

Industrial Report

April 2019



AMOU

Australian Maritime
Officers Union

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Date: 30 April 2019

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WESTERN AREA:

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President's Report

Tim Higgs

President and Svitzer Melbourne Tug Master

Welcome to the April Industrial and Presidents reports.

We have seen a short month in April with both the Easter break and the Anzac Day public holidays. Hopefully most members got to enjoy this period with their families although there would have been those who were away at sea or on shift throughout the ports Australia wide. Given the month being short this end of month has certainly come around quickly. Please read through the latest industrial report from the industrial officers and the Executive Officer.

Federal Election

Earlier in the month, Prime Minister Morrison called the federal election. Off the back of the BHP withdrawal from Australian shipping the Labor Party announced their policy and stance on rebuilding an Australian shipping industry through a strategic fleet. To date the Liberal party have made no announcements or been forthwith with any form of a shipping policy. There is just on 3 weeks to go in the campaign until election day on the 18th of May. Please approach the candidates in your electorate and ask what their policy is and plans to rebuild a vibrant Australian Shipping industry. We are working on an information sheet for members to tie in with a "Don't Abandon Australian Shipping" social media campaign for the remainder of the campaign period. Please see below the ABC's link as it is one of the easiest sites to locate the candidates in your electorate and their contact details.

<https://www.abc.net.au/news/politics/>

Svitzer Works Council

Last month I attended Svitzer's Works council along with Chris Neiberding and 16 delegates from ports across Australia. Leading into the council there was one common theme across all ports, that moral was low and there was no trust with management. It was a great opportunity to have 16 delegates from across the country to meet and discuss the upcoming national EA negotiations. There was an open and robust conversation about the current EA and its downfalls and the areas where members are exposed or vulnerable, in particular casuals and PPT's. We meet in the morning and early afternoon as the AMOU and later in the day took the opportunity to hold a combined delegates meeting with AIMPE under the Nautilus Federation of Australia (NFA) banner. This was well received and gave the opportunity to discuss common issues and for the members to question both unions presidents about the NFA. Day 2 was the main day to meet with Svitzer they discussed the current issues they are facing within industry and were upbeat and positive. One thing that was clear is it wasn't all doom and gloom with the sky falling in as we have heard in the past. There was acknowledgment of the errors in recent negotiations by previous management and what seemed a genuine approach to mending the relationship with employees. Only time will tell how this unfolds.

AMOU Quadrennial Election

This year, as per the unions rules, sees the unions quadrennial elections for the union's officers, your elected officials. The time table for elections has been set by the Australian Electoral Commission (AEC) in accordance with our rules and the Registered Organisations Act and will be communicated by them in due course. In the mean time

it is important that as a member you ensure that your details are recorded on the unions database correctly before the roll of voters closes on the 28th of May 2019.

INPEX Training

In recent weeks a SEEK employment link was posted on the unions face book page advertising a cadetship with a manning company looking to employ preferably a female Aboriginal or Torres Strait Islander (ATSI). There was a substantial amount of criticism about the advert and the candidates it was aimed at. To be honest some of the comments made by members were embarrassing to say the least given the day and age we find ourselves in. Yes, Go Marine advertise themselves as an equal opportunity employer but anyone that has been around the offshore industry for a while would know that as an employer Go certainly don't put their hands in their pockets for training. The advertised cadetship has been funded by the union negotiated EDPSPDA training fund with INPEX. Within the criteria of the fund there is the need for the training proposal to address and meet diversity, equality and the benefit to either the INPEX project or the industry. This is not the only cadetship that has been sponsored by this fund. There are numerous others that have been approved by the fund and there is already both males and females of different walks of life enjoying the benefits of a union negotiated INPEX sponsored cadetship. Additionally, the union has seen the approval and securing of approximately five million dollars in training funds for various AMOU roles and positions within the offshore industry. This is the biggest investment into the training of deck officers and deck cadets that we have seen in a long time and this was negotiated by current officials of all three unions to benefit the industry and our members.

