



## New Vessel for Seaswift

**AIMPE congratulates Seaswift;** Northern Australia's largest shipping company, on the successful float-out in early August of the new build, the MV Newcastle Bay. It is a single screw multi-purpose vessel designed to transport containers and fuel as well as an ability to carry 36 passengers. At 100 meters long it will be Seaswift's largest vessel operating out of Cairns on

the Horn Island and Weipa route. It will be powered by an MAK Caterpillar Engine with a 2999kw rating and consisting of a crew of 12. The next stage in the commissioning process is the inclining experiment. The MV Newcastle Bay is due to enter service in 2023. The vessel was constructed and outfitted at Bandar Abadi Shipyard in Indonesia.



The Newcastle Bay about to be floated (Photo courtesy of Seaswift)

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# Note from the President

## Training for Strategic Fleet

In January 2022 the ALP released its Strategic Fleet policy. This was its primary policy for the maritime industry. The key part of the policy was as follows:

An Albanese Labor Government will enhance Australia's economic sovereignty and national security by creating a Maritime Strategic Fleet to secure our access to fuel supplies and other critical resources, even in times of global instability.

These vessels will be Australian flagged and Australian crewed.

We expect the vessels will be privately owned and operate on a commercial basis, they will be available for requisition by the Defence Forces in times of national need, whether that be natural disaster or times of conflict.

As a first step towards establishing a strategic fleet, an incoming Albanese Labor Government will appoint a Taskforce to guide it on the establishment of the Fleet as quickly as possible. The Fleet is likely to include up to a dozen vessels including tankers, cargo, container and roll-on-roll-off vessels.

This Taskforce will include representatives from the shipping industry, major charterers, unions, Australian business representatives and the Department of Defence.

An Albanese Labor government will act immediately to close loopholes in the existing regulatory framework to help rebuild Australian shipping. The Taskforce will also advise on how best to enforce existing coastal shipping laws and what legislative or regulatory reforms are necessary to reinvigorate Australian shipping.

At the recent Transport Roundtable the Minister responsible for Transport, Ms Catherine King, reaffirmed the commitment to the Strategic Fleet and said that there would be an announcement about the Taskforce soon.



I endorsed the Strategic Fleet policy but advised the Minister that the current shortage of Australian seafarers is so severe that it would be very difficult to crew up two tankers if we were asked to do so tomorrow. I drew attention to the joint unions' call for a new national maritime industry training program and emphasised that other areas of Government policy such as the Pacific step up and the development of a new Offshore Wind industry could not be implemented without an expanded maritime workforce. This needs new entrant training to start now.

AMOU President Ken Blackband backed this up by reminding the Roundtable meeting that to train up to Master 1 can take 10 years.

The employer group MIAL confirmed to the Minister the need for an industry-wide training program and this was also supported by the other maritime representatives in attendance. Following the Roundtable MIAL and AREEA sent a joint letter to all the relevant Government Ministers calling for urgent action on the maritime industry's critical skills shortage. This is now posted on the AIMPE website <https://www.aimpe.asn.au/training.html>

With broad support for a national maritime industry training program we will hopefully see some action on this front soon.



Non sibi sed omnibus  
Martin Byrne  
Federal President



# Marine Engineer Class 3 'NC' need training to meet STCW III/3

For some time many of us have felt that there is a difficult/unresolved relationship between qualifications as Engineer WatchKeeper on the one hand and Engineer Class 3 NC on the other. Some countries solve this by training Class 3 Engineers to the higher academic level of Engineer WatchKeeper and incorporating management level areas of study from Class2/Class1, but with the depth of learning scaled back to the Class 3 level. Apparently they then issue a single certificate which covers both WatchKeeper and Class 3, but is NOT limited to 'Near Coastal' the way Australia's is.

It is understandable that Australia's Class 3 certification does not fit in with STCW's international requirements. After all up until recently MED and Class 3 qualifications were issued independently by separate State marine authorities, and they had trouble recog-

nising each other's qualifications because they had asserted their independence by each having a different standard of training.

However, now that AMSA has had a couple of years to try to adjust to being the single national maritime jurisdiction and Marine Order 505 has been updated and revised effective 1 January next year, perhaps AMSA + industry can turn our minds to working to resolve the complete disconnect between these two qualifications.

To that end I have forwarded the following Discussion Paper to AMSA and key players in industry in the hope of fostering a constructive debate on how this matter can be resolved.

Henning Christiansen

1 September 2022

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## AIMPE Discussion Paper

1 September 2022

### EXECUTIVE SUMMARY

It appears that Australian Engineer Class 3 NC holders are losing their jobs on foreign-registered vessels operating continuously in Australia because AMSA does not issue the 'INTERNATIONAL-Class-3' certificates of competency now required by the Flag-nation.

AMSA issues only a Class 3 certificate limited to 'Near Coastal', and because AMSA has ceased issuing an 'STCW-Endorsement' on that certificate, the foreign maritime authorities are now rejecting the Australian Engineer Class 3 NC qualification. The next highest Australian qualification, that of Engineer Class 2, is NO LONGER AVAILABLE as a separate college course, since the Maritime Training Package rolled Class 2 training into the Class 1 course under a single Advanced Diploma in Marine Engineering.

So the holder of a certificate of competency as Engineer Class 3 NC who wants to keep their job as Chief Engineer on a foreign ship working continuously in Australia is told they must enrol in the Class 1 college course in compliance instead with the much higher standard of STCW Regulation III/2.

Making Class 3 NC engineers do Class 1 training because we do not have internationally accepted training/ certification at the lower class 3 standard is an unacceptable impost on Australians.

AMSA should commence issue of a Seafarer Certificate under Marine Order 72 to the international standard required by STCW Regulation III/3 and the Maritime Training Package should be amended to provide Class 3 training in Australia to that standard.

### BACKGROUND

You may be aware that IMO's STCW Convention sets Marine Engineer qualifications at 3 different levels:-

1. Regulation III/1 creates a qualification to form part of an engine watch ('ENGINEER WATCHKEEPER') on any vessel anywhere in the world, but NOT to be Chief Engineer; and
2. Regulation III/2 creates a qualification to be Chief Engineer or Second Engineer ('ENGINEER CLASS 1' + 'ENGINEER CLASS 2') on vessels >3000Kw propulsion power anywhere in the world; and
3. Regulation III/3 creates a qualification to be Chief Engineer or Second Engineer ('INTERNATIONAL-Class-3') on vessels >750kW but <3000Kw propulsion power anywhere in the world.

Importantly, many Foreign-registered vessels, working continuously in Australia, require a STCW Regulation III/3 qualification. These include smaller offshore oil & gas, dredging, fishing, tourism and large pleasure vessels frequently work in Australian waters for long periods and Australians have for many years found jobs on them.

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Unfortunately, Australia/AMSA issues qualifications to comply with the first two of these standards, but does not issue qualifications to comply with STCW Regulation III/3.

Until 2012 Australia, through State maritime authorities, issued what was known as a Marine Engineer Class 3 certificate, and though it did not comply with STCW standards AMSA had for many years issued the holder of that certificate with an 'STCW-Endorsement' if the applicant completed additional training including the Certificate of Safety Training, Advanced Fire Fighting, Survival craft other than fast rescue craft. This allowed holders of the Australian Class 3 certificates to find work on these foreign registered vessels whilst in Australian waters.

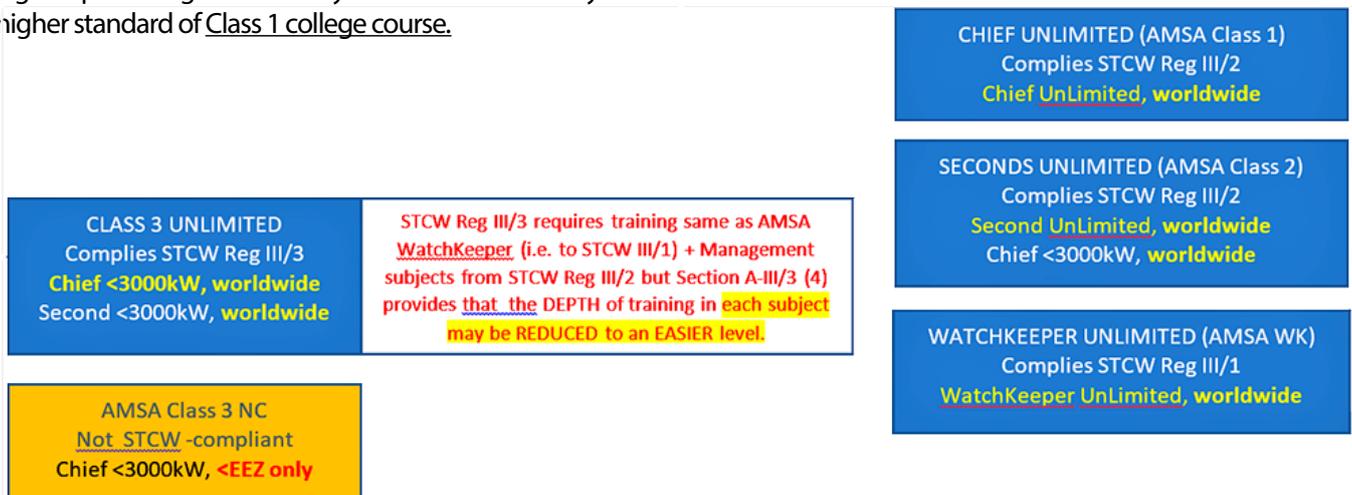
But several recent changes have radically reduced employment prospects:-

