



AREEA  
**2023**  
ACTIVITIES  
REPORT

# ABOUT US

Australian Resources and Energy Employer Association (AREEA) provides a unified voice for employers on workforce and other industry matters.

AREEA's vision is to assist resources and energy employers in creating a brighter future for all Australians.

A proud member-based organisation, AREEA's work in policy and advocacy directly ensures positive outcomes for members and the broader industry.

Since 1918, AREEA has delivered high-quality and valuable workforce services to Australia's resources and energy industry.

AREEA provides expertise, influence, leadership and support in key workforce areas including workplace relations, human resources, diversity, training, government relations and public affairs

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# AREEA BOARD

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## AREEA VICE PRESIDENTS

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EXECUTIVE VICE PRESIDENT AUSTRALASIA,  
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# PRESIDENT'S NOTE





## TOM QUINN

AREEA PRESIDENT

A common interest and purpose binds us under the AREEA umbrella: a solution driven approach to the workforce, employment and people matters of an ever-evolving resources and energy industry.

This work requires engagement, collegiality, planning and agility – exemplified by the dedicated people professionals right across AREEA's diverse membership.

Whether it's in culture and leadership, mental health and wellbeing, diversity and inclusion, or attracting new generations of talent into our industry, the Association's members are all doing exceptional work.

But, just as important, we recognise there is so much more we can, should and must do.

Our industry never rests on its laurels.

This commitment is why – despite current challenges or many others in our history – we continue to not only survive, but thrive.

While a raft of workplace relations, legislative and regulatory changes since the change of federal government last year poses various risks, members can be assured they are being strongly represented by their workforce and people specialist organisation.

Parts of the Albanese Government's policy agenda may not be friendly, but our industry voice – robust, consistent and durable – is being heard at the top echelons of policy making.

In fact, the serious force that is AREEA's advocacy arm is made for times of uncertainty.

We deliver the evidence-based consultation to ensure decision-makers are fully across the ramifications of policies they seek to implement – including where it may be neither in the industry's best interests, nor the national interest.

It's worth remembering – and perhaps reminding others – the recent Federal Budget surplus (the first in 15 years) was delivered

on the back of resources, in particular key exports such as iron ore, coal and gas.

Australia's mining sector contributes to around 13.7 per cent of GDP, comprises over two-thirds of exports and directly employs more than a quarter of a million people.

After a record \$422 billion in 2021–22, resource and energy export earnings reached \$460 billion in 2022–23.

Although export earnings are tipped to fall to \$390 billion in 2023–24 and \$344 billion in 2024–25 – as energy prices return to levels traded before the Russian invasion of Ukraine – the volume outlook remains solid. Australian thermal coal exports to China are picking up strongly.

By powering the nation's finances, our sector is enhancing the economic opportunities and well-being of all Australians.

The Government is better placed to invest in the services we need such as Medicare, the NDIS, hospitals, schools, aged care and infrastructure.

Now and always, Australia's resources and energy industry will innovate, find solutions and do our part to secure the nation's future.

AREEA's advocacy will continue to back members all the way: we stand ready to support your every workforce and people-related need.

Each of us has been given a unique opportunity to help make Australia one of the best places in the world to invest, employ people and do business.

That's what it means to be part of the resources and energy sector.

Across 105 years, that's what it means to be an AREEA member.



# CEO'S MESSAGE

**STEVE KNOTT AM**

AREEA CHIEF EXECUTIVE



AREEA was expecting some challenging workplace policy changes in 2023, but the scale of industrial relations reform – and the haste with which the Albanese Government acted – have demanded our full attention.



The Government has decided to return to the type of heavily regulated labour market that prevailed in the last recession and saw a million people out of work and 11 per cent of the working population unemployed.

This includes new IR laws for multi-employer and industry bargaining and charging the nation's IR tribunal with setting actual wages and conditions.

Making casual and contractor engagements problematic and implementing so-called same job, same pay comparisons to categorise people in different businesses ignore the enterprise and remuneration realities of modern enterprises.

The list goes on.

At every turn, the AREEA team has responded forcefully: with detailed analysis on the Government's policy shortcomings, and the influence to get those views heard by the bureaucracy and mainstream media.

Above all, we have done so in partnership with members – assessing the impacts on your businesses, hearing your concerns and needs, and marshalling this collaboration to help ameliorate the worst parts of the Government's IR agenda.

It has been no small feat, and I thank you all.

"Closing Loopholes" – the second legislative tranche – is undergoing a Senate Committee Inquiry process and subject to intense public and political debate.

AREEA will be keeping up the heat against such proposed "reforms". Submissions and appearances before a future committee will anchor the work.