In closing the unions 114th registration anniversary comes around next month on the 15th of May. It is an honor to be the elected President representing the members of Australia's oldest registered organization. I look forward to the unions future which has been secured and underpinned by the dedication and hard work by all those on the executive council and in recent years also Mark as the unions Executive Officer.

As always Stay Safe

In Unity



Tim Higgs
President

Executive Officers Report

Mark Davis

Executive Officer (Sydney)

North West Shelf Shipping Service Company

In my March report I advised that the alleged senior officer crewing crisis has been spun into the question what happens if a ship is delayed by the absence of a senior officer? The companies' spin goes further to provide that such an absence means we can't crew 4 ships so we should spread the crews from the 4 ships across just 3 ships.

At a meeting held on 28th March 2019 NWSSSC advised the three unions that:

- The refit was the reason for Northwest Stormpetrel being sold first
- The companies' preference was to crew three Australian registered ships with those crew members who wish to stay
- Contingencies were necessary if there was not 100% Australian crewing
- The maritime unions have said that this is not acceptable
- Trident/STAPL have been endeavouring to move officers through the ranks more quickly to alleviate the senior officer situation
- Any transfer of crews from the ship to one of the Bermuda flagged vessels may result in a loss of more staff; and
- There was a need for clarity soon.

As a result of these factors the shipping partners have decided not to sell the Northwest Stormpetrel 'right away' and it will be sent to refit as planned and likely retained in the service until 2024. This was agreed by the shipping partners to the Continuity of Operations Agreement (COA) on Friday 21st March, but prospective buyers needed to be advised before the announcement went public. They still expect to sell a Bermudan ship this year. They further advised that this doesn't solve the 4-crew sustainability problem.


No further COA meeting has been held since 28th March.

The emphasis for the AMOU has now become:

1. Continuing with the successful strategy of regularly feeding Trident/STAPL with the up-to-date CVs of suitable potential senior officers to eliminate the labour market argument
2. Getting together delegates for constructive consultation committee discussions to address shipboard issues
3. The long-overdue renewal of the Trident enterprise agreement jointly with AIMPE
4. Working on potential amendments to the COA to ensure transparency in the process to downscale the fleet whilst encapsulating the arbitration decision that the last 4 project ships will be the Australian registered and crewed vessels

Port Authority of NSW – Newcastle Pilots EA

After 9 sets of negotiations there has been precious little movement from PANSW to address the central issues requiring redress by the Newcastle Pilots. The enterprise agreement has now surpassed its nominal expiry date by more than one month, as has the side agreement to allow the call-in of Pilots from rostered time-off when the need arises. As reported, the outstanding issues include the roster having its rightful place in the EA alongside the



roster rules, the fatigue management principles and other professional safeguards (such as indemnity) as well as reward systems. The next negotiation session is set for 3rd May. In the meantime, PANSW is employing more Pilots to cover retirements but the totally unacceptable level of accumulation of time-off in lieu and long service leave has not been admitted as a motivation for this. We believe it should be an equally pressing motivation.

Engage Marine/Engage Towage

Engage Towage is the designation of the joint venture between Engage Marine and Smit Lamnalco. The company has towage contracts in Geelong, Port Latta and both Sydney ports. The company has initiated and carried through consultation with AMOU and AIMPE regarding an alternative structure to the partnership arrangements that apply in other company contracts. The discussions have been very constructive, and the company's proposal has been innovative. The proposal involves an employer/employee relationship. Our two unions have been approaching this with an open mind. Engage crews have been advised of the framework of the new proposed structure and the Nautilus Federation Australia partners will receive a comprehensive briefing of the documentation from the company and its legal advisors on 8th May.

Southern Area Members Meeting

We will be holding a member meeting in Adelaide in May. Full details will be sent to members in a Memo next week. We ask that all local members please attend if possible.

