



Staff at the Coal Face – April 2013

WIN FOR APPIN DEPUTIES - APPIN DEPUTIES AGREEMENT GETS UP!

After a lengthy period of negotiations which involved our deputy members at Appin (BHP mine in the Illawarra) taking significant protected action and being locked out by the company on multiple occasions, their agreement has been voted up by members there and yesterday was approved by the Commission.

While of course bargaining is about trying to reach agreement and will generally involve compromise on both sides, the Appin Deputies can be proud of what has been secured under this new agreement:

- An increase to their base salary
- Improved work pattern allowances for weekday afternoon, night and 33 hour weekend shifts;
- Improved overtime rates;
- Improved consultation clause;
- Public Holidays to be paid on the Gazetted day as well as the actual day;
- Improved delegates rights; and
- Locking in redundancy entitlements\

Prior to bargaining commencing, our members at Appin told us that they didn't feel that their issues and the value of their labour were being adequately recognised by the company. It was through our members standing together at Appin that this agreement was achieved and improvements to their pay and conditions were secured.

Thank you to all those APESMA members who sent through messages of support while our Appin members were facing lock-outs by BHP.

In other bargaining news, our Deputy members at Dendrobium are still bargaining towards a new agreement and today are holding stop-work meetings. Our Deputy members at Centennial Charbon Mine recently negotiated a new agreement and our Deputy members at Peabody Metropolitan mine will vote on their agreement in early May.

APESMA TAKES ACTION TO ASSIST WESTERN AUSTRALIAN MEMBERS

APESMA recently assisted a group of members at Griffin Coal Mine in Western Australia who were made redundant, with Griffin utilising transitional Award arrangements to minimise the redundancy payments applying to members.

When the Black Coal Award 2010 came into effect due to the legislation, members already employed at Griffin remained on their old state award for redundancy, with Coal Mining redundancy provisions not coming into effect in Western Australia until 2014. As the majority of members did not have redundancy provisions written into their common law contracts, Griffin was able to rely on a state based order for redundancy to cap the redundancy payments made to members at 16 weeks, regardless of years worked at the mine.

In addition, members at Griffin Coal were not paid out their accrued sick leave entitlements which APESMA believes that their contract entitles them to. APESMA is currently taking action to assist the affected members to recover their owed entitlements.

REMINDER: CHECK YOUR CONTRACT

APESMA has been contacted by individual members in recent weeks with requests to review new contracts that have been rolled out at their mine site. Some of these contracts have contained errors, are not compliant with legislation or have reflected significant changes to the member's existing employment arrangements.

With redundancies at an all-time high, and many mines implementing organisational structural changes, it is a timely reminder to carefully review and seek independent advice on any new contract that you are provided with. APESMA can assist you to ensure that your contract meets legislative requirements, and provide you with confidential advice as to how contract conditions may affect your employment.

Understanding the effect of the terms and conditions of your contract before you sign will save you any surprises down the track and help you to protect and maintain your conditions. If you would like confidential advice and assistance with your contract please contact APESMA at infocsd@apesma.com.au or on (02) 9269 0688.