Despite this demanding environment, AREEA has continued to break ground in other aspects of our charter to drive sustainable workforce and industrial relations outcomes for our proud member companies.

I'm delighted to say AREEA's Bright Future STEM Primary School Program is kicking goals – with a record 10,000 students reached this year.

These kids are our sector's future. And to the 20 member companies who have invested their time and expertise to this brilliant program, I offer my sincere thanks.

More immediately, labour supply and skills shortages persist.

And we know what is coming through the aperture of AREEA's highly regarded annual Resources and Energy Workforce Forecast.

In the August 2023 edition, AREEA's research analysts conservatively predicted an additional workforce of almost 30,000 to meet 103 major resources and energy projects in Australia's investment pipeline between the second half of this year and the end of 2028.

While growth is good news for our industry, the issue is finding the workers to fill the jobs.

AREEA is working at all levels of government and advocating solutions in the VET system and other training areas. Labour mobility and skilled migration are other key factors.

We've also delved deeply into the issues, with research and data that showcase the appeal of the sector while taking an honest look at where we can improve.

In July 2023, AREEA – in partnership with REMSMART – released its second comprehensive industry report into pay and other key workforce data.

The inaugural February edition was incredibly well received, delivering an industry-first benchmarking platform to help members better understand and manage practices on wage rates, staff turnover, training incentives and rosters.

The latest edition showed the sector's strong commitment to providing career development and opportunities for women is starting to pay dividends: on average, female leaders are promoted to managerial roles five years earlier than men.

The report also told us that flexibility is driving change in the resources and energy industry, and safe and inclusive work environments are prioritised by prospective employees.

AREEA's February 2023 Demographic and Generational Change publication (part of the Thought Leadership series developed by our People & Culture Advisory Board) not only interrogates the challenge of attracting future generations of workers, but highlights doing more to retain the skills, experience and loyalty of older employees.

The August 2023 AREEA Culture and Leadership report also underlines the imperative of adaptation and investment in culture.

Through this combined intelligence, we are developing an all-embracing picture that will help to build a better and stronger future workforce.

June 2023 marked the first anniversary of the Enough is Enough report on sexual misconduct and harassment in the mining industry.

AREEA has taken significant steps to address recommendations, forming the National Industry Taskforce on Workplace Sexual Harassment (comprising 16 resources and energy employer representatives).

Launched last year, AREEA's *That's why I speak up* behavioural intervention and awareness campaign continues to be widely utilised on work sites around the country.

AREEA's Australian Women in Resources Alliance (AWRA), guided by our Diversity & Inclusion Advisory Board, is a proactive voice on workplace behaviour while also sparking initiatives to raise female workforce participation.

One of these, the Female Role Model Toolkit, was released in June 2023 – a guide that blends research, case studies and expert advice for AREEA members on how to support women in the workforce and champion female leaders.

Meantime, AREEA's specialist Workplace Relations Advisory Services team has had another big year, in particular delivering practical value at member worksites. They've led independent investigations into incidents and complaints; managed disciplinary proceedings; audited policies, procedures and internal capability; and facilitated training in supervisory skills, leadership and workplace behaviours.

Of course, AREEA's Advisory Services extend well beyond culture and HR capability.

In the current IR climate, traditional strengths across enterprise bargaining, project IR strategy, payroll auditing, member secondments and day-to-day support have been in high demand.

The team has also assisted members to adapt to the first tranche of the Government's IR changes and will be in even greater demand in 2024.

With future challenges – legislative, skills, economic and cultural – headed our way, AREEA's members can be assured they are being represented assiduously by their industrial relations and workforce specialist organisation.

As we continue this journey, I thank AREEA's Board of Directors, representatives on various advisory boards and committees, our talented and dedicated national staff, and all members more generally, for your support and engagement.





# INDUSTRY INFLUENCE



Since coming to office in May last year, the new federal government has gone in boots and all on workplace relations.

Despite dialling down suggestions of radical reform with terms such as “fair”, “equitable” and “inclusive” to articulate its agenda, this is the biggest upheaval of the industrial relations landscape since the Fair Work Act took effect almost 15 years ago.

The scope and speed of change has been the cause of much alarm for resources and energy employers.

On 2 December 2022, Parliament passed the Albanese Government’s *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022*, featuring multi-employer bargaining, more Fair Work Commission (FWC) intervention in disputes and other procedures, new rights and powers for unions and the restructuring of longstanding regulators.

With a union-friendly focus, the new laws have triggered an understandable backlash from the business community; many of the changes lacked supporting evidence and were not part of the Labor Party’s election policy platform.

However, AREEA’s unrivalled team of IR specialists representing the resources, energy and allied servicing sectors began working with members six months earlier to prepare for the impacts.

