

DARWIN PORT CORPORATION - BULLETIN 8/2014

Unions Response

On 10 June 2014 the Australian Maritime Officers' Union (AMOU), the Maritime Union of Australia (MUA), and the Australian Manufacturing Workers' Union (AMWU), provided a response to my representatives and the Darwin Port Corporation (DPC) on my [improved offer](#) for a new DPC enterprise agreement.

There is general support for my improved offer (subject to clarification on some matters), except for disagreement on the amended Use of Contractors provisions. However, I am confident the parties can progress discussions further on this issue, and I have sent the unions a [revised copy of the amended clause](#) for consideration.

Clarification: First Aid Allowance

All positions that require a first aid certificate as part of their duties (e.g. MSOs, MSGs, CTOs and operational areas) will continue to receive the first aid allowance, and support for the renewal of their certificates. It is only in work areas (e.g. administration office) where not all employees are required to be first aid officers that there will be a designated number of officers.

It is proposed that existing employees will receive the allowance for the duration of their certificate, and DPC will conduct a process to nominate designated officers for those work groups who do not require first aid certification as a requirement of their employment.

Clarification: Introduction of Day Rate Employees

In addition to the existing shift workers, it is proposed to introduce day rate positions for Control Tower Officers, Maritime Security Guards and Marine Service Officers who would work 37.5 hours between 6am to 6pm, Monday to Friday. Any work performed outside of these hours would attract the relevant overtime or penalty rates. No existing employee is required to move to the day rate or change their work hours/days.

Use of Contractors Clause

I proposed to retain the use of contractors clause in the agreement, subject to reflecting the proper intention of the provisions. The proposed clause continues to provide:

- guiding management principles for the engagement of contractors including a priority of the best use of DPC employees to perform the work;
- notification processes of use of contractors; and
- appropriate training for DPC employees subject to CEO approval.

The MUA is seeking changes in *addition* to current provisions which cannot be agreed to.

Notification Process

DPC contractors are usually engaged on 3 year 'period' contracts to perform operational work that DPC employees are either not required, unable, or not available to perform from time to time. This list of 'period' contractors is currently provided to the unions and it is proposed this continues via a 6 monthly report on the use of contractors to the Joint Consultative Committee (JCC).

In bargaining the MUA, in particular, is seeking additional information that has never been reported on including the amount of time the contractors take to complete the work, and details of the associated costs. While I am prepared to commit to consultation and continue current notification principles, I cannot agree to MUA's additional claims.

Guiding Management Principles

The Guiding Management Principles have been retained in the Agreement. Prior to a decision to engage contractors the following principles apply: considerations on specific work required; how the work can best be done by DPC employees; the most cost effective manner; and how to best meet operational requirements.

My [correspondence to the unions](#) (dated 6 June 2014) confirmed that it is not intended to use contractors to reduce, or avoid increasing its workforce to perform core business operations. Furthermore, DPC commits to the continuation of appropriate training of employees

The above information is in addition to my improved offer in [Information Sheet 2/2014](#).

Next Step

Negotiations and drafting of a new agreement will continue through regular bargaining meetings which have been scheduled up until the end of June 2014.

More Information

Regular Bulletins and Information Sheets on the bargaining process and proposals will be posted on the OCPE website under the [Enterprise Agreement Negotiation Updates page](#).

A handwritten signature in blue ink, appearing to read 'C. Allen', with a horizontal line extending to the right.

CRAIG ALLEN

Commissioner for Public Employment
12 June 2014