



Senator Malcolm Roberts
One Nation Senator for Queensland

19 March 2020

Mr Ken MacKenzie
Chairman of the Board
BHP Group Limited
171 Collins Street
MELBOURNE VIC 3000

Dear Mr MacKenzie

I write to express my concern in regard to the abuses of casual black coal mine workers at your company's Mt Arthur Mine in New South Wales and seek your support to put things right.

As an experienced coal mine manager and executive, I support the business need for casual labour from time to time, yet what has been demonstrated at Mt Arthur Mine through an exploitative enterprise agreement, work practices, rostering and the long-term use of casual workers in 'permanent' roles, is clearly not appropriate.

BHP, as the owner of Mt Arthur Mine, has a responsibility to ensure that both BHP and its contractors comply with the laws of Australia. BHP also has a moral obligation as a 'good corporate citizen' to care for workers on their mine site. However, I understand that BHP and Chandler Macleod used 'cracks' in the Australian industrial relations system to exploit cheap labour for the mine instead of hiring and paying permanent employees in permanent jobs.

I am informed that BHP failed to verify proof of insurance from Chandler Macleod before permitting workers on site. Surely your managers must have known that workers could be harmed and therefore, in failing to verify proper workers compensation and accident pay cover your managers have put both the workers and BHP at risk.

It seems to me that BHP may have a culture that hides site incidents, the result being that at Mt Arthur Mine BHP management did not report serious accidents that left casual miners permanently crippled and unable to work. What is worse is that these workers were not provided with proper compensation because the relevant award did not recognise casual black coal miners. BHP knew it – yet did nothing to fix it (I refer you to Dept. of Industry Resources and Energy (NSW) (Ref.: Sass-2016/00571 - "I can confirm that Mt Arthur Coal did not report the incident to the Regulator pursuant to Clause 128 Work Health and Safety (Mines and Petroleum Sites) Regulation 2014").

Regardless of how BHP determined to use labour-hire as a way of reducing mine production costs, the lower pay rates and the significant loss of entitlements have seen the coal industry join various national retailers and others accused of ripping off workers with "wage theft".

What would your shareholders think of the Big Australian?

Everyday Australians and your shareholders expect that you and the Board would not put the company, employees or shareholders at risk due to breaches of legal and moral standards. We would all expect that BHP would behave as a good corporate citizen, yet clearly here it has let so many workers and families down, and in turn, that potentially exposes shareholders to unnecessary risk.

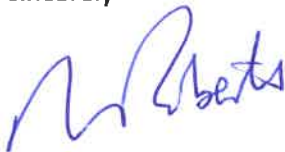
I am advised that the kind of abuses at your Mt Arthur Mine may be occurring at Queensland mines, and I ask you to investigate and to put things right.

These are serious matters that require real action in the form of co-ordinated, national responses from the Australian Government, the States and business to rectify the serious issue of wage theft and employer non-compliance.

If business cannot fix this Parliament may need to introduce tougher employment laws to deal with wage theft and exploitative labour-hire arrangements. I request that you step forward and contribute to putting things right for these everyday Australians and for casual miners everywhere.

If you require further information or wish to discuss this matter I would be happy to assist you.

Yours sincerely



Malcolm Roberts
Senator for Queensland

c.c. Mr Mike Henry - CEO