We remain in overdrive, helping employers to understand new regulatory risks with direct advice, policy guides, briefings, webinars and a strong media presence, while taking key concerns directly to the decision-makers – and getting results.

In June 2023, AREEA led a delegation of resources and energy contractor and service sector executives to Canberra for a meeting with Employment and Workplace Relations Minister Tony Burke and department officials.

In pushing the case to exclude specialty contractors from “Same Job, Same Pay” obligations, AREEA underlined the fundamental differences between contracting work and labour hire.

While there is still a long way to go to secure the outcome our members need, AREEA’s platform of engagement goes from strength to strength.

AREEA will continue to meet every challenge of the new IR regime with the practical expertise that not only serves the immediate workforce and wider advocacy needs of members, but makes a bottom-line difference.



# WORKPLACE POLICY AND ADVOCACY

Over the past year, AREEA's key focus has been advocating against sweeping reforms of the Albanese Government's industrial relations agenda.

It's been all hands on deck as we've sought to protect members from outcomes which could at best disrupt or inconvenience and at worst cut a swathe through hard-working, productive businesses that employ 1 million Australians and are the backbone of the national economy.

Our efforts centred on the Government's two flagship bills – the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* [which has been legislated] and the *Fair Work Legislation Amendment (Closing Loopholes) Bill 2023*, introduced to parliament in September 2023.

AREEA's strong representations have achieved results (see below).

However, the next wave of workplace changes redoubles the threat to productivity, costs and flexibility while entrenching the power of union bosses.

AREEA will continue to provide premium advocacy and support, limiting exposure for members as the industry braces for these inevitable shocks.

## 'SECURE JOBS, BETTER PAY' AMENDMENTS

It is little wonder this legislation caused widespread and heated public debate.

The so-called first tranche of the Government's workplace reforms featured multi-employer bargaining (for the first time in Australia's history), increased involvement of the FWC in disputes and other procedures, new rights and powers for unions and restructuring of longstanding regulators.

## MEDIA CAMPAIGN

AREEA led the charge against the Bill, launching in October 2022 a bold advertising campaign on radio and television as well as full-page ads in daily newspapers.

This material linked with AREEA's

established and broader *Work With Us* industry campaign, highlighting employers and employees working together. Collaboration and direct engagement were promoted as the way to secure investment and support high-paying jobs and productive enterprises – in contrast to the adversarial IR system the Government and unions were trying to reheat.

The campaign was widely consumed and well received, while political and business stakeholders expressed support for AREEA's stepping forward.

AREEA Chief Executive Steve Knott AM made further incursions in mainstream media.

He pulled no punches in a 27 October 2022 press release:

*The ALP and ACTU are attempting to usher in a new era for Australian industrial relations, one where employers will be compelled into multi-employer bargaining campaigns, strikes will take place across entire industries and the Fair Work Commission will have an increased intervention role in all workplace disputes.*

*This is a throwback to the bad old days of widespread union-led strikes and unproductive centralised wages- and conditions-fixing by an out-of-touch national IR tribunal.*

*Such an outcome would create very real barriers for Australian resources and energy employers attempting to secure new major project investment capital.*

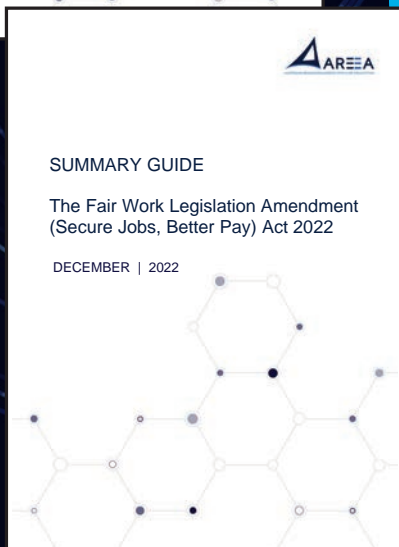
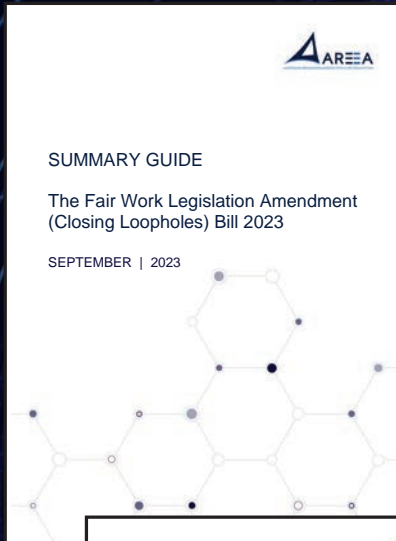
## SENATE INQUIRY

The following month, AREEA worked fiercely inside the wheels of the legislation with a comprehensive written submission and a witness appearance before the senate committee probing the Bill.