- Upon request AMSA would issue a letter to the Engineer Class 3 NC holder pointing out that had the foreign-registered vessel been registered in Australia then AMSA would accept the Engineer Class 3 NC certificate to be Chief Engineer whilst in Australia's near coastal/EEZ waters. For a time foreign maritime authorities would accept this. For reasons below they accept it no longer.
- However, in December 2012 AMSA ceased issuing 'STCW-Endorsements' on Engineer Class 3 NC CoC claiming they were not necessary as AMSA would not require STCW compliance for an Australian-registered vessel <3000 kW working in Australian NC/EEZ waters.
- Then AMSA took over control of what had previously been State-issued Marine Engineer Class 3 certificates and as they came up for renewal, the applicant's old certificate was replaced with one clearly marked as 'NC' (i.e. 'Near Coastal') and thus clearly not STCW-compliant.
- So foreign maritime authorities are now rejecting use of AMSA Engineer Class 3 NC certificates on foreign-registered vessels working in Australian NC/EEZ waters.

As a result, as these effects became apparent to foreign authorities and to employers throughout the industry, most Australian holders of Engineer Class 3 NC are losing their jobs as Chief Engineer on these vessels.

The employer can ask the current holder of to retrain at a higher level, but the next highest Australian qualification, that of Engineer Class 2, is NO LONGER AVAILABLE as a separate college course, since the Maritime Training Package rolled Class 2 training into the Class 1 course under a single Advanced Diploma in Marine Engineering.

So the holder of a certificate of competency as Engineer Class 3 NC who wants to keep their job as Chief Engineer on a foreign ship working continuously in Australia is told they must enrol in the much higher standard of Class 1 college course.



For most holders of Engineer Class 3 NC this is completely unfeasible. Making Class 3 NC engineers do Class 1 training because we do not have internationally accepted training/ certification at a lower class 3 standard is an unacceptable impost on Australians.

STCW Reg III/3 requires training same as AMSA WatchKeeper (i.e. to STCW III/1) plus training in the Management subjects identified in STCW Reg III/2 but STCW Code Section A-III/3 (4) provides that the DEPTH of training in each subject may be "...lowered..." to an EASIER level for the Class 3 qualification.

Australia's Maritime Training Package should be amended to provide that (easier) training and AMSA should issue an INTERNATIONAL Class 3 Certificate to reflect it.

Henning Christiansen, AIMPE Director Professional Development 0419 400 324

STCW is the IMO Convention on Standards of Training Certification and Watchkeeping 1978, as amended



# Book review

## Blythe Star Tragedy

“The Blythe Star Tragedy” is a newly released book by Tasmanian author Michael Stoddart. It deals with the mystery of the tragic but largely forgotten capsizing of the MV Blythe Star on a voyage in southern Tasmanian waters on October 13, 1973. It’s a gripping account of those hitherto unrecorded events behind the actual loss and three of its ten man crew. The author details the complete failure of the extensive but hapless search for survivors and the subsequent long drawn-out, “farical” Court of Marine Inquiry.

Another theme in the book tells the inspiring story of the crew’s long struggle for survival adrift in the frigid waters of Southern Tasmania and how they rescue themselves by their own disciplined effort. At last, after eight days in the raft, they reach a barren, uninhabited shore having only two days before lost Second Engineer John Sloan. Then, standing at last on a barren shore, by a bitter irony Chief Mate Ken Jones and Chief Engineer Jack Eagles also expire, while for the remainder, the

next task is to struggle out of the steep Deep Glen Cove for help.

How all this happens is presented in a forensically researched and compelling account of the whole saga. At the same time it also shines a clear light on scandalous company mismanagement and heaped injustice; particularly so in regard to the puzzle as to how presiding Judge Dunphy, without the slightest of supporting evidence, came to blame the loss on deceased Chief Engineer Jack Eagles; the man who, bare minutes before she rolled over, went below on his own initiative to stop the main engine, thereby saving all their lives for the dreadful struggle yet to follow.

The author has written a gripping, un-put-downable read of particular interest not only for those who go down to the sea in ships, but as well for any who love a mystery-solving tale of adventure.

David James

### NEW RELEASE – JANUARY 2022

The Blythe Star Tragedy: How indifference and neglect sank a ship and cost three men their lives. by Michael Stoddart

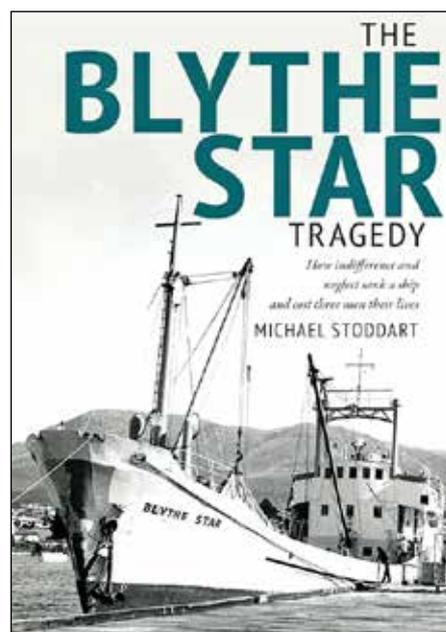
ORDER ONLINE: Forty South Publishing online shop

[www.fortysouth.com.au](http://www.fortysouth.com.au)

On Friday October 12, 1973, Blythe Star left Hobart for King Island with a cargo of fertiliser and beer. Fourteen hours later, it sank without warning. Its crew of ten made it into a life raft, destined to drift for eight days around southern Tasmania. The Second Engineer died after four days; the Chief Engineer and First Officer died within hours of the raft making landfall on the Forestier Peninsula.

The judge in Court of Inquiry ruled the ship sank because the Chief Engineer had emptied a ballast water tank, despite no evidence supporting this view.

Three men’s lives were lost through indifference and neglect on the part of those with a duty of care to the ship and its crew.



## Pollen Sponge to Clean Oil Spills

A team of researchers have created an eco-friendly sponge comprised of pollen.

The team led from Nanyang Technological University (NTU) in Singapore believe that this material could be used to tackle marine oil spills as an alternative to chemical dispersants, which can exacerbate damage to marine habitats according to an article on The Engineer.

The sponge is made up of sunflower pollen with an added layer of stearic acid that enables the sponge to specifically target oil, thus making it hydrophobic.

To test its durability, the team soaked the sponge in silicone oil before squeezing the sponge to extract the oil out again. The team found that they were able to repeat this process with the sponge for ten cycles.

In addition, absorption tests were carried out

including other solvents such as gasoline and pump oil. The results showed that the sponge had an absorption capacity that was comparable to commercial absorbents.

“Pollen that is not used for plant pollination is often considered biological waste,” said Cho Nam-Joon, project leader and professor at NTU’s School of Materials Science and Engineering.

“Through our work, we try to find new uses for this ‘waste’ and turn it into a natural resource that is renewable, affordable, and biodegradable.”

Looking ahead, Cho Nam-Joon and his team will look to scale up this project with the aim of testing the sponge in real-life surroundings through working with non-governmental organisations.



## ITF recovers \$37 million worth of unpaid wages in 2021

The International Transport Workers’ Federation (ITF) has revealed that its inspectors recovered more than US\$37 million in unpaid wages and entitlements from shipowners in 2021.

The wages were recovered as the ITF’s inspectors and coordinators completed a total of 7,265 inspections.

‘Concerningly, we’re seeing a rise in the number of seafarers reporting non-payment of wages for periods of two months or longer, which actually meets the ILO’s definition of abandonment,’ said Steve Trowsdale, the

ITF’s inspectorate coordinator.

‘Seafarers might think it’s normal to go unpaid for a couple of months, waiting for a shipowner to sort out financing, but they need to be aware that non-payment can also be a sign that a shipowner is about to cut them loose and leave them abandoned.’

Abandonment figures went up to historic high levels last year, with the ITF reporting 85 cases of seafarer abandonment to the International Labour Organisation (ILO). This was paired with an increased number of requests from crew wanting to get

home at the height of the crew change crisis. The ITF estimates that around 400,000 seafarers were affected at its peak.

‘There is evidence that some shipowners were using Covid-19 as an excuse to keep seafarers working beyond their initial contracts and in complete violation of those seafarers’ human and labour rights,’ Mr Trowsdale added.

