

# MINING & ENERGY MEMBER UPDATE



**7 December 2020**

## **MESSAGE FROM GENERAL PRESIDENT TONY MAHER**

The Federal Government has proposed a legislative change that would remove some of the barriers to trade unions demerging.

If it passes through Parliament, this may provide options for the Mining and Energy Division as we consider our future direction and relationship to the Construction Forestry Maritime Mining and Energy Union (CFMMEU).

It is a weakness in the Fair Work Act as it stands that it is impossible for Unions to withdraw from amalgamations, whatever the circumstances, outside of a fixed three-year window.

The 'Withdrawal from Amalgamation Bill' seeks to replace that narrow timeframe with an 'appropriateness' test. Given the current state of dysfunction within the CFMMEU nationally, this is a proposal we welcome, and we will consider if it applies to our circumstances.

The purpose of being part of an amalgamated union should be to give workers a bigger voice and more power. It should provide solidarity and strength in numbers to achieve better outcomes for members. Since amalgamation, our Division has been committed to this vision, through many ups and downs.

However, over the past couple of years solidarity has been replaced by self-interest and strength in numbers has been replaced by hostile number-crunching.

The Construction Division has made it clear that they will use their numbers to steamroll smaller divisions, force decisions in their favour and run the CFMMEU as a construction union.

We have seen this through poaching members from smaller divisions, tearing down the leadership of National Secretary Michael O'Connor and shutting down discussion and debate in meetings.

The Construction Division is effective in representing urban building workers on big city construction sites. But over time, attacks on the autonomy of smaller divisions like ours would leave regional mining and energy workers without the dedicated representation they need and deserve.

At a time when mining and energy workers face enormous political and industrial challenges, this is an unacceptable situation. Mining and energy workers need a mining and energy union.

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We have been fighting for the interests of mining and energy workers for well over a century and we are not stopping now. We have always adapted to our circumstances and if a new union structure is available that would put mining and energy workers in a better position, then we have an obligation to explore all available options.

## What happens now?

First, we will see if the Bill passes through Parliament this week.

If it does, our officials and lawyers will have a close look at the detail and Central Council will consider whether the question of applying to withdraw from the amalgamated Union should be put to our quadrennial Convention in March 2021.

If Convention supports making an application to withdraw from amalgamation, then all members will have their say in a national vote. No decisions will be made without thorough debate and endorsement by members.

Members can be assured that we will continue to operate effectively as a mining and energy union, whichever direction we take. Our District and National offices are well-resourced and staff and officials are here to support you.

We will come under attack for exploring this option. However, the fact it comes with difficulties will not deter us from fighting for the best interests of our Mining and Energy members.

We will keep you up to date with developments.

Regards,

**Tony Maher**  
**General President**