During the hearing, some ALP Senators resorted to attacking the resources industry instead of prosecuting a legitimate case for the Albanese Government's IR changes.

For AREEA's members, a principal concern was the introduction of multi-employer bargaining.

AREEA contended the Government had no justification for proposing multi-employer bargaining in sectors such



as the resources industry, where a wide range of employment arrangements are in place – including EBAs and “all staff” direct employment.

These are necessary to accommodate the variety of interests of employers and employees working in highly productive workplaces in the highest paying sector of the economy.

As well, the changes allowed unions to force employers with expired enterprise agreements to re-negotiate them, without having to consider the wishes of the workforce to do so.

AREEA CEO Steve Knott said publicly at the time: “This section of the Bill is nothing more than a blatant tool to increase union power, union revenues and ALP political donations”.

On agreement making, the Bill also aimed to:

- Provide the FWC with new powers to arbitrate “intractable bargaining disputes”, upon application by one of the parties after nine months of attempting to reach agreement;
- Apply greater restrictions on employer applications to terminate expired agreements; and
- Automatically sunset (abolish) all pre-FW Act agreements (“zombie agreements”) 12 months from the Bill taking effect.

As the Government forged ahead with 250 pages of legislation, AREEA gave no quarter – intensifying lobbying, consulting members extensively and collaborating with other industry groups.

### ‘SECURE JOBS, BETTER PAY’ RUSHED INTO LAW

Despite this strident advocacy, the Government – with crossbench support – passed the Bill through both parliamentary houses on 2 December 2022.

In AREEA’s view, the legislation was unjustifiably expedited. On general principles of transparency, providing just five weeks for the Parliament to consider such enormous and complex legislation – that would re-write fundamental principles of Australia’s IR framework – was an enormous mistake by the Albanese Government.

In the end, the Senate did make 74 mostly technical amendments to the Bill.

However, concerns about the new regime’s corollary of lower productivity, less competition, higher inflation and more strikes have been voiced by other employer groups, countless private sector business leaders and even independent commentators such as the Productivity Commission and Reserve Bank Governor.

The Albanese Government will be under constant pressure to ensure adverse predictions don’t arise. When they inevitably do, AREEA will demand widespread and genuine consultation – over and above the influence of union bosses – on undoing the damage.

### ‘CLOSING LOOPHOLES BILL’ 2023

After the warp speed progression of “Secure Jobs, Better Pay”, the Government wasted no time rolling out the second phase of Fair Work Act changes.

By March 2023, preparations were advanced on the *Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023*. These relatively minor amendments – passed in June – focused on workplace determinations, protection for migrant workers, superannuation in the National Employment Standards, employee-authorized deductions, unpaid parental leave and long service leave for coal miners.

All the while, momentum was building towards the omnibus “Closing Loopholes” Bill, which most controversially would contain the Government’s “Same Job, Same Pay” (SJSP) policy – later re-branded as “closing the labour hire loophole”.

### CONSULTATIONS - AREEA WORKING FOR MEMBERS

“Same Job, Same Pay” – concerned largely with labour hire practices – was one of four discussion papers released by the Department of Employment and Workplace Relations (DEWR) on 13 April 2023.

The others were: Compliance and Enforcement (criminalising “wage theft”); Extend the powers of the Fair Work Commission to include “employee-like” forms of work; and “Provide stronger protections against discrimination, adverse action and harassment”.

Over ensuing months, AREEA took up

every consultative opportunity – and pushed for more.

AREEA is a member of the two pre-eminent government/stakeholder IR working groups, the National Workplace Relations Consultative Committee (NWRCC) and the Council on Industrial Legislation (COIL).

During meetings and discussions within these forums, and in direct private talks with Employment and Workplace Relations Minister Tony Burke, AREEA made clear its position on the Government’s extreme policy upheaval.

As always, our work was guided by the input and engagement of our members, including through AREEA’s Board Reference Group, various sector-based Special Interest Groups (SIGs) and direct feedback.

### IDENTIFYING THE CORE ISSUE - AND REFINING STRATEGY

Throughout this process, AREEA asserted there was no evidence or case to progress the policies at all.

However, given the Government’s intent on legislating – and learning from the “Secure Jobs, Better Pay” experience – AREEA adopted a forensic approach, identifying a blatant discrimination that would decimate the contracting services side of the sector: closing operations, shedding jobs, devastating rural communities and costing billions of dollars.