‘Thankfully, our team was wise to what was going on and despite everything we got thousands of seafarers home.’

**On Watch is the official monthly journal of the Australian Institute of Marine and Power Engineers.**

**The editor is Martin Byrne (mbyrne@aimpe.asn.au)**

**The editor takes responsibility for political comment in On Watch.**

**On Watch is published by Phillip Olsen. (philolsen@aimpe.asn.au)**



# Head Office Report

**Martin Byrne,  
Michael Bakhaazi,  
Greg Yates, Nathan Niven,  
Michael Carroll, Sam Littlewood**



## Transport Roundtable

AIMPE attended the Transport Roundtable chaired by Minister for Infrastructure and Transport Ms Catherine King in Sydney on 25th August. The meeting was called to consider transport industry skills issues ahead of the Jobs and Skills Summit in September.

In opening the meeting, the Minister advised that the new Federal Government is committed to implementing the Maritime Strategic Fleet and will soon be announcing a Taskforce to advise her on the implementation of the Strategic Fleet.

AIMPE endorsed the Strategic Fleet proposal but emphasised that the joint unions proposal for a new National Maritime Industry Training program is the most urgent requirement for the maritime industry right now. The state of the maritime labour market at the moment means that it would be difficult to find a crew for even a small number of ships in a Strategic Fleet. If the Government wants to also expand the “Pacific step-up” and kick-off the Offshore wind industry then the training needs to start now.

AMOU supported this approach drawing attention -



**The Minister for Infrastructure and Transport Ms Catherine King**

tion to the length of time required to train from entry up to Master. MUA/CFMMEU placed the discussion in the context of the worldwide problems with logistics supply chains which have been exposed by the Covid 19 pandemic. Australia needs to act to improve its sovereign capability in supply chains.

Several of the employer representatives present (including MIAL, Teekay, CSL and Searoad Ferries) also supported the argument that there is a dire need for a maritime industry training program to address the shortage of skilled maritime personnel.

AIMPE highlighted that the need for skill maritime personnel extends well beyond the shipping industry and includes the oil & gas sector, defence support and renewables as well as port services and associated operations. Interestingly, when AIMPE drew attention to the problem of the oil & gas sector ‘poaching’ of maritime personnel trained by the shipping sector the other transport representatives from trucking, rail and bus sectors also spoke about losing workers to the higher paying resources sector.

Trucking representatives spoke of apprentice diesel mechanics completing their trade one day and then resigning to go off to the mining sector the very next day. Some companies said that they could not take on apprentices because they did not have personnel to supervise them.

## Teekay – Coral Knight 2E win

AIMPE has had a significant win on the ETV Coral Knight in securing the Second Engineer position as a permanent member of the crew. Teekay had previously refused to replace the 2E at the crew change which led to detention by AMSA.

Members took protected industrial action on Coral Knight in the form of various work bans on 30th and 31st July and further different bans on 1st and 2nd August all while the vessel was at sea. These bans largely related to the additional duties that members on Coral Knight perform related to navigational aids maintenance. The members also took protected industrial action in the form of stoppages when Coral Knight was in port in Cairns on 3rd and 4th August.

The bans and stoppages were relatively short in durations but this was sufficient to make sure that all of them remained available to be used (in accordance with the Protected Action Ballot [cont'd](#) ▶)



Order) again and for longer durations if the dispute dragged on.

There was 100% support for the protected action which was carefully tailored to the ETV's additional functions over and above the mere voyaging from 'A' to 'B'. It seemed that someone at AMS Group or Teekay or AMSA thought it was a great idea to try to run the vessel (a 24/7 emergency response plus navais maintenance vessel) with just a Chief Engineer and a First Engineer.

Everyone who worked on board the Coral Knight knew from day 1 that this was a ridiculous concept. They all said so to everyone who came on board and they said it to management too. AIMPE received great support from the AMOU and from the MUA/CFMMEU in this dispute.

Following the initial round of protected industrial action and facing the prospect of a long, drawn-out campaign of further protected action by AIMPE members, Teekay has now agreed that the Second Engineer position will be permanent on the Coral Knight. This is specified in the propose Enterprise Agreement which will soon be sent out for voting.

The AIMPE Federal Executive has commended the members on Coral Knight and also extended thanks to AMOU and MUA/CFMMEU.

### Teekay – ADV Reliant

The latest addition to the Teekay fleet is the ADV Reliant which left Sydney on 22nd August for Brisbane. Teekay had proposed a Greenfield Agreement based on the existing Ocean Protector terms however this was not concluded before the vessel arrived in Australia.

Members on the Reliant have now submitted a log of claims and once this is finalised it will be served on Teekay to provide a basis for discussions.

### ACTU campaign to change the Fair Work Act

As reported in the August On Watch, AIMPE Federal Councillors Evan James and Peter de Szoek took part in the ACTU workers delegation to Federal Parliament on 2nd and 3rd August.

The issue most up front for the two Svitzer Tug Engineers was the abuse of the Fair Work Act by the Australian subsidiary of the Maersk group. Svitzer's application to terminate the 2016 Enterprise Agreement is designed to reduce conditions for all Svitzer tug employees but it would hit casuals and part-timers particularly hard.

This was central to the national stop work meeting held on 5th August by videoconference which carried three resolutions:

Calling for Svitzer to withdraw its application to terminate the EA;

Calling for Minister Burke to amend the Fair Work Act to prohibit employers from terminating EAs to reduce pay and conditions; and

Calling for Svitzer Global CEO to get involved and reach a fair settlement of the EA.

Minister

Burke was quick to respond and he did so in a very public way on 8th August when he made a speech to the Australian Industry Group. Part of the Minister's speech was as follows:

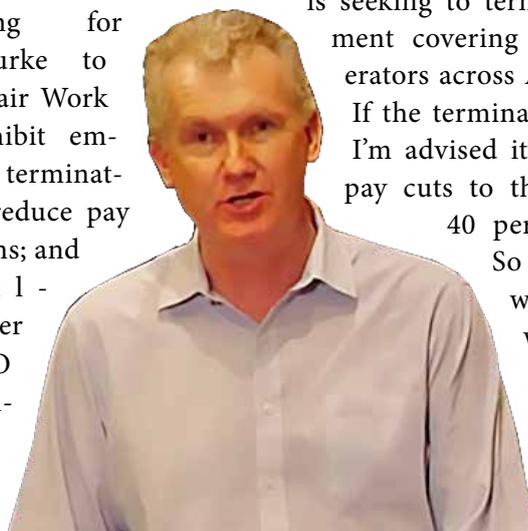
"But an area that I'm increasingly concerned about and is timely today is the ability of business to make unilateral cuts to workers' pay and conditions by the termination of agreements. I know this is an issue which will be further discussed at the summit, but I think it's only fair that you get a very clear sense of my disposition on this issue.

My starting point on face value is I cannot see how the tactic can be justified. The solution to a decade of wage stagnation cannot include a loophole which instead of stagnation causes wages to go backwards. Now, to be clear, I don't seek to interfere with cases before the Fair Work Commission under current law. The commission's job is to apply the current law. My job is to make sure the current law is justified and fit for purpose.

Now, one of the disputes currently before the commission is under these very provisions where Svitzer is seeking to terminate an agreement covering its tugboat operators across Australian ports.

If the termination goes ahead I'm advised it could result in pay cuts to the workforce of 40 per cent or more.

So at a time we're wanting to end wage stagnation, where we're wanting to have a serious conversation about how do we get wages



Hon Tony Burke MP - Minister for Employment and Workplace Relations - Minister for the Arts

cont'd ▶



moving, on my desk I'm getting briefings about a section of the workforce potentially facing pay cuts of 40 per cent.

Now, who are these workers? They're the same workers who you'll remember seeing them on the TV. And we were all applauding them saying, "Extraordinary what they're doing." They were putting their lives on the line to save a bulk carrier and its crew that was stranded off the coast of Sydney after a cable had snapped. They were treacherous images. The New South Wales Premier Dominic Perrottet described the work of these crews as heroic and incredibly impressive. And rightly so."

require the parties to consent to have arbitration and when Teekay refused to consent, the mid-week crew change dispute could not be pursued any further in the Commission.

The dispute has not gone away however and the MUA/CFMMEU will continue with their case because they have different wording in their disputes clause. AIMPE and AMOU have offered support on this dispute over a common condition.

### **CSL Donnacona EA negotiations**

Deck and Engineer Officers on

lowance of \$18,000 per person per annum from the commencement. The offer also involved a \$5,000 sign-on bonus [up from the previous \$3,000 figure].

In addition, CSL tweaked the increases as follows:

- Year 1 - 6.25% increase [up 0.75%]
- Y2 - 4% or CPI
- Y3 - 3% or CPI
- Y4 - 3%

However, at the time of writing it appears that this offer has been rejected by the CSL employees.

