



**Senator Malcolm Roberts**  
One Nation Senator for Queensland

19 March 2020

Mr Joel Fitzgibbon MP  
Shadow Minister for Agriculture & Resources  
Member for Hunter  
PO Box 526  
CESSNOCK NSW 2325

Dear Mr Fitzgibbon

There seems to have been a lot of banter and public political points scoring about the casual black coal mine workers in the Hunter Valley, but right now I seek your support to put things right.

Joel, I am informed that one of these crippled workers, Simon Turner, has repeatedly tried to contact you to set the record straight about the casual black coal miners who have been refused their fair entitlements. More recently, I read some of your comments including those in the Newcastle Herald on 17 March 2020 when you say you are for coal miners but your actions say otherwise – ignoring calls for help from injured CFMEU members.

From your public comments it seems that you have missed the point. This is a significant wage theft issue and is about much more than casualisation of the workforce. It is about the abuses that many casual black coal miners have endured in your electorate, and that have continued for at least five years despite being drawn to your attention.

Let's consider the big picture. I am informed that Chandler MacLeod Group (CMG), as the labour-hire employer, may have colluded with the CFMEU Northern Mining and NSW Energy District to rip-off casual workers by negotiating a 'sham' agreement. I am told that they underpaid the casual workers 40% knowing these workers were slipping through the 'cracks' in the industrial relations and workers' compensation insurance systems. To everyday Australians like me this is immoral.

CMG then under-reported the number of people on site and the types of jobs they did, declaring that the casuals who were working at the coalface were 'administrative staff' in order to save a few dollars on insurance premiums. Surely this is illegal, yet neither the CFMEU nor you acted.

I believe that the CFMEU Northern Mining and NSW Energy District, as the representative of the Hunter Valley casual black coal mine workers, let these and other mine workers down. They were happy to take their membership fees, but it was "a fee for no service", which sounds similar to the banks.

In the recent McKell Institute Report "Wage cutting strategies in the Mining Industry" March 2020, the author refers to abuses at Mt Arthur Mine on page 16 but conveniently omitted that the CFMEU Northern Mining and NSW Energy District was a party to the agreement that led to the underpayment, loss of entitlements and abuse of so many casual black coal mine workers.

The union also seems to have done a 'deal with the devil' in agreeing with CMG to grant industrial peace and that the CFMEU Northern Mining and NSW Energy District would not protect these workers' rights.

It concerns me that the union did not launch a class action on behalf of these disadvantaged workers when the union did so for others nearby.

I am informed that the CFMEU Northern Mining and NSW Energy District is directly or indirectly a part-owner of the insurer that rejected these workers' claims for compensation leaving them with just over \$400 a week on which to live.

Coal LSL, a government organisation which is ruled by the CFMMEU and the Minerals Councils, is no better. They accepted timesheets from employers without questioning them, and when employees complained Coal LSL ignored them. But now it turns out that after I questioned them at Senate Estimates, these workers were right and Coal LSL was wrong.

Joel, these matters require co-ordinated national responses, real action by the Australian Government and the States to rectify the serious issue of employer non-compliance and to introduce tougher employment laws to deal with wage theft and exploitative labour-hire arrangements.

I invite you to become a part of the solution and contribute to this effort to put things right for these everyday Australians and for casual coal miners everywhere. The first step in developing a solution is to truthfully admit the problems listed above.

I would be happy to meet with you to brief you in relation to the real and serious immoralities and irregularities, and the problems the Hunter Valley casual black coal miners and their families face in your electorate.

Yours sincerely



Malcolm Roberts  
**Senator for Queensland**