Industrial Reports – Glenn Andersen

Organiser (Fremantle)/Offshore Oil & Gas Delegate

Foreign Officers

Australian deck officer and shipmasters work visas are still being issued despite many willing and able local masters and deck officers remaining underemployed and unemployed. Maersk have recently imported foreign deck officers to work in the Offshore Oil and Gas sector. The Federal Election takes place in on May 18th; maybe a new immigration minister will give Australian masters and deck officers a chance.

Ship visits

For April the ship visits were: NW Stormpetrel and the Maersk Master.

Monthly Industrial Reports

Emailing the AMOU Monthly Reports to the ships is paying some dividends, with some deck officers deciding to either join or re-join the union after reading about AMOU activity from all parts of the country.

INPEX/MMA

I have been receiving numbers of replies to a notice sent out to MMA casual deck officers in regards to applying for permanent positions.

Svitzer Lines Boats, Kwinana.

Last week I met with MUA Official George Gakis and Svitzer management to carryout final drafting to the composite union Svitzer Mooring and Lines Boats EBA. The final proposal should be put to the employees this week for their approval.

Westug

The three maritime unions met with Westug management on March 27th Westug were presented with the *Captive Time* dispute. Following that meeting Westug chose to maintain the company position that they were entitled to keep tug crews onboard for a full 12 hours shift despite the fact the 12 hours is often breached whilst the vessel was *on the water*. A week or so later Westug made some minor changes to that policy. However on both occasions the prescribed workplace consultation was nowhere near an acceptable standard.

By the end of last week all three maritime unions had lodged dispute applications with the WA Fair Work Commission.

On April 10th and 11th MUA Organiser Paul Brett and myself held member meetings at cape Lambert and Karratha. Once again these meetings attracted good numbers of committed members. Some first-timers came along and signed-up with the union.

Unfortunately some employees are being intimidated with threats that the only way to keep your job is to join up with a *Partnership*, and further then that, the current EBA will somehow become null and void. Both assertions are completely false.

The turnaround in union membership levels, in recent months, has been remarkable. A Westug Internet *Employee Forum* is operating and is proving to be a very effective means of communication.



Maersk EBA negotiations

A joint AIMPE/AMOU members meeting was held on-board the Maersk Master on April 18th. The state of current EBA negotiations was the main focus of the meeting. Both union officials spoke of the frustration of dealing with a company, which is very happy to treat deck, and engine-room officers as not worthy enough to share the higher level of conditions enjoyed by other shipboard employees.

Whilst leaving the vessel it was made clear to the Maersk HR person both unions see no other way of making headway without calling for a *Protected Industrial Action Ballot*.

I am now making personal phone calls to each Maersk AMOU member to organise support for the ballot process to begin.

OSM EBA Negotiations

The current negotiations are at a standstill. In a new development it now appears that as of the next meeting both AIMPE and AMOU will be lining up together opposite the OSM management team.

OSM FairWork Commission conference

Due to issues surrounding jurisdiction the AMOU will now be applying to the WA Industrial Relations Commission in relation to the three disputes we currently have with OSM. A date for hearing could be weeks away. One of those disputes could possibly be solved with a meeting between the parties set down for Tuesday 30th.

Solstad

The first Consultative Committee meeting for 2019 was set down for April 23rd. Solstad then cancelled this meeting, without giving a reason.

A new date in May is yet to be confirmed.

Swire

We are in the early stages of organising a Consultative Committee meeting.

This company has instructed it's masters that from May 1st 2019 they will be required to carry-out bi annual performance appraisals for permanent employees (currently annual) and in something completely new; end of (each) swing performance appraisals for casual employees.

There has been no workplace consultation for these changes to the workload of Swire shipmasters. I have written to Swire management over the issue. They do not consider it to be a major workplace change that involves any significant increase to the workload of the ship's master.

Well that is, of course, a matter of opinion. Swire have offered to meet and discuss the matter and I will take up that offer.