### **Trident LNG update**

Trident/STAPL has advised that the Shell group is paying a worldwide bonus of 8% to all its permanent employees and this includes the employees of Trident LNG. Maybe Shell is feeling a bit guilty about the amount of money that it has been raking in as a result of the Russian invasion of the Ukraine.

The ACTU has gone on the offensive on this issue recently referring to Shell, Chevron, Exxon Mobil and now BP posted global record profits according to half yearly earnings:

"While their reporting does not have a detailed breakdown of Australia's activity, the four companies have previously reported to the ATO annual income of \$56.3 billion (AUD) from oil and gas in 2019-20.

These companies have paid little or no tax in Australia according to the most recent ATO data from 2019-2020. Then, Chevron had revenue of \$12.1 billion (AUD) and taxable of income of \$169 million (AUD) and paid no corporate tax. Exxon had revenue of \$15.1 [cont'd](#) ▶

### **Tugboat Heroes avert maritime disaster off Sydney**



**Tuggies brave the foul weather to rescue the MV Portland Bay which lost power in heavy seas off Sydney**

### **Teekay - Ocean Protector crew change dispute**

The Fair Work Commission has rejected AIMPE's application to intervene in the MUA/CFMMEU matter in support of the mid-week crew change. Commissioner McKinnon refused to allow either AIMPE or AMOU to intervene because the MUA/CFMMEU Agreement applies to ratings only.

Both AIMPE and AMOU have dispute settlement clauses which

board the CSL transshipment vessel Donnacona have rejected the company offer for a new Enterprise Agreement.

The offer that was reported in the July National Industrial Report was only supported by 5 of the CSL employees.

CSL again adjusted its offer after this rejection.

CSL amended its offer to start the increased in the Transshipment Al-



billion (AUD) and paid no corporate tax. Shell had Australian revenues of \$5.3 billion (AUD) and also paid no corporate tax. In that tax year BP paid \$352, million (AUD) in corporate tax off revenues of \$23.2 billion (AUD).

Australian consumers are paying the price as these oil and gas giants post windfall profits primarily by increasing their margins as the world market price for oil and gas skyrockets.”

### **Svitzer National EA, EA Termination Proceedings and Disputes.**

**National EA Replacement; EA Termination Proceedings and Fair Work Conciliation.**

Last month it was reported that the proceedings to terminate the National EA would have been and gone by the time On Watch was in circulation.

Well., the proceedings did not take place. Deputy President Easton has deferred the hearing of the termination application and rescheduled dates could not be aligned until mid-December and February 2023. The reason for the vacating of the 5th -12th August hearing dates was because Svitzer lawyers served around 2,800 pages of additional material in the week before the hearing. This left little time for Union parties to review multiple additional statements and other new material Svitzer were seeking to enter into evidence. The Deputy President also was

asked to hear AIMPE and MUA/ CFMMEU applications for orders to produce documents which were critical before a fair hearing could take place.

The principle is that parties should have a reasonable opportunity to present their respective cases – the serving of the material plus the additional material sought needed to be reviewed and resolved before the hearing could proceed. Often new material or evidence late in proceedings does surface, however the “golden thread” of a fair hearing must require procedural fairness.

The service of the material also placed DP Easton in the same position as the Unions, so in directions hearings over consecutive days, the dates were not only vacated, but the parties were offered the opportunity for conciliation facilitated by Commissioner Bernie Riordan. Three days of conciliation has taken place to date with another three days over August 30th and 31st and September 1st. The unions will be attempting to deal with the principal issues detailed in Svitzer’s Operations Manager’s statement as follows:

- (a) Penalty payments and minimum engagement periods, including casual loading (dealing with short engagements and why casual loading is 100%);
- (b) Order of pick rules for relief work (whether the company should be obligated to use PPTs first);
- (c) Minimum crew for outside work and

contracting out clause (mainly concerning GPH’s);

(d) Selection and recruitment (use of representatives in screening and interviewing; looking for alternative experience to a trade for MEC3 engineers);

(e) Restrictions on Engineers’ Duties (mainly concerned with duration of maintenance window in ports that don’t have fixed 12 hour shifts);

(f) Redundancy (a proposal floated to date is to not alter the yearly amount, but cap the total entitlement);

(g) PoPs: whether a term of the EAs and change process.

### **Gladstone EA Approval by Members, Attack on Qualifications and Disputes Arbitration**

Last month it was reported that AIMPE members voted overwhelmingly to approve the roll-over of the existing agreement and during the application process the company gave notice it objected to the Engineer Class 3 requiring a trade. The objection was that it disadvantaged females in obtaining a job on a tug and that disadvantage is because of the low participation in females obtaining trades.

After exchanging written submissions, the Institute sought assistance from Barrister Andrew Herbert and final submissions were made and a hearing/conference before DP Asbury on Friday 26th August 2022. cont'd ▶



**Gladstom tug pens**



The Institute's submissions were that it has no control over who chooses to obtain a trade or not and that the term did not perform the function alleged by Smit. Following further consultation between the parties the matter was resolved before Deputy President Asbury and the agreement approved. DP Asbury however briefly indicated in passing that she agreed with the Institute's submissions. Regardless of the above, one thing that came through submissions and discussions was that the diversity in the Institute was high from a cultural background perspective, but remained low in gender diversity. The companies will be approached to address this issue, particularly the issue of there being no evidence of female holders of an Engineer Class 3 CoC.

### **Casual Payments, Phone Allowance and Hours of Work Disputes**

The directions hearing for the above matters took place with the first more complex matter of whether the EA allows scheduling (planning) of more than 12 hours in a 24 hour period being scheduled for early November 2022 for approximately 3 days. The venue of Brisbane or Gladstone will be decided once the number of witnesses required for cross examination is determined.

### **Smit National EA**

Meetings took place regarding Townsville and Mackay during late July and early August. The Weipa region meeting was postponed due to clashing with directions for submissions in the Gladstone EA. The company has proposed the following:

Townsville: No changes to port

work practices and wage increases of 3.5%, 2%, 2%, 2% over 4 years. The company has requested for a facilitative provision to do towage work in Lucinda without additional payment. AIMPE is working on a response with members.

Mackay: The main issue is the self-relieving roster requiring crews to relieve their opposite and take a day during their rostered periods in lieu. The company has offered a withdrawal of that arrangement and to pay permanent crew casual rates for coming back in off their leave. The company acknowledged that they will have to develop a pool of casuals as well as what obligations are required going forward for full time crew on rostered leave to provide relief.

There should have been more progress, however, the Gladstone issue delayed progress.

### **Australian Maritime Safety Authority (AMSA)**

AMSA has indicated that it cannot begin its negotiations on the new EBA until the new Government releases its policy with respect to bargaining. That is a similar approach to the previous government. Let's hope that the new salary increases cap is a lot higher than the current 1.9%. Going by what the government is saying, one would hope so.

The other issue of restructuring AMSA is taking a lot more time than expected. What is clear by now is that AMSA need to employ more technical employees than it currently has.

If any member has any issues, you are encouraged to contact our Director of Government Rela-

tions/National Legal Director, Michael Bakhaazi, either by email: mbakhaazi@aimpe.asn.au or mob: 0401431166.

### **Department of Home Affairs-Australian Border Force only (ABF)**

The ABF is now experiencing what many operators in the commercial world, lack of marine engineers available for immediate posting. So, the ABF has decided to relieve engineers from its biggest vessel, the Ocean Shield and replace same with engineers from other manning companies. This loss of capability is defined by an inability to safely crew large blue water ships with suitably qualified and experienced personnel commented Chief Engineer, Dominic Worthington. He further and correctly stated that "the loss of ABF Marine Unit's most potent and capable seagoing Marine Engineering teams, is a very poor long-term exchange for the short-term crewing - of a Cape Class, which may be rendered mission incapable and unavailable to command by one of a myriad of chronic mechanical, electrical and structural issues that plague this troubled class".

AIMPE request that the Department provide a detailed plan to return the crew of Ocean Shield back to their normal posts, must be promulgated as a matter of urgency. It is the understanding of AIMPE that personnel from other classes affected by this need to provide personnel to the beleaguered Cape Class fleet have been informed that they will return to their normal duties within six (6) months.

