



Senator Malcolm Roberts
One Nation Senator for Queensland

19 March 2020

Mr Michael O'Connor
National Secretary
Construction Forestry Maritime Mining Energy Union
Level 1, 165 Bouverie Street
CARLTON VIC 3053

Dear Mr O'Connor

I write to express my concern in regard to the abuses of casual black coal mine workers at Mt Arthur Mine in New South Wales.

I was concerned to hear about the role of your union's NSW Mining Division in the abuses these everyday Australians have endured and I seek your response and support to put things right.

I am informed that Chandler Macleod Group (CMG), as the labour-hire employer, may have colluded with the CFMEU Northern Mining & NSW Energy District to rip-off casual workers by negotiating a 'sham' agreement. I am told that they underpaid the workers 40% knowing these workers were slipping through the 'cracks' in the industrial relations and workers insurance systems, which to everyday Australians is just plain immoral.

CMG both underpaid and then under-declared the number of people on site and the types of jobs they did, declaring that the casuals who were working in the pits were 'administrative staff', in order to save money on insurance premiums. Additionally, it is disappointing that the NSW Mining Division did not act after casual miners raised this with your union.

I believe that the CFMEU Northern Mining & NSW Energy District in the Hunter Valley, as the representative of the Hunter Valley casual black coal mine workers let these and other mine workers down. The Division was happy to take membership fees – "a fee for no service", which sounds just like 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 forgot that the CFMMEU was a party to the agreement that led to the underpayment and abuses of so many casual black coal mine workers.

Your Division of the CFMMEU seems to have done a 'deal with the devil' in agreeing, through its actions, with a letter from CMG that bought that company industrial peace. Specifically, the CFMMEU implicitly agreed that it would not dispute and therefore not stand up for workers' rights.

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

I understand that your union, or its mining division, is 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 just accepted timesheets from employers without questioning them, and when employees complained, Coal LSL ignored them. But now, as it turns out, after I questioned Coal LSL at Senate Estimates, these workers were right and Coal LSL was wrong.

Michael, these matters require co-ordinated national responses, real action from the Australian Government, the States and stakeholders like you, 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 request you contribute to this effort to put 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.

Yours sincerely



Malcolm Roberts
Senator for Queensland