While the central plank of the Government’s messaging was ensuring “labour hire workers were paid at least the same as directly engaged employees doing the same work”, it appeared legitimate contractor and service providers were also set to be captured by the new laws.

Specialist maintenance, production, facilities management and related support services are critical to the mining and oil and gas sectors and have never been considered labour hire.

AREEA moved quickly to protect the interests of these members, underscoring concerns in a comprehensive submission (12 May 2023) responding to the “Same Job, Same Pay” consultation paper.

A media firestorm erupted (*see public affairs section*).



### DIRECT MINISTERIAL ENGAGEMENT

AREEA's submission was developed by members following extensive workshoping and consultation.

A few weeks later (1 June), AREEA instigated and led a delegation of specialist contracting member companies to Canberra for direct talks with Minister Burke and departmental staff.

To help the Government, AREEA further proposed a "multifactor test" to ensure legitimate contracting arrangements were not caught up in the proposed SJSP laws.

Key aspects included:

- The primary characteristic or commercial relationship between two businesses, such as whether the contractual terms are for delivery of labour or delivery of a scope of work, project or service, including which party assumes commercial risks or statutory obligations.
- Whether contractor employees are performing work under the direct supervision of employees of the client, and if so, is it for major and substantive parts of their work or for discrete portions on an ad hoc basis?
- Whether a contractor and its employees have a level of autonomy or control over delivery of their work separate to that of the client and its employees.

### AREEA REINFORCES MEMBERS' POSITION

Following the meeting, AREEA deputy CEO Tara Diamond, who has been reappointed to the NWRCC for a further two years, wrote to Mr Burke reiterating AREEA's position.

Her letter included:

*Our concern is the ambiguous definition of "labour hire" proposed within the Department's IR consultation papers risks capturing a far broader array of specialist contracting services within Australia's mining and energy industries. While a minority of services provided by those companies can be similar to labour hire, and therefore we accept may be captured by SJSP, the vast majority of the services they provide are very different to labour hire.*

*It is not an exaggeration to forecast that (capture within SJSP obligations) could be devastating for contracting*

*businesses similar to those represented in AREEA's delegation – employers providing highly paid work, training and upskilling opportunities for many thousands of Australians.*

### MINISTER RESPONDS

The consultations with Minister Burke were encouraging.

The Minister publicly referenced AREEA's productive dialogue and that he was considering a multifactor test as a mechanism for carving out genuine contractors and service providers from the SJSP legislative agenda.

"A multifactor test is one of the things that we're considering as part of ongoing constructive consultation with industry," he said.

This represented a watershed compromise from the Minister and key union stakeholders as the Government began the drafting process.

However, more work would still be needed.

### NEXT STEPS

On 4 September 2023, the Government introduced the "Closing Loopholes Bill" into Federal Parliament.

Containing 16 substantive parts, AREEA's consultation with the Minister has led to specific provisions which direct the Fair Work Commission to consider if an arrangement is for provision of a service rather than the supply of labour, when considering whether to make an order for a "Regulated Labour Hire Pay Arrangement".

While this has ameliorated some of AREEA's concerns, the policy still imposes significant cost and inefficiencies on accessing flexible contingent labour supply. AREEA will continue to make direct representations to the Minister to address these issues, including technicalities on how the "contractor test" is drafted.

This needs to be unambiguous to ensure businesses delivering services are expressly exempt from labour hire pay orders. At present, the legislation leaves far too much discretion with the FWC which would only lead to uncertainty and disputes.

### OTHER POLICIES OF CONCERN

AREEA has significant concerns over the unjustified new rights and protections proposed in the drafting legislation for union workplace delegates.

The Government is clearly trying to empower workplace delegates to be defacto union officials.

It is entirely unreasonable to expect employers to foot the bill for members of their own workforce to be industrial activists against them.

Another issue is that of proposed changes to Right of Entry provisions, with the Bill seeking to allow union officials to come knocking at employers' premises, without notice, to inspect pay records.

On behalf of members, AREEA has pushed back against this initiative in direct consultations with the Government and spoken out strongly in the media.

These changes will do very little to address or mitigate underpayments of wages, and instead appear aimed at enhancing unions' presence in Australian workplaces.

AREEA is maintaining its firm advocacy against this part of the Bill, and will continue to support members and keep them up to date.

### AREEA'S SUPPORT AND REPRESENTATION

"Closing Loopholes" is undergoing a Senate Committee Inquiry process, due to report on 1 February 2024.

AREEA is executing a range of strategic advocacy activities on behalf of members. This includes lobbying the Government directly for further technical changes seeking to address issues such as those outlined above.

At the same time, AREEA is engaging with senate crossbenchers and other political stakeholders to build pressure against passage of the Bill in its entirety.