AIMPE will take up this serious issue with the Department and the Minister in Canberra in the week commencing Monday 29th August 2022.

cont'd ▶



## Seacare

AIMPE met with Minister Tony Burke in Canberra on 8 August to discuss the future of the Seacare scheme. AIMPE is concerned that the future of the Seacare Scheme is effectively being determined by private insurance companies and that this is undermining the intention of the Scheme that was enacted by Parliament. The problem with the Seacare scheme is the ongoing contraction in the Seacare scheme insurance market. Most of the major insurers have indicated that they will be exiting the market. As a result of this the Seacare Authority has amended the factors for exemption by including a new factor for exemption should employers be unable to acquire an insurance policy as required by the Seafarers Act. If employers gain an exemption from the scheme, then they fall back to the State Workcover schemes with lower benefits for seafarers being the outcome. AIMPE has been working with the other Maritime Unions and a major company in the Workers Compensation claims management space, EML, to design an alternative scheme that would preserve the key elements and benefits of the existing Seacare scheme. To progress this concept requires certain actions and undertakings from Government and approval by the Seacare Authority. Minister Burke understands the unique working conditions for seafarers and the requirement to hold medical certificates to work which serves to exclude

the normal return to work on light duties other industries are able to do. AIMPE has had further follow up discussions with the Department on how a proposed replacement scheme would operate. At the same time a review into the Seacare Scheme, initiated by the previous Government is due to report their outcomes within the next couple of weeks.

## ASP Larcom Enterprise Agreement

AIMPE, AMOU and MUA with Delegates joining in from the vessel via video met with ASP on Friday 19th August to continue the negotiations for the Larcom EA. The final outstanding issues were the details of the annual bonus scheme and the quantum of the wage rise. It was agreed that the bonus's will be linked to the completion of the annual Employment Development Review (EDR) and that the wage rise would be based on the national CPI rate being 3.8% for 2021 and 6.1% for 2022. It was also agreed that a \$2000 sign on bonus would apply. The next step is to receive the final draft before arrangements are made for the Agreement to proceed to a ballot. AIMPE met with Minister Tony Burke in Canberra on 8 August to discuss the future of the Seacare scheme. AIMPE is con-

cerned that the future of the Seacare Scheme is effectively being determined by private insurance companies and that this is undermining the intention of the Scheme that was enacted by Parliament. The problem with the Seacare scheme is the ongoing contraction in the Seacare scheme insurance market. Most of the major insurers have indicated that they will be exiting the market. As a result of this the Seacare Authority has amended the factors for exemption by including a new factor for exemption should employers be unable to acquire an insurance policy as required by the Seafarers Act. If employers gain an exemption from the scheme, then they fall back to the State Workcover schemes with lower benefits for seafarers being the outcome. AIMPE has been working with the other Maritime Unions and a major company in the Workers Compensation claims management space, EML, to design an alternative scheme that would preserve the key elements and benefits of the existing Seacare scheme. To progress this concept requires certain actions and undertakings from Government and approval by the Seacare Authority. Minister Burke understands the unique working conditions for seafarers and the requirement to hold medical certificates to work which serves to exclude the normal return to work on light duties other industries are able to do. AIMPE has had further follow up discussions with the Department on how a proposed replacement scheme would operate. At the same time a review into the Seacare Scheme, initiated by the previous Government is due to report their outcomes within the next couple of weeks.



ADF Ocean Shield

# Sydney Branch & NSW District Report

## Sam Littlewood



### Teekay: Mercator EBA

The Teekay AIMPE Mercator EBA has been approved by members on board the vessel. This wraps up lengthy negotiations that commenced in October 2021. The EBA will now proceed through the approval process with the Fair Work Commission, with members to receive backpay to their start date on board the vessel once the Agreement is approved by the Commission

### Inco: ICS Reliance

The ICS Reliance is due to re-commence bunkering operations in Sydney following the vessels withdrawal from operation in mid-2020 due to a downturn related to the pandemic. This re-introduction to service by Inco coincides with the return of passenger cruise ships in Sydney Harbour, which are due to increase in frequency from September. Since its withdrawal in 2020, there has been no dedicated bunker vessel

ing out of Sydney. It is unclear whether the Reliance will swap between operating out of Geelong and Sydney, as was the case prior to its exit from operation.

### Transdev Sydney Ferries: Freshwater Class Update

On Thursday 18th August AIMPE was advised by Transdev that the Freshwater Class Ferry would re-enter 7 day timetabled operation on Sydney Harbour. This was followed by an announcement by NSW Transport Minister David Elliot.

The Freshwater Class have been subject to service change in the last 12 months, with their operation being scaled back to weekend only timetables with the rollout of the new Gen 2 Emerald Class vessels. The Gen 2 Emeralds are smaller and have less passenger capacity (450 pax), and are not capable of operating in swells greater than 4 meters, unlike the

The Gen 2 Emerald Class were built in China and have seen various build quality issues effecting their introduction into service, most notably control and steering failure issues.

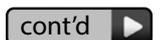
The current two vessel Freshwater operation on weekends will end, and be replaced with a single vessel operation, seven days per week. We expect this to expand again to 2 vessels in 7 day operation for the upcoming summer runnings, which see passenger numbers peak throughout this busy period.

### Transdev Sydney Ferries: EBA

Negotiations continued to take place in early August for the TDSF EBAs. The outstanding matters for resolution for AIMPE, AMOU, and MUA members are the salary offer, Transdev's proposals for the Outer Harbour operation, and crewing for the new 24m River Class vessels.

On salary, TDSF have tabled an offer of 3% p/a for the life of the Agreement, currently proposed to be 4 years. AIMPE delegates and members have advised this falls short of salary increase expectations given the current economic environment regarding cost of living pressures and inflation/CPI figures. Members of all 3 Unions have rejected this wage offer.

On the Outer Harbour, TDSF have proposed to merge the



operat-

Freshwater Class (1200 pax).





sues that require negotiation. Those outstanding issues are the wages, where Searoad have offered 3% in year 1 and 4% in year 2, the re-write of the industrial clothing clause, the study leave clause applying to the amount of study time prior to oral exams and the timing of having medical certificates completed, and the conditions for trainees and cadets. AIMPE also met with members onboard the Liekut in Devonport on 23 August to discuss the progress of the EA and the outstanding issues. The next meeting is planned for the week beginning 5th September.

### **ASP Investigator Enterprise Agreement**

AIMPE and the AMOU together with Delegates joining in from the vessel via video met with ASP on Friday 19th August to continue the negotiations regarding the Enterprise Agreement. The major outstanding issues are the swing length and over-cycle claims. Following the previous meeting AIMPE and the AMOU had a phone hook up with the MUA in an effort to get a common claim on those issues. The MUA agreed to adopt our swing length claim of 42 day +/- 7 and our Overcycle claim of 10% after 50 days and merge with their claim that no swing will be longer than 60 days without prior consultation. This position was put to ASP and was again rejected, and ASP stated that such a position would be a contract breaker. As a compromise ASP did agree to include some wording that swing changes would occur at the first opportunity after 42 days +/- 7. AIMPE held a meeting with Investigator members on Thursday 23rd August via zoom to discuss the issue, with the outcome being that the compromise was appreciated but the final wording needs to be examined. The negotiations have

taken place with 3 sets of ASP managers and there a large number of changes to the agreement that need to be carefully reviewed in the drafting. To that end AIMPE and AMOU have requested ASP to provide a draft agreement but noting that our request does not indicate an agreement in principle has been reached. The next meeting with ASP is scheduled for Wednesday 7th September.

### **Tasports Towage Enterprise Agreement**

AIMPE together with the AMOU and MUA joined a video meeting on 26th July for a briefing by Tasports on the Tasmanian Governments Port Services Regulatory Review. The Review is designed to explore how the regulatory model could be improved in Tasmanian Ports service delivery. It will also examine the markets for Port Services which means competition for Port Services. There is an expectation that the Review will challenge the current market structure. A Consultation Working Group is to be established between Tasports and the Maritime Unions. Arising from that announcement Tasports advised the Unions that it would be their preference to roll over the current Enterprise Agreement. To progress that proposal, AIMPE and Delegates together with the AMOU and MUA had a video hook up with Tasports on 29th August to discuss the Tasports proposal to roll over the current Enterprise Agreement for 12 months. Tasports have offered 5.1% for the roll over made up of a 3.5% wage increase and a 1.6% sign on bonus.

AIMPE will seek feedback from Delegates and members on this proposal as the next step. Tasports indicated that the NERR will be issued this week.

In separate developments the Devonport Tugs, York Cove and Campbell Cove were successfully lifted from the Tamar River and placed on a heavy transport ship to be taken to Brisbane where they will be scrapped. The Tugs sank on 28th January 2022 having been collided into by the Goliath while they were berthed.

### **John Duigan**

AIMPE met with Engineers onboard the John Duigan in Devonport on 23rd August to discuss the recent planned changes and the ramifications of those by Tasports and Polaris to the sailing schedule. With the exception of losing the onboard cook the changes won't have too many changes for the engineers directly but the overall manning in the event of having to remove the vessel from the wharf and go to anchor is a concern and highlights the downside of the Domestic Commercial Vessels regulations. Polaris decided not to pursue a variation to the EA. It is the aim of the engineers to work with AIMPE to improve their bargaining position for the next EA in 2024.



**Nathan Niven with Stephen Wood in the Engine Room of the John Duigan**



# Western Australia Branch Report Michael Carroll



## AIMPE Offshore Members Meeting

On Friday 19th August 2022, AIMPE held a mass meeting of AIMPE Offshore members covered by the AREEA/Industry offer.

