

# BHP OPERATIONS SERVICES ENTERPRISE AGREEMENTS

## WHAT'S HAPPENING?

### BHP OPERATIONS SERVICES ENTERPRISE AGREEMENTS – WHAT'S HAPPENING?

- The CFMEU has successfully appealed against the approval of two BHP Operations Services Enterprise Agreements in the Fair Work Commission
- BHP now has another chance to get these agreements approved
- Genuine bargaining for new agreements will result in better pay and conditions for Operations Services workers.

### WHAT HAPPENED IN THE FAIR WORK COMMISSION?

The full bench of the Fair Work Commission has upheld CFMEU Mining and Energy's appeal against the Commission's approval of two enterprise agreements – the OS Production and the OS Maintenance Agreements.

The Commissioners agreed with us that genuine agreement with the workforce had not been demonstrated and that the agreements may not pass the 'better off overall test' compared with the Black Coal Mining Industry Award.

### WHY IS THE CFMEU OPPOSED TO THE AGREEMENTS BEING APPROVED?

The Union has opposed approval of the Operations Services agreements because:

- They contain significantly inferior pay and conditions to existing site Enterprise Agreements, which have been negotiated in good faith over many years and reflect the value that coal mineworkers deliver to the industry.

- They were developed in a sneaky way. The agreements were voted up by just 50 iron ore workers in Western Australia and now cover thousands of coal workers in NSW and Queensland. No coal miner has had a chance to bargain or vote.
- These agreements are designed to cut costs (ie wages) in BHP's coal mining operations. They are asking workers to trade off pay and conditions in order to have a permanent job – but BHP can afford to give its mining workforce good pay and permanency.

### WHAT HAPPENS NEXT?

BHP now has another opportunity to have the agreements approved by the Full Bench of the Fair Work Commission. BHP may need to give 'undertakings' to improve aspects of the agreement in order to win approval.

If the Agreements are not approved:

- The Union is calling on BHP to employ Operations Services workers on existing site Enterprise Agreements negotiated with the workforce. However, the law does not compel BHP to employ people under existing agreements (even though it should!).
- Otherwise, there is an opportunity for Operations Services workers to improve their pay and conditions through genuine bargaining for new enterprise agreements, to close the gap with existing site EAs.
- Either way – Operations Services workers will be better off.

### HOW DO THE OS AGREEMENTS COMPARE WITH BHP SITE AGREEMENTS?

BMA	OPERATIONS SERVICES
\$160,000+ annual pay	\$105,000 to \$122,000 annual pay
Accident pay	No accident pay
Guaranteed bonus	No guaranteed bonus
Your job is tied to the mine site and can't be transferred to another site	Your job can be transferred to any BHP site, including Western Australia, without your agreement
Working Christmas Day and Boxing Day is voluntary	You can be forced to work Christmas Day and Boxing Day
Protections on hours, health and safety, meal breaks, rest breaks, transport, accommodation, training, redundancy and much more built into Enterprise Agreements	No protections on hours, health and safety, meal breaks, rest breaks, transport, accommodation, training or redundancy built into Enterprise Agreements

Operations Services workers do the same work and deserve the same pay as BHP EA workers. Genuine bargaining with strong CFMEU representation can close this gap.

**FOR MORE INFORMATION, CONTACT YOUR CFMEU MINING AND ENERGY DISTRICT:  
ME.CFMEU.ORG.AU/CONTACT**