Submissions and appearances before the Committee form a key part of this work.

As always, AREEA will also be working with members directly to assist with understanding the proposed regulatory changes and the likely practical impacts, should they pass into law.







# PUBLIC AFFAIRS

In 2023, AREEA was the prominent industry body voice in the intense media coverage of the Albanese Government's industrial relations reform agenda.

AREEA's advocacy on behalf of members hit the front pages of national daily newspapers and made a material difference to the government's approach on some parts of its controversial legislation.

The reasoned and detailed policy-

making that captured media attention only enhanced the professional reputation of the Association and its members.

In other aspects of media presence, it was business as usual: AREEA featuring in metropolitan, regional and industry publications on important workforce issues such as labour supply, skills shortages, workplace behaviour and the Bright STEM schools program.

## *Bosses brought back to bargaining table by IR overhaul, talent gaps*

Australian Resources and Energy Employer Association chief executive Steve Knott said employer members had been seeing a rise in union right of entry requests, particularly in Western Australia.

AFR, 2 February 2023

## *Industrial relations plan 'for unions, not nation'*

Mr Knott warned the government's vision for employment regulation was "fundamentally at odds with what intelligent, long-serving top public servants are telling them is necessary to support a thriving, productive economy during very challenging times".

The Australian, 6 March 2023

## *'Same Job, Same Pay' is a pathway to no jobs, no pay*

AREEA will engage with the Albanese Government's new discussion paper on 'Same Job, Same Pay', however fundamentally disagrees with the premise of the policy, which will undoubtedly have an adverse impact on jobs, employment and the economy.

PetroleumAustralia.com.au,  
14 April 2023

## *Labor poised to cut deal on 'same job, same pay' laws*

In what shapes as a major breakthrough that could ease hostilities with business over Labor's second wave of industrial relations changes, Mr Burke revealed he was considering introducing a new test after meeting a delegation of contractors led by the Australian Resources and Energy Employer Association.

The Australian, 12 June 2023

## *AREEA and Government in talks*

The Australian Resources and Energy Employer Association chief executive Steven Knott said the Government had consulted the association, including Mr. Burke.

2GB Sydney, Mornings  
- Ray Hadley, 1 September 2023

## *Mining union open to carve-out on same job, same pay laws*

Workplace Relations Minister Tony Burke has confirmed the government is considering a "multifactor" test put forward by the Australian Resources and Energy Employer Association (AREEA) to distinguish between firms providing specialist services and those simply providing supplemental labour.

AFR, 12 June 2023

## *Q&A National Press Club Speech*

This time AREEA came to me with their members, and I sat in the little room around the corner from my office in Parliament House and there with a whole range of service contractors who were everything from heavy equipment to repairs, to catering. The case they made was compelling.

Workplace Relations Minister Tony Burke, 31 August 2023

## *Resources sector says IR changes the most 'extreme interventionist workplace changes' in Australian history*

The Australian Resources and Energy Employer Association, which brought services businesses with it in its consultations with the minister, said there had been some welcome changes from the initial proposal but that it still held concerns.

The West Australian, 4 September 2023

## *ALP 'demonising' labour hire, say bosses*

Australian Resources and Energy Employer Association chief executive Steve Knott said the "same job, same pay" political slogan was an attempt by Labor and the unions to "demonise labour hire employers and companies who engage their services".

The Australian, 8 February 2023



### *Opposition grows to IR shift*

The comments came after reports emerged that Employment Minister Tony Burke was considering a new "multi-factor test" to determine which arrangements were captured by the government's legislation after meeting with the Australian Resources and Energy Employer Association.

Daily Telegraph, 13 June 2023

### *Industry reflects on anniversary of 'Enough is Enough'*

The Australian Resources and Energy Employer Association (AREEA) reflects on the progress it has made in addressing sexual misconduct and harassment in the mining industry, as well as the journey still ahead.

Safe to Work, 27 June 2023

### *STEM studies*

Cobar Public School students last week participated in a STEM workshop at the school organised by the Australian Resources and Energy Employer Association. Students heard talks by industry role models and participated in different activities exploring Science, Technology, Engineering, Mathematics

Cobar Weekly,  
10 August, 2022

### *Industry down with kids*

The Bright Future STEM Program, designed and delivered by the Australian Resources and Energy Employer Association (AREEA), visited four schools recently in Central Queensland.

Industry Today, 15 March 2023

### *ALP 'demonising' labour hire, say bosses*

Australian Resources and Energy Employer Association chief executive Steve Knott said the "same job, same pay" political slogan was an attempt by Labor and the unions to "demonise labour hire employers and companies who engage their services".