The meeting had a very strong turnout and was frank and robust in its duration and topics covered. The meeting made the following resolution;

- To reject the industry offer in its current form.

There was widespread agreement that the salary offer is too low given the state of the economy and the fact that majority of members haven't received a pay rise in a number of years. There is also a concern that unless the percentage pay increase rises the term of the offer is too long currently.

There is however widespread members agreement that any agreement going forward contains the security of a CPI increase in the out years.

There was no appetite from those in attendance to agree to or be moved to 4-week swings.

Members urged that all EA's should put training at the heart of all discussions as the meeting was made aware of the state of our current roster and the fact that not enough engineers are progressing to their next CoC, nor are there anywhere near enough new-entrant cadets or trainees joining the industry.

The meeting was informed that the self-propelled MODUs at 100% is a matter which must be settled before

any agreements can be signed. Given in the main that this is a discreet manning agent issue there is no reason that this should stop any agrees proceed with vessel owner operators who are not in this line of business.

The meeting was informed that the WA Branch will from now on be hosting regular (bi-monthly) mass members meeting at which members will be free to discuss any and all issues of importance to them

The Federal Executive of AIMPE will now consider a response to AREEA and further consult with members.

## Tidewater

AIMPE met with Tidewater on 10th August 2022 to open discussions on a new EA covering these members. There seems to be no discernible change in management structure after the change from Swire to Tidewater – very much business as usual. Tidewater at this stage seem keen to engage with AIMPE on a positive footing stressing the fact that they do not want discussions to drag on.

Tidewater have been furnished with a comprehensive Log of Claim from members that AIMPE are still awaiting a reply on. The claims reflect the need for renewal and refreshment of the current agreement with salary front and center of members requirements going forward.

There is no dodging the fact that there has to be a serious up-lift in salaries across this sector while keeping our competitive and professional edge in

a very tight labor market. There are other areas too where the agreements (not just at Tidewater) need to be improved and updated. This is an exercise being done now across the sector.

## Rigforce

AIMPE met with Rigforce on 11th August, 2022. Rigforce is a manning agent that ostensibly supply personnel to rigs and platforms and have sort of blended into the background of the industry whether by accident or design.

There is an AIMPE agreement with this employer but it's a Greenfields document that again is in need of a couple of hours at least in the company of a plastic surgeon to make it look anyway presentable.

It's always slightly amusing when you commence EA discussions with any company particularly those who deem themselves as a "smaller player" in the industry. The tune always seems to be, well, it's not us. You really need to sort out "xyz" company first ..... Such is the case with Rigforce.

AIMPE members work in an "industry" interconnected and interdependent same as the labor providers – everyone knows what everyone else is doing and more importantly charging for their services.

## Atlas Professional

AIMPE met with Atlas on the 18th of August to discuss the EA. Atlas have stuck close to the 



industry doing things together – one in all in if you like. AIMPE have been quite clear from the start on two issues which have to be sorted before any new EA's can be agreed. These are the vessels schedule rates and the rates paid on self-propelled MODU's which are catastrophically low.

Atlas said in previous meetings that the "industry" would be addressing all these matters in their "bold" offer to the unions. In the items addressed by the industry the matter of the rates paid on MODU's must have ended up on the editor's floor as they don't make the list. AIMPE can only assume that Atlas and industry thinks 100% is an adequate figure to be paid on a facility/platform. AIMPE and its members have said this is a derisory amount that needs to be lifted before any agreement can be struck with Atlas.

Ostensibly this issue is one of the manning agents only as they do the majority of placement. No agreement will be finalized with any of the manning agents until this matter is resolved.

### **Mermaid Marine Australia**

AIMPE met with MMA on 17th August to open the batting on a new EA for these members. Readers of this report will see that AIMPE is making contact with all the players in the industry to renew their agreements and likewise with this employer. Again, a

Log of Claim will be constructed by members and served on the company in due course.

### **TOLL Marine**

AIMPE have been in contact with TOLL to renew the current EA. We are awaiting a reply from the company and members will be informed accordingly.

### **SIEM Offshore**

AIMPE visited its members on the Siem Thiima on 24th August.

Members on SIEM vessels are employed by the manning agent OSM currently. SIEM have been on the Australian coast for about six-years. When they initially arrived, they said to all that they wanted to be a direct employer. The company even went as far as telling prospective employees that they would be employees of Siem. Six years later we are still no further on in seeing those promises come to fruition.

On the recent visit to Karratha members again expressed their frustration and disappointment at the situation and asked the question – why are we are not employed directly by SIEM?

It's a very valid question that AIMPE can't understand the stance of SIEM on this matter. Given we are in the middle of "EA Season," AIMPE have contacted SIEM directly and invited

them to commence discussion on a standalone agreement covering Engineers and ETO's

### **King Bay Marine Services (KBMS)**

AIMPE met with KBMS members in Karratha this past week. Again, this employer has given notice that it wishes to commence bargaining for a new agreement. It will be an interesting experience bargaining with this employer given that they have lost the gas towage contract to Svitzer. As with everything maritime all sorts of rumors swirl around about the arrival of Svitzer on the scene. As this is written the latest is that Svitzer will not take over on schedule but there might be something of a delay- hence the bargaining request by KBMS to fill that gap.

That's all to come out in the wash as the meetings proceed. AIMPE have advised KBMS that it is ready to proceed with the meetings and have asked for a schedule of dates. More information on this to follow

### **AIMPE WA Branch Visits**

The WA Branch will have its boots on the ground visiting members in the following locations:

➤ Broome- 20th to 24th September

➤ Darwin – 10th to 14th October

Given we are in EA season these visits are vital. Can members please advise Michael Carroll mcarroll@aimpe.asn.au when your vessel will be alongside during these times and a visit will be arranged.





Fremantle 2022

Heading out west !

2022 WEST AUSTRALIAN ANCHOR CLANKERS REUNION

**Where:** Flying Angel Club - Missions to Seafarers. 76, Victoria Street. Fremantle.  
**When:** Thursday 27<sup>th</sup> Oct 2022  
**Time:** 6.00 pm to 10.00 pm  
**Cost:** \$70 per person \$130 per couple Drinks {Beer, Wine & soft drinks} & finger food included.  
**Dress:** Smart casual  
**RSVP:** ASAP and by Thursday 20<sup>th</sup> Oct 22 at the latest to email: [anchor@cssa.org.au](mailto:anchor@cssa.org.au).

**Payment:** [BOOK HERE](https://www.trybooking.com/events/landing?eid=936483&) - https://www.trybooking.com/events/landing?eid=936483&

**FREMANTLE LUNCHEON CRUISE / Sim Centre Tour {One way Cruise Fremantle to Perth}**

**Where:** Board at Captain Cook Cruises Terminal Fremantle in Peter Hughes Drive  
**When:** Friday 28<sup>th</sup> Oct 2022  
**Time:** Depart 1245 arrive in Perth at 1400  
**Cost:** \$68.00 per person including lunch.  
**Dress:** Suitable for the weather on the day  
**RSVP:** ASAP and by Thursday 20<sup>th</sup> Oct 22 at the latest to email: [anchor@cssa.org.au](mailto:anchor@cssa.org.au)

**Payment:** [BOOK HERE](https://www.trybooking.com/events/landing?eid=936502&) - https://www.trybooking.com/events/landing?eid=936502&

There is no better way to combine a delicious lunch and a wonderful cruise on the magnificent Swan River than on a Captain Cook Cruises Fremantle Lunch Cruise. Available from both Perth and Fremantle, this unique cruise includes a buffet of Western Australia's abundant seasonal fresh produce as well as full bar facilities on board. Then on to the Sim centre if you're interested.

**GOLF TOURNAMENT BATANGAS CUP in memory of the late Capt. Mick Brown**

**When:** Thursday 27<sup>th</sup> Oct 2022 - Tee Off 10:00 till 12:00  
**Where:** Fremantle Public golf course, 20 Montreal Street, Fremantle, 6160  
**RSVP:** ASAP and by Thursday 20<sup>th</sup> Oct 22 at the latest to email: [anchor@cssa.org.au](mailto:anchor@cssa.org.au)

**Booking:** [BOOK HERE](https://www.trybooking.com/events/landing?eid=936519&) https://www.trybooking.com/events/landing?eid=936519&



Saturday 29th Oct 22<sup>nd</sup> Maritime Day 1000 till 1600

Be sure to head over to Victoria Quay and join in all the exciting activities at Maritime Day 2022 Visit the Offshore & Specialist Ships Australia Ltd. stand and consider joining online [HERE](#)



The Australian Institute of Marine and Power Engineers  
**Newcastle Branch**  
**ELECTION NOTICE - E2022/114**

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Scheduled Election  
Fair Work (Registered Organisations) Act 2009

Nominations are called for:

- President (1)
- Treasurer (1)
- Councillors (2)

Nominations, which must be in writing and comply with the registered rules of the Organisation, may be made at any time from 26/10/2022. Additional forms are available from the Returning Officer.