Industrial Reports – Jarrod Moran

Senior Industrial Officer (Melbourne)

TasPorts

Tugs

With a little more than 3 months until the recently endorsed EA expires members have begun thinking about items for the next round of negotiations.

Pilots

We have had 3 meetings with Tasports regarding the replacement EA for Pilots which expired on 17 November 2018. Main issues for pilots are resources, wages increases, training and professional development, and accrual rates for TOIL.

We have a claim for 2 additional pilots. If Tasports employ additional resources in Bell Bay and Hobart many of our other claims will fall away.

Tasports took a resources paper to a Tasports Board meeting on 10 April which we understand recommended the employment of extra pilots. We understand that the Board requested more information which will be presented at the May Board meeting.

Meetings with Tasports have been suspended until this Board decision has been made.

We gained some media interest in our claims on resources and an article on this can be found at:
<https://www.abc.net.au/news/2019-03-26/tasports-culture-called-into-question/10920672>

Tasports Corporation

A Log of Claims for members will be developed in the coming weeks with negotiations to commence on 9 May in Launceston.

Port Lincoln Tugs

The 3 maritime unions met with PLT late last year and put forward proposals that would satisfy all of our outstanding claims. PLT (via their representative Mark Diamond) said they would consider our position.

In early January PLT indicated that they could not accept our proposals and would set this out in writing to us. Members have been informed in late February that PLT would put their proposed agreement to the workforce for a vote without the endorsement of the unions.

AMOU members rejected the PLT Agreement (the MUA and AIMPE members voted their agreement up). Members were concerned about pay differences between ports.

PLT revised their offer with a commitment to consult and meet with a view to achieving clarity and consistency in permanent part time rates of pay.

On this basis members voted to approve the EA.

DP World Superintendents

We continue to have discussions with DP World around terms and conditions for Superintendents and members desire to formalise arrangements with an EA. The most recent group discussion was in late December which included the Chief Operations Officer. We have advised DP World that we want to reconvene negotiations ASAP.

Searoad Shipping

We had a start stop commencement to negotiations for a new agreement late last year. Members are now organising a password protected portal that we can use to exchange information and thoughts across both vessels and all swings.

Meetings have been held with members on both vessels and negotiations will commence again shortly.

TOLL

Shipping Supervisors

A number of meetings have taken place with toll regarding a replacement agreement. Toll has put an offer to members which is being considered and discussed among the group. Resources is again a big issue and Toll will employ new supervisors in both Melbourne and Burnie.

We are close to finalising arrangements.

Seagoing Collective Agreement

The seagoing agreement expires on 31 March 2019 and a log of claims is being developed. At this point some members would accept a roll-over for 12 months to consider issues raised with the new vessels while others think a longer roll-over would be preferred.

Flinders Ports

FACT

The agreement for the Supervisors at FACT has been drafted and is currently being reviewed by the FACT legal team to ensure FWC compliance. We have scanned the draft which looks ok and voting should proceed shortly.

Pilots


While we reached 'in principle' agreement with Flinders Ports regarding the new Pilots agreement in 2018 a couple of matters have changed since, which can affect the basis on which we settled.

We meet in the FWC in late February and have now more or less settled all outstanding matters. We expect voting on the new EA to happen shortly.

Huon Aquaculture

Huon has had the Norwegian flagged 'Ronja Huon', a 76m well boat/fish carrier off the Tasmanian coast since 2014. In August this year it will be joined by the 'Ronja Storm' a 119m well boat. Additionally we understand that Tassal will bring two well boats to the coast in coming months. The agreement we reach with Huon will set the standard for the industry.

We have had one meeting with Huon. They employ one Australian cadet who is a member. The deck officers are Norwegians employed on s482 visas (with one recently getting permanent residency). Marine and Safety



Tasmania has granted 24 pilot exemptions to 8 Norwegian deck officers since 2014. The deck officers are employed by Solvtrans, but the agreement will be negotiated by Huon.

We have formally given Huon our Log of Claims which includes a clause in the new EA which would give preference to Australian workers before foreign nationals on temporary visas.