The Australian, 8 February 2023

### *Resource employers battling 27% labour turnover, crippling skills shortages: new report*

Resources and Energy Workforce Insights & Remuneration is a new report released in partnership between REMSMART, a provider of remuneration survey services in Australia, and AREEA, the most diversified national employer association for the resources, energy and all service sectors.

Resources Review,  
14 February 2023

### *Employer fined \$200,000 for sacking union delegates*

Employer groups including Australian Industry Group, the Master Builders Association and the Australian Resources and Energy Employer Association have voiced concerns about giving special treatment to union delegates over other workers, saying it would increase union power and control of workplaces.

AFR, 16 July 2023

### *New 'power of one' gift for unions in IR reforms, business warns*

Australian Resources and Energy Employer Association chief executive Steve Knott said the changes would "make certain employees, who are first and foremost members of the workforce, de facto union organisers paid for by the business".

The Australian, 7 September 2023

### *13,000 more workers needed for WA*

Nearly 13,000 extra workers will be needed by 2028 to fill job vacancies in WA's resource and energy sector. That's according to new modelling by the Australian Resources and Energy Employer Association.

Triple M Albany, News,  
4 September 2023



## SOCIAL MEDIA INFLUENCE

AREEA continues to deliver an active program of social media marketing and engagement in support of AREEA's activities, capabilities and advocacy positions. Social media has proved to be an effective platform for communications, being highly targeted to AREEA's networks within niche markets.





# SUPPORT





With the heightened risks of Australia's IR and political environment, there has never been a more important time for AREEA's members to tap into the expertise of our people and resources.

AREEA is dedicated to the highest professional standards – from bargaining and bespoke IR strategy advice to investigations, training programs, research and analysis and innovative workplace tools and support.

Across 105 years, the Association's close relationships with members at every level – site supervisors to executive boardrooms – continue to drive these capabilities.

Faced with the Albanese Government's fast-moving IR agenda, this support is critical.

It's about serving members with up-to-date information on regulatory change and emerging risks to their workplace and business practices, and mitigating such risks before they eventuate.

Elsewhere, AREEA's commitment to a modern, evolving industry has generated a raft of workplace resources on culture and leadership, employment trends and remuneration, workforce planning, female role models, mental health, sexual harassment and more.

In workplace relations, training and culture, AREEA is incomparably positioned to lead and support the industry.



# BESPOKE WORKPLACE RELATIONS SUPPORT

In 2023 AREEA has delivered and further built upon its reputation as the preferred provider of workplace and employee relations support for resources and energy employers.

The IR environment has markedly changed. Unions are embarking on aggressive new bargaining strategies seeking above CPI wage increases and new powers and influence in the workplace; regulators and courts have a heightened focus on underpayments driven more often by compliance and payroll errors than deliberate behaviours.

With risk management so important, AREEA is your partner on the below matters and much more:

## IR STRATEGY SUPPORT AND ADVICE

AREEA's Advisory Services Team offer industry-specific expertise on employee and industrial relations strategy. In 2023 AREEA has assisted members of all shapes and sizes, across all commodities and sub-sectors, through a range of workplace relations challenges.

This includes people management policies and procedures frameworks, "Better Off Overall" analysis (contracts vs awards, EAs vs awards and so forth), general payroll compliance audits and checks, and industrial relations issues management.

## ENTERPRISE BARGAINING

AREEA leads enterprise bargaining campaigns from inception right through to FWC ratification. This ranges from complete service provision to supplementing in-house IR/ER resources with an additional legal eye, backed with broad industry insights. Experience and familiarity with FWC procedures and appearances goes hand-in-hand when utilising AREEA for enterprise bargaining.

## INDEPENDENT INVESTIGATIONS

In 2023 AREEA has proven the industry's preferred conductor of independent investigations. The legal qualifications, industry insight and truly independent perspectives of AREEA's Advisory Services Team ensure a valuable point of difference to in-house counsel or external law firms.

With employers taking a "no tolerance" approach to sexual harassment and other workplace cultural and behaviour issues, AREEA's work in this field will only continue to rise. These sensitive issues require a steady, experienced hand with true independence.

## SECONDMENTS

With the market for experienced ER/WR professionals tighter than ever, AREEA's Advisory Team is in hot demand for all types of member secondments. This includes both full-time and short-term contracts to cover temporary gaps in resourcing as well as ongoing one or two-day per week support on a permanent basis.

Whatever gaps our members may have in their people teams, AREEA remains the partner of choice.

