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Restrictions

David Marin-Guzman
Workplace correspondent

Mining unions are opposing BHP's decision to lock out unvaccinated workers from mine sites next year, flagging possible legal challenges in Queensland.

The mining giant said yesterday it will require workers and visitors to be fully vaccinated to enter sites and offices from January 31 because of fears about rising infections once governments open up. The Construction, Forestry, Maritime, Mining and Energy Union Queensland mining president Stephen Smyth said the union did not support the decision and was considering its "legal implications".

"We have strongly advocated to government and industry that COVID-19 vaccinations should be voluntary for mine workers, with the high rates we need to protect safety better achieved through education, access and incentives," Mr Smyth said.

He called for BHP to engage in "genuine consultation with the workforce" and said the union's concerns included fair treatment of casuals and contractors, support for workers with a genuine medical exemption and paid time for workers to get vaccinated or in case of experiencing vaccine-related side effects.

Australian Manufacturing Workers Union Queensland secretary Rohan Webb, representing mine maintenance workers, said "on the issue of mandat-

ory vaccination, workers can rest assured the AMWU will defend their rights. We are communicating with other mining sector unions and are seeking legal advice to work through BHP's decision".

BHP will introduce a first dose deadline for NSW workplaces of November 10 due to the heightened risk of outbreaks in the state given the government's reopening plans.

In Western Australia, vaccination dates align with recent state public health orders requiring mine workers to get a first dose by December 1 and a second dose by January 1.

BHP president of Minerals Australia Edgar Basto said the decision followed a "thorough review of the effectiveness of its COVID-19 health and safety controls, the latest scientific evidence and expert health advice".

"As restrictions ease, we anticipate a corresponding increase in the circulation of the virus in the community within the weeks that follow as has been experienced in other countries," he said in an internal email to staff.

"This means unvaccinated people will be more likely to get COVID-19, making it more difficult for us to protect our families, our workplaces and our local communities into the future."

He said the company would "work closely with our workforce as we go through the process of implementing these controls at our workplaces".

Meanwhile, Australian Mines and Metals Association president Steve Knott called on the WA government to

intervene in a strike at Fremantle port by the maritime union that has seen ships carrying critical mining and agricultural machinery bypass the port. The WA government has said it is monitoring the Qube strike, now in its third month, but called on the federal government to work constructively to resolve the dispute.

"With the WA government set to mandate COVID-19 vaccinations for all resources sector workers – an initiative AMMA supports and welcomes – it beggars belief the state would wash its hands of this industrial dispute and put all responsibility on the federal government to step in," Mr Knott said.

He said Premier Mark McGowan must ask the Fair Work Commission president to seek to have the industrial action stopped.

If that did not happen, he said the Morrison government should intervene using its own powers.