We have had one meeting where parties simply presented claims. Meetings are now scheduled for 7/8 May in Hobart.

Port of Portland Tug Masters and Launch Masters

We meet with the Port of Portland on 21 March and have resolved all outstanding matters except remuneration. Tug masters are working increasingly more jobs each year and the wage proposals offered by the employer didn't reflect this. A proposal to fix this is being considered by the Port of Portland.

SERCO

Serco negotiations on the expired EA kicked off again during the month with little progress made except for a recapping of where we left off last November. The 3 unions have provided Serco with a replacement EA which Serco have responded to.

The Serco contract with Navy covers some offshore work and inshore work. Serco would like the offshore work to be schedule much more flexibly than the current EA allows.

All work area are considering changes to rostering etc that could allow Serco this flexibility.

We meet next 1/2 May.

Victorian Regional Channel Authority

We had previously sought to negotiate an Agreement for Marine Operative members employed by the VRCA earlier this year without much joy. We have now established that the VRCA is a Victorian Government Authority and the Government has indicated to them that they need to conclude an agreement with us based on the Governments bargaining framework and in line with the Governments wages policy. Both of these matters are yet to be finalised but when they are we will seek meetings with the VRCA.

We have also been advised that from 6 May 2019, the marine controllers at Geelong (who are currently employed by Linx) will have their employment transferred to the VRCA. Their current agreement will also transfer with them.

EA's in Progress

The following is a list of EA's that I am currently working on. Some are near completion, some are just starting and some are in the planning stage before negotiations commence. Please contact me directly with any queries about your EA below.

AGREEMENT	EXPIRY DATE
Flinders Ports Pilots	30 June 2018
FACT	31 March 2018
PLT	28 January 2018
Tasports Pilots	17 November 2018
Tasports Tugs	30 June 2019
Tasports Corp	20 May 2019
Searoad Shipping	31 July 2017 (replacement 12 month deal expired before it was approved by FWC)
Toll Supervisors	21 October 2018
Toll Shipping	31 March 2019
Victorian Regional Channel Authority	First EA
Port of Hastings	4 December 2018
Serco	31 December 2018
Aurora Australis	30 June 2018
Aburri	22 December 2018
Ronja Huon	First EA
Portland Tugs	30 June 2018
DP World Supervisors	2 December 2019
DP World Superintendents	First EA
VICT	19 October 2019
Polaris Marine <i>'John Duigan'</i>	First EA
ASP Ship Management (TT-Line Fleet)	31 July 2019



Industrial Report – Chris Neiberding

Industrial Officer (Sydney)

Chris is currently on leave as he is getting married. We would like to congratulate him and his new wife and wish them all the best in their future life together.

When he returns in June, Chris will be relocating to Melbourne and will share the portfolio currently being managed by Jarrod.

Please speak to Tracey (Queensland) or Martin (NSW) if you require assistance on anything Chris has been dealing with while he is away. He has completed a handover for all of his matters to either of them.

Industrial Report – Martin McEvilly

Industrial Officer (Sydney)

Union Governance

As many of our members will be aware, the legislative framework around running a Union has been strengthened considerably over the last number of years. For example, the *Fair Work (Registered Organisations) Act 2009* requires all office holders whose duties relate to financial management to undertake approved training within six (6) months of taking office.

The requirement includes office holders elected or appointed following casual vacancies. The training must cover each of the office holder's financial duties, and be approved by the Registered Organisations Commissioner (ROC). In the past we have relied on courses run by the ACTU to provide training to our office holders. However, they typically only run twice per year and due to the nature of the maritime industry and the difficulties in some of our elected officials being unable to attend on those specific dates, we have decided to take the training in house. I attended a course in mid-April and I am now qualified to run Union Governance training for the AMOU to meet the requirements of the ROC.

This will provide us with additional flexibility to ensure we do not breach our legislative obligations, in particular given we have an upcoming election. The ROC have significant powers that they can use against a Union that does not meet those requirements, so we want to protect ourselves as much as possible. There are no sanctions against an individual in these circumstances, only the Union so we must be vigilant in making sure the training takes place.

Although the training is mandated for office holders to ensure they understand their obligations when it comes to governance and financial management, the focus is largely around empowering anyone to understand how to question the financial management of their Union. I ask any members who have any questions or who want to know more about how the Union operates, to please contact me and I'll pass on what I can. As always, our aim is to continue operating a transparent Union for members and this is just another step in that direction.

ASP Gladstone Bunkering Facility Enterprise Agreement

I attended an EA negotiation meeting in Gladstone on 15 April 2019. The meeting was productive and, after a protracted negotiation process that suffered numerous delays, the company is now in a position to put forward an agreement for a vote. Our recommendation is to approve the agreement, which although has concessions in the form of a removal of the potential for an annual bonus and a cap on redundancy entitlements to 78 weeks, has a significant number of improvements in working conditions for deck officers on the *Larcom*.

We are awaiting a copy of a proposed document from EA that captures all of the terms we have agreed upon for review and expect the EA will go out to vote in the coming weeks. I would like to thank our members for their patience and assistance during the negotiation process.

ASP RV Investigator Officers' Enterprise Agreement

As was reported last month, we have reached an in principle agreement regarding the terms of the EA after a number of months of stalled negotiations. ASP provided us and AIMPE a copy of a draft EA for review in early April and our feedback was provided shortly after. We expect the EA to go out to vote in the coming days.

ASP Rio Tinto Fleet Enterprise Agreement

After the last round of negotiations on 13 March to discuss the joint Deck Officers and Engineers EA, we reached out to members to request their feedback regarding ASP's claim to cap redundancy at 78 weeks. Thank you to all members who have responded – it is appreciated. It appears the membership remains divided.

Mark Davis and Martin Byrne of AIPME then attended a meeting with RIO Tinto on 26 March 2019 to discuss their future plans for the fleet, with the emphasis on increasing the number of Australian manned vessels they operate. Although they were predictably non-committal, the meeting was positive and fears of imminent redundancies have been eased. We are now awaiting further correspondence from ASP on how they would like to proceed and if they would like to propose anything further to entice members to agree to the redundancy cap. We will report back to members as soon as we have more news.

Teekay Ocean Protector

The most recent negotiation meeting for the combined Deck Officer and Engineers EA on the *Ocean Protector* took place in February. The company rejected the majority of the Unions claims, particular those that incurred cost, and didn't seem willing to negotiate further. Their reasoning was to keep the agreement in alignment with the *Sycamore* and *Coral Knight*. One claim that was rejected was for the Engineers to have a dedicated Electro-Technical Officer (ETO) on each swing.

Based on feedback from AIMPE that the agreement would not be supported by their members, we are in the process of arranging a further meeting, with delegates in attendance, in the next few weeks. Dates are being finalized. We will have a full update for next months report.

Teekay Tanker Enterprise Agreement

The EA for the *Dampier Spirit* was successfully voted up by AMOU members in late March and is now with the Fair Work Commission for approval. Thank you to all members and delegates for their patience and feedback throughout the EA process.


Roads and Maritime Service NSW Award

It has been a very busy month for the RMS – and as a result, also for myself and our delegate. Negotiations for the RMS Consolidated Salaried Award had commenced and a log of claims from the six Unions involved had been tabled and negotiations were underway in March after many meetings and discussion. Progress was being made, albeit slowly.

However, on 01 April 2019 the news was revealed in the Sydney Morning Herald that RMS would be integrated into Transport for New South Wales (TfNSW) by 01 July 2019.

This news was a huge surprise to both employees and Unions and it was a decision that was clearly made without consultation. Under the Award, genuine consultation about major decisions is required with Employee representatives before it is made. As they failed to do this, a dispute was lodged with the NSW Industrial Relations Commission. Since then we have been to the NSW IRC twice and will continue to do so to ensure RMS and TfNSW remain committed to being open and transparent.

The information we have received so far is that RMS employees will continue to operate exactly as they are today under the new structure, including having the same conditions of work under the RMS Awards. We are still negotiating with RMS on the Consolidated Salaried Award, with TfNSW also included, which creates its own



complications. Meetings are on a weekly basis, with corresponding reports back to the NSW IRC, to ensure progress is being made.

Our focus is also on ensuring that RMS and TfNSW communicate with employees as much as possible and making sure no further decisions are made regarding conditions of employment for any of our members without proper, genuine consultation. Please feel free to contact me if you would like to discuss this in more detail.

Harbour City Ferries

Although the EA's are now approved and in place, there is still a lot of uncertainty for members given the changes that will take place after Transdev won a new 9 year contract to provide the Sydney Harbour Ferry Service. In addition to the quarterly MCC, we have also arranged a monthly meeting with senior operations and HR Management to discuss some of the changes and to ensure we are keeping in more regular contact with them. We have already seen some attempts by the company to make changes without consultation, so we need to remain vigilant. As always, our delegates are doing a great job of doing just that and if any members have any concerns, please contact myself or your delegate.

Fantasea Cruising Masters, Coxswains and Deckhands Enterprise Agreement 2019

On 02 April 2019, Fantasea issued a notice of employee representational rights start negotiations for a new EA. The last industrial instrument had been made in 2009 and the company has changed hands twice since then, so a new EA under the current Fair Work Act is long overdue. The MUA and AMOU attended the first meeting with the company along with HR from the current owners, NRMA, on 23 April 2019 with the next meeting due to take place on 30 April 2019. All parties agree that we want to reach a quick outcome, but only if our members interests are being looked after. Expect much more significant updates next month after we have met with the company a few more times and all claims have been exchanged.

Inco Enterprise Agreement

There has been no further progress since last months report. I will arrange a meeting with AIMPE shortly to discuss how we will best progress this long outstanding EA. Members, as always, are free to call me if they require further information or would like to provide information that may assist us in making progress.


Rohd Nielsen (RND Crewing) Enterprise Agreement

After a lengthy process, the Fair Work Commission approved the RND Crewing EA against the objection of both the AMOU and AIMPE. We are disappointed that the EA, which includes conditions below industry standards, has been approved but trust that a message has been sent to this and other companies that they will not easily be able to undermine the conditions fought for by workers in the future.

Port Authority of NSW – Newcastle Enterprise Agreement

We met with the Port Authority on 19 March 2019 and again on 09 April 2019 to discuss our combined log of claims. Our claims are fair, in acknowledgment of the constraints placed on bargaining due to the Port Authority falling under the NSW Public Sector Wages Policy. One of the company's most concerning claims is to remove consultation and agreement with employees and Unions in policy changes. We will fight for this while also protecting the working conditions of our members.

The Port Authority are currently obtaining legal advice on some concerns that our delegates have raised regarding how they treat PPT workers, which they will hopefully have received in time for the next meeting in May. As the



company have advised that they will not be backdating any pay claims to the expiry of the existing agreement, we will need to ensure we keep things moving during the negotiation process.

Port of Newcastle Enterprise Agreement

Two weeks after EA negotiations began and our log of claims were submitted, PON informed us that they had made their HR Manager redundant. This came after a very difficult 2018 in which a significant number of PON office staff, including AMOU members, were made redundant following a restructure. It appears that the HR Manager may have been one of the last to fall foul of this process.

This has set back our negotiations considerably. Mostly because they don't have any parties at PON who are able to negotiate with the Unions. As a result, the company are currently recruiting an external party to complete the negotiations on their behalf. They have committed to backdate any entitlements as a result of the delay, so at least employees won't lose out as a result of their decisions.

We are awaiting further correspondence from PON once they have appointed their consultants, which we expect has been delayed due to the Easter break. We are hopeful they will have appointed someone within the coming weeks.