## COMPLIANCE, AUDITS AND BOOTS

With the Albanese Government making a raft of changes to the Fair Work system, the regulatory environment is only becoming more complex and difficult for employers to navigate. AREEA's expertise in delivering compliance reviews, payroll and workplace policy audits and "Better Off Overall" tests of member practices against awards, has been in strong demand in 2023. Further changes and complexities are coming – as such, demand for these services are only expected to rise.





# MANAGING LEGAL AND REGULATORY RISKS

In 2023, AREEA's team of advisers and workplace policy specialists have worked feverishly to assist the industry's employers understand and respond to significant new IR regulatory risks.

Many of the concerns stem from the Albanese Government's expansive amendments to the Fair Work Act. They include:

- Various changes to the Act (effective December 2022) which are causing payroll and HR compliance issues;
- The new enterprise bargaining system that went live on 6 June 2023, including widened Fair Work Commission arbitration powers and stricter tests of "genuine agreement";
- New multi-employer bargaining (also from 6 June);
- The Full Federal Court's March 2023 decision on public holidays (and pending High Court determination) – what it means for the industry's rostering practices; and
- Increased union activity (right of entries, new alliances and changed bargaining and industrial action tactics).

With a range of initiatives – and as your partners in business – AREEA continues to help members break down and assess potential exposure.

## MEMBER GUIDES

AREEA's policy and advisory teams rapidly produced comprehensive member guides to both tranches of Albanese Government Fair Work Amendment

Legislation – "Secure Jobs, Better Pay" 2022 and "Closing Loopholes" 2023.

Each summarising complex legislative materials, these resources proved an invaluable foundational reference, cutting a clear and readable pathway.

For resource and energy employers, the key questions were answered and the practical implications laid out. AREEA also provided expert commentary.

## SPECIALIST BRIEFINGS

Throughout the evolution of the Albanese Government's reform agenda, AREEA has been focused on supporting industry professionals to understand what is at stake.

Much time and attention has gone to briefing members across states and in various forms and formats.

Executive briefings in member boardrooms have concentrated on commercial costs and risk mitigation. Workshop-style forums have alerted human resources leaders and people professionals to the effects on payroll, administrative obligations, workforce planning and other HR functionality.

Bespoke support and advice has helped individual members to clarify where they may be most vulnerable, and make the best preparations possible.

These direct sessions have been complemented by regular Q&A webinars, news update and other email analysis, and timely website content explaining the unfolding changes and their potential impacts and costs.

AREEA stands ready to provide further member support on your workplace impacts, whether it be private briefings, executive presentations or bespoke counsel.

## LEAVE AND PUBLIC HOLIDAY PAYMENTS

The unstable IR environment of 2023 gave rise to other contentious issues that demanded member support.

On 28 March, a Full Federal Court handed down its judgment in *Construction, Forestry, Maritime, Mining and Energy Union v OS MCAP Pty Ltd*, ruling employers could not unreasonably require employees to work public holidays but had to "request" them to do so.

AREEA's Workplace Advisory Team helped members with a range of related queries, especially the extent to which employees can be automatically rostered on over public holidays without genuine consultation on the reasonableness of the request.

Separately, in early June, BHP (parent company of OS MCAP) self-reported significant underpayments relating to the deduction of annual leave for employees who had requested to not work public holidays since 2010.

AREEA has and continues to work through these complex matters with members – particularly those who wish to ensure they are not similarly exposed – helping each member determine the best way forward.

# SPECIALIST EMPLOYMENT TRAINING

Despite the busy year, AREEA's suite of specialist employment training courses have not let up. Delivered by the Advisory Services Team, AREEA provides members with high-level training to develop the skills and knowledge of their people, including:

## APPROPRIATE WORKPLACE BEHAVIOURS

Promotes positive workplace behaviours and manages organisational risks of inappropriate conduct such as sexual harassment and bullying.

## ROSTERS - CREATING AND CALCULATING FOR COMPLIANCE

Ensures members understand the processes to create and calculate cost-effective rosters that comply with modern awards and employment regulations.

## PERFORMANCE, DISCIPLINE AND TERMINATION

Protects members from legal risks by providing the necessary information, skills and processes to confidently manage poor performance or misconduct.

## RIGHT OF ENTRY

Develops awareness of the rights and responsibilities of employers in regard to union right of entry (including the latest proposed changes) and equips participants with the skills and knowledge needed to prepare for and manage a right of entry effectively.

## WORKPLACE RELATIONS 101

A popular graduate and entry-level HR and IR professional course that develops understanding of the legislation,

case law, contracts, awards and agreements required to grow and excel in this discipline (including the latest IR changes).

## MANAGING WORKPLACE INVESTIGATIONS

Advises how to conduct effective workplace investigations with methods that minimise risk and ensure an independent and fair process.

## SUPERVISOR SKILLS

Develops leadