys over 1500 miles from Vegas to Hollywood through Death Valley, Yosemite national park and over to San Francisco down highway 1 to Hollywood. Once again we achieved over \$100,000! We had such a wonderful time and have friendships that will last a lifetime. Anyone is more than welcome to join us for the next challenge wherever that may be. All you

have to do is go to the web site The Telethon Adventurers (<http://www.theadventurers.com.au/>) and sign up. We all know someone who has had this terrible disease and the more money raised will ultimately get us closer to that cure.

On closing can I please thank **Christy Cain, Kevin Bracken** from the MUA for their very kind support and hoody donations they were very much appreciated when the temp dropped to minus 9 on the mountain.

*In unity
Wayne Lamb
Life member 2429*

AFL WHITE RIBBON TROPHY: ROUND 14

Round 14 of the AFL saw the Sydney Swans and GWS Giants play for the White Ribbon Trophy at ANZ Stadium on Saturday 30 June 2012. White Ribbon Ambassador's were on-field during quarter- and half-time to inform the crowd about the White Ribbon campaign and ask ticket holders to buy a ribbon and show their support.

The White Ribbon Campaign is Australia's only national male-led violence prevention campaign and is led by more than 1400 male Ambassadors, who include high profile men such as Andrew O'Keefe, Kevin Rudd, Hazem El Masri, Charlie King, Michael Long, and several AFL stars.

Along with the MUA, the AFL has been a long-standing supporter and partner of White Ribbon. Their commitment to White Ribbon is demonstrated by the many AFL managers

and players who have signed up to White Ribbon's Ambassador Program, and is also reflected through the AFL's own respect and responsibility programs.

Swans co-captain and White Ribbon Ambassador Jarrad McVeigh accepted the trophy from MUA Deputy National Secretary and White Ribbon Ambassador of the Year 2011, Mick Doleman:

"We have a responsibility to speak up and say: I swear never to commit violence against women, I swear never to excuse violence against women, and I swear never to remain silent about violence against women," said Mr Doleman.

"Thanks to all those Sydney Swans and GWS Giants fans who wore their ribbons and wristbands with pride."

"We have a responsibility to speak up and say: I swear never to commit violence against women, I swear never to excuse violence against women, and I swear never to remain silent about violence against women."

Mick Doleman



FIGHT TO SURVIVE



One day after wharfie Greg Fitzgibbon DIED on the job the bosses bomb safety by ripping up the draft Stevedoring Code of Practice. Send a message to **Patrick, QUBE, DP World** and **Shipping Australia** that safety and people must come before profit. No more deaths - Demand a **National Stevedoring Code of Practice** now!

NSCOP for life!