North Queensland Bulk Ports

We currently have a number of disputes running between Pilots and NQBP. These include TIL for training days and the date of the annual salary increase. After a meeting last month that I attended via teleconference, we outlined our position in detail to NQBP and are awaiting their response. The most concerning thing for us at this time is the attitude that the company towards its employees so soon into a new EA. We will ensure we stand our ground and not let the company encroach on the rights of Pilots at the ports. We have very diligent delegates at NQBP who are ensuring that this does not happen.

Industrial Report – Glenn Walsh

Industrial Officer (Fremantle)

Mackenzie Towage Bunbury

AMOU, AIMPE and MUA met with Mackenzie’s lawyers before Easter to commence bargaining. Unions have agreed to negotiate a single agreement and have provided MacKenzies with a draft agreement. The first proper EA bargaining is scheduled in Bunbury this Friday, 3 April. The collective bargaining power of the three Unions was reinforced at a joint member meeting which will hopefully translate into a positive outcome for all members.

Southern Ports Pilots EA Bargaining

Bargaining is underway. The first meeting allowed parties to step through the draft Union agreement with Southern Ports management committing to responding with any concerns prior to our next meeting in Bunbury on 8 May. Our members are an outstanding group of committed professionals whose united and unwavering stance has provided AMOU with a strong bargaining position.

OSM

All 3 matters in dispute in the FWC have been referred to the WAIRC for determination. DP Binet expressed some concerns over jurisdictional powers and advised AMOU that we would likely achieve better outcomes in the WA Industrial Relations Commission, as they deal more specifically with WA based employer breaches of contractual obligations.

EA bargaining hasn’t resumed. Again, the power of bargaining in conjunction with AIMPE

Westug

In conjunction with AIMPE and MUA, AMOU has lodged a dispute application in the Fair Work Commission in relation to Westug’s failure to consult with employees about the major workplace changes that have been implemented. In particular, the changes the company has made to captive hours onboard its vessels. The matter has yet to be listed for conference.

Mid-West Ports

AMOU is working through the relevant DSP with MWPA management in an attempt resolve the relevant matters in dispute. However, it appears likely that at least some of these matters will be referred to FWC for conciliation.

Disciplinary Matters

The remainder of my work has been in assisting members with grievance complaints, disciplinary processes and other enquiries.

Industrial Report – Tracey Ellis

Organiser (Brisbane)

Brisbane

After numerous successful trips the Fair Work Commission to recover the money missing from the original in principle agreement, the Brisbane Ferries EBA has finally been voted up. 84% of employees voted yes to an agreement that will see Masters get an extra 10 days off per year, a 12.6% pay rise over 3 years plus a wage guarantee of at least \$24,000 more per year than what had previously been guaranteed for working full time. The agreement also provides better indemnity insurance and the ability to dispute rostering issues in the Commission.

I have just commenced negotiations with the Port of Brisbane for two of their Enterprise Agreements.

Gladstone, Bundaberg and Harvey Bay

The AMOU and AIMPE had a joint meeting with Smit Lamnalco Masters and Engineers in Gladstone. In Gladstone we conducted workplace visits together at Smit, MSQ, Sealink, Pilots, Pilot Launch Masters and the Larcom. In Bundaberg, we visited Pacific Tugs and the Port of Bundaberg, stopping in at MSQ in Harvey Bay on the way back to Brisbane.

Cairns

I'm having some success in the Fair Work Commission with Pro Dive. Deputy President Asbury, in her provisional view, agreed that the Masters should be under the Marine Tourism Award instead of the Recreational Diving Award. We will continue the debate regarding the number of hours expected to be worked for a Day Rate in the Commission next month.

While in Cairns for Pro Dive EA negotiations, I visited the Svitzer Tug Masters and met with Intercity Group dive vessel masters. Everyone in the diving industry is underpaid, so it's exciting to see the workers in Cairns have had enough and are gearing up to fight for better conditions for their industry.