Prospective candidates and nominators should verify their financial status and any other qualifications required by the Organisation's rules prior to lodging nominations.

Nominations must reach the Returning Officer via the lodgement method(s) stipulated below not later than 12:00 noon Australian Eastern Daylight Time (AEDT) on 07/12/2022.

How to lodge nominations, nominations must be lodged via the following method(s):

By Portal: Australian Electoral Commission Portal, [www.aec.gov.au/ieb/](http://www.aec.gov.au/ieb/)

By Email: A properly completed nomination form including all necessary signatures and attachments may be scanned and submitted as a pdf file to [IEBnominations@aec.gov.au](mailto:IEBnominations@aec.gov.au)

PLEASE NOTE:

1. Emails to the AEC inbox that appear to be spam may be blocked. It is the responsibility of senders to ensure that their email reaches the AEC before the deadline for nominations.
2. In order to be able to be received by the AEC, emails (including attachments) should be no greater than 6 MB in size.
3. You may call on (02)9375 6366 or (03)9285 7111 to enquire about the status of your nomination.
4. The subject line of the email should include the reference: 'E2022/114 AIMPE Newcastle - your name'

Withdrawing Nominations

Nominations cannot be withdrawn after 12:00 noon Australian Eastern Daylight Time (AEDT) on 07/12/2022.

Candidate Statements

Under Rule 33B (v) of the Organisation rules, each candidate may submit a candidate statement, not exceeding 300 words, for inclusion with their ballot paper, should such ballot be held. The candidate statements must be submitted not later than 12:00 noon (Australian Eastern Daylight Time (AEDT)) on 07/12/2022. They should be submitted in Word document format and emailed to [IEBnominations@aec.gov.au](mailto:IEBnominations@aec.gov.au).

Voting Period

The ballot, if required, will open on 25/01/2023 and close at 10:00am Australian Eastern Daylight Time (AEDT) on 08/03/2023.

Scrutineers

It shall be the right of any candidate to appoint a member who is not a candidate for election to be a scrutineer on the candidate's behalf. Such scrutineer shall be appointed only with the scrutineer's consent in writing which shall be given to the Returning Officer not later than 10:00am Australian Eastern Daylight Time (AEDT) 08/03/2023.

A form is available from the Returning Officer.

Other Information

Changed Address? Advise the Organisation now.

Please Note: A copy of the AEC's election report can be obtained from the Organisation or from the Returning Officer after the completion of the election.

Catherine Budrodeen

Returning Officer

Telephone: 02 9375 6366 or 03 9285 7111

Email: [IEBevents@aec.gov.au](mailto:IEBevents@aec.gov.au)





On 13th August the Australian Financial Review published an article by a journalist Mr Aaron Patrick which dealt with the Svitzer tug dispute. It seems to have been based on information extracted from witness statements submitted by Svitzer to the Fair Work Commission. Former PB Brisbane Tug Delegate Rob Polman sent the following reply to the journalist.

Hi Aaron.

I am a retired marine engineer who owes no allegiance to any union or any employer as neither is responsible for where I earn my income now. I started my career in overseas container ships for the Australian National Line in the seventies, and ended my career on the Brisbane tugs - but not with Svitzer.

I normally don't comment on articles relating to my former career - a very happy one I might add - as I'd rather leave it up to the people still working.

But this article of yours is so partially informed that, after having a laugh, I felt I had to make a comment even though you might not bother reading it. I'd be very keen - and perhaps your readers should be told - who provided the "facts" for your article.

You note I said "partially informed" because while you might have nailed some practices, you weren't told why they were in place. Many are due to company requirements, believe it or not, in the sense that AMSA and the companies have stringent work place health and safety rules in place that tug crews MUST abide by. And that often means sitting at home and resting so that the working day can be stretched to include working a ship that would otherwise make the working day stretch out to 14 hours or more - which is against WH&S rules and would require hiring an extra crew.

There are one or two scenarios in your article that I'd like to address in an attempt to demonstrate being "partially informed."

"36 knot winds caused ships to wait outside as tugs could not work under these conditions. Tug crews could stay at home on pay. Two crew members had called in sick and would normally have been replaced, but company decided not to as tugs couldn't work in the gale anyway."

This one is a biggy. I've been in this scenario many times when a port has closed due to excessive winds. And so the tugs don't work because port movements have stopped until weather abates. However, the port usually requires tugs to be available should any emergency arise during the bad weather - not unlike the recent issue with the Pacific Basin ship needing to be rescued. But in the case of a closed port, I have been involved in a number of emergency tug responses where tugs had to leave asap to rescue a ship that was being blown off the wharf due to the winds. Where crews assigned to a tug are permitted to stay at home, in this type of emergency they are rung and simply told "get your arses in here immediately" and they go - immediately. If the company decides not to replace the sick crew members in this scenario, the company would have to phone around crew members who are on legitimate time off; they will have to explain to each one why they are needed; and they will have to ask would they be able to crew the tug. If they say yes, they still have to get their work gear organised and then go to work. This takes a lot longer than being able to tell an assigned crew to "get in here now!"



“Maintenance requests must go through a specific union member and engineer in Brisbane.”

This one is plain and simple rubbish. It is in the category of “pull the other one”. The union delegate does not get involved in assigning maintenance and repair work. There is no single engineer that all repair and maintenance requests must go through. In fact, if this were the case it would be the biggest insult you could make to the engineer of a vessel. Each crew member knows their vessel. Each vessel has a maintenance plan. The each crew member of each vessel does tasks according to the maintenance plan for the vessel they are on. The Master does navigation and bridge tasks. The engineer does engineroom and machinery tasks. The deckhand - not unskilled I should correct you - does the deck tasks. Each will help the other as needed.

“Workers turn up for two hours work and are paid for a 12 hour shift”.

I have to say I’m guilty of having done this many times myself. The fact missing here is “what type of duty has this tug been assigned?” In most ports, for the convenience of the company to minimise costs, a tug can have a 12 hour captive crew or a 12 hour standby crew. The captive crew stay on the tug for the full shift so making the tug available for all port work including any unscheduled, or short notice port movements. The tug can be up and running in 10 minutes. And if there is one thing that is consistently true in shipping, arrival and departure times of ships can change often and significantly. I could write a book just on that statement. You need two 12 hour crews to cover a 24 hour period.

And then there are times when extra tugs are needed to fill some gaps - but not enough to assign two 12 hour crews to cover a 24 hour period. So an extra tug can be assigned to standby duties. This means one crew is available for a 24 hour period and can be called at any time to do any work. There are two extremes for the standby tug and crew and standby tug workload will vary between the two.

There may be no shipping at all in the 24 hour period and so the standby crew can stay at home on pay. BUT, they are on call and MUST be able to get to work in 60 minutes from being told to start up a tug. This can happen when shipping changes such that the captive tugs are already working and can’t do this ship. Or for many other reasons. At the other extreme, a standby crew could be flogged for the whole shift and not get home at all. They don’t complain. That is what the standby shift is all about. So it certainly does happen that a crew might be at home on pay; be told to come in to do one ship and then go home again because there is no work for the rest of the day. BUT again. They must be ready to rush back to work during their shift if something else pops up. The companies invented this standby shift because instead of needing two crews to cover 24 hours, they only use one. Being paid for a full shift is due to not being able to go more than 60 minutes travel distance from work and not being able to socialise where alcohol is involved - in other words, a crew member is not free to do as they like.

I’m sorry this has gotten so long. I hope I’ve illustrated that there is so much more to the bits of information you have been given without any context whatsoever. I hope you go back to the supplier of facts and see what they say about my three scenarios above. I also hope you will write an article from the employees perspective - but I won’t hold my breath.

Regards,

Rob Polman

Editors note: Following the publication AIMPE has lodged a complaint to the Press Council about the misleading and inaccurate nature of the article and its lack of fairness and balance.



# Sean Douglas McNaught

(aka Zero)

13th December 1963

2nd September 2022

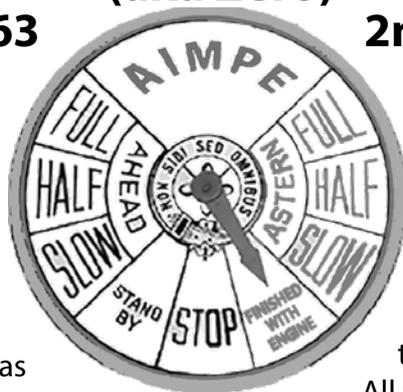
The maritime community in Australia are deeply saddened by the sudden passing of our dear friend Sean McNaught affectionately known as Zero.

Sean will always be remembered as a humble intellectual who had sincere regard for his fellow colleagues, nature, and the environment. Sean was extremely articulate and made his views in the most expressive and cohesive way. A voracious reader, who had a insatiable thirst for knowledge. His study interest very broadly in nature, religion, society – common and elite, corrupt nature of corporations, and lately delved into unmasking the lies engendered upon human.

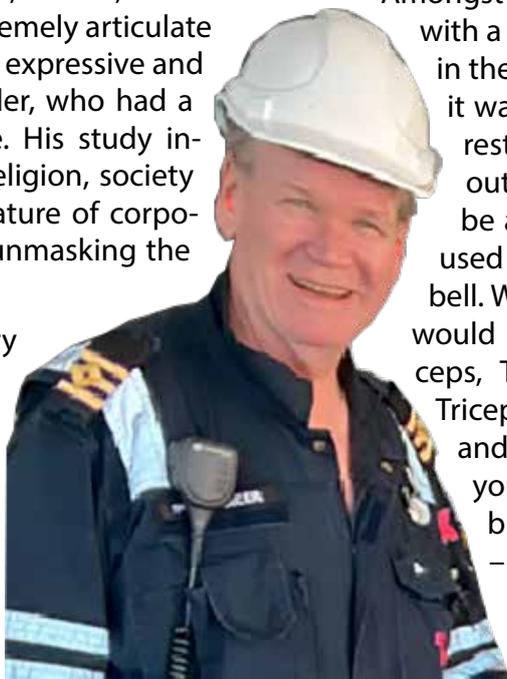
Sean had a wonderful but dry sense of humor with great observational skills. Sean's close colleagues describe him as authentic, straight shooter, cultured, respectful, family man, highly knowledgeable, resilient, philosophical, and deep reverence developing his mind, body and spirit.

Sean started his remarkable career at sea with the Navy. Later, he joined Howards Smiths and after a small time working in the mines as a fitter, Sean Joined Teekay Shipping (Aust) Pty Ltd in 2001. Shaun started off on the Broadwater then joined Karratha Spirit as 1st engineer. Sean became chief engineer in 2007. Sean sailed Chief Engineer on the Alexander Spirit, Dampier Spirit, and during the pandemic extended his generosity to Teekay Tankers in Singapore who were desperately looking for an experienced Australian chief engineer to join the Galway Spirit to sail her from Dampier to Japan.

This was a text message received by a colleague from Sean from the vessel last year: "Hello, hope



all is well with you and your family. Currently in Yiuilian dock, China. The 2-week run to Japan turned into a 3-month swing with docking thrown in for good measure. Hope to get home early to mid-September. All the best, Sean."



Amongst his hobbies riding his Harley with a passion and going for a workout in the gym. When he went to the gym, it was often an unwritten rule to the rest of crew, that the gym will be out of bounds since there wouldn't be any plates left on the rack. Sean used to train with a fully loaded barbell. When asked about his routine, he would often say Monday I train my Biceps, Tuesday, Shoulders Wednesday, Triceps, Thursday chest, Friday Back, and rest in the weekend. What about your legs Sean, oh for legs, I'd just buy a new pair of jeans every year – he would say with a cheeky grin. He had an impeccable poise and graced this earth with honour and integrity.

Sean was a minimalist and believed in living with austerity. He enjoyed life's simple pleasures and largely lived an ascetic life. He would never willfully hurt or kill animals. A good friend remembers inviting Sean to a fishing trip. Sean politely declined the offer citing these words. "I wouldn't wanna hurt a fish, because the fish hasn't done anything to hurt me".

Sean will forever be remembered as a guru, mentor to many and a gentleman who graced everyone he met with love and respect.

Written from the heart by fellow Chief Engineers Sean McLaughlin and Samir Sen

Sean is survived by his wife Carla and daughter Brianna

R.I.P.



# AIMPE officials, branches and who to contact

## Federal Executive:

Federal President: Martin Byrne  
 Senior Vice President John Hartree  
 Federal Vice Presidents: Mark Jones,  
 Peter Toohey  
 Federal Treasurer: Ian McAllister

## Head Office

52 Buckingham Street, Surry Hills  
 Sydney NSW 2010  
 Telephone:(02)9319 5569  
 Federal Secretary: Martin Byrne  
 0419 243 263 mbyrne@aimpe.asn.au  
 Director of Professional Development:  
 Henning Christiansen  
 0419 400 324  
 hchristiansen@aimpe.asn.au  
 National Organiser: Sam Littlewood  
 0434 445 560 slittlewood@aimpe.asn.  
 au  
 Office Manager: Cathy Han  
 chan@aimpe.asn.au  
 Accounts & Administration Officer:  
 Carol Godfrey cgodfrey@aimpe.asn.au

## Sydney Branch

52 Buckingham Street, Surry Hills NSW  
 2010  
 Telephone:(02)9319 5569  
 Branch President: John van Dam  
 Secretary: Martin Byrne  
 Branch Treasurer: Anthony Russell  
 Councillor: Evan James

Councillor: Peter De Szoeko

## Newcastle Branch

148 Hannell Street, Wickham, NSW  
 2293. Telephone: (02) 4962 1682  
 Branch President: Don Moore  
 Branch Secretary: Henning  
 Christiansen (0419 400 324)  
 Branch Treasurer: Rinaldo De Vitis  
 Councillor: Terry Snee  
 Councillor: Malcolm Fletcher

## Victoria/Tasmania Branch

202/20 Convention Centre Place,  
 South Wharf, Vic 3006  
 Tel:(03)9690 0506  
 Branch President: Russell Rickards  
 Secretary: Ian McAllister  
 Branch Treasurer: Garry Trotter  
 Councillor: Peter Walsh  
 Councillor: David Peberdy  
 Senior National Organiser:  
 Michael Bakhaazi 0401 431 166  
 mbakhaazi@aimpe.asn.au  
 Senior National Organiser: Nathan  
 Niven 0422 815 201 nniven@aimpe.  
 asn.au

## West Australia Branch

1 High Street, Fremantle  
 PO Box 808, Fremantle 6959  
 Branch President: Mick Handcock  
 Secretary: John Hartree  
 Branch Treasurer: Andrew Williamson

Councillor: Mick Handcock

Councillor: Mark Jones  
 Senior National Organiser: Michael  
 Carroll 0421 256 494 mcarroll@  
 aimpe.asn.au

## South Australia Branch

Institute Chambers, 22 Divett  
 Street  
 PO Box 2267. Port Adelaide SA  
 5015  
 Telephone:(08)8341 0779  
 Fax:(08)8341 0779  
 Branch President: Sean Knight  
 Secretary: Graham Gosden  
 Branch Treasurer: Ben Swincer  
 Councillor: Anthony Williams

## Queensland Branch

Suite 14, 'Rockton', 40 Brookes  
 Street  
 Bowen Hills, QLD 4006  
 Telephone:(07)3252 2900  
 Email: qldadmin@aimpe.asn.  
 au  
 Secretary: Peter Toohey  
 Branch President: Brad Ready  
 Treasurer: Tim Hardy  
 Councillor: Brad Ready  
 Councillor: Peter Roots  
 Senior National Organiser:  
 Greg Yates 0417 773 262  
 gyates@aimpe.asn.au

Who to contact for your EBA/Industrial Issues	
SECTOR	INSTITUTE OFFICIAL
Offshore	Michael Bakhaazi 0401 431 166 mbakhaazi@aimpe.asn.au Michael Carroll 0421 256 494 mcarroll@aimpe.asn.au
FPSOs/FSOs	Michael Carroll 0421 256 494 mcarroll@aimpe.asn.au
Shipping & Research Vessels	Nathan Niven 0422 815 201 nniven@aimpe.asn.au
Towage	Greg Yates 0417 773 262 gyates@aimpe.asn.au
Dredging	Martin Byrne 0419 243 263 mbyrne@aimpe.asn.au
Small Ships & Barges	Greg Yates 0417 773 262 gyates@aimpe.asn.au
Sydney Ferries, RMS, Sydney Bunkers	Sam Littlewood 0434 445 560 slittlewood@aimpe.asn.au
Customs & Border Protection - AMSA Surveyor's EA	Michael Bakhaazi 0401 431 166 mbakhaazi@aimpe.asn.au
Tourism	Greg Yates 0417 773 262 gyates@aimpe.asn.au

Power Stations - Newcastle Ports Corp	Newcastle Branch
Teekay Shipping, CSL Shipping	Martin Byrne 0419 243 263 mbyrne@aimpe.asn.au
SPECIAL ISSUES	
Marine Orders, Training & Certification	Henning Christiansen 0419 400 324 hchristiansen@aimpe.asn.au

Who to contact about your membership and fees	
Cathy Han	Head Office 02 9319 5569 chan@aimpe.asn.au
Carol Godfrey	Head Office 02 9319 5569 cgodfrey@aimpe.asn.au

On Watch - submit your articles, letters and photos	
Editor	Martin Byrne 0419 243 263 mbyrne@aimpe.asn.au
Publisher	Phil Olsen 0451 309 354 philolsen@aimpe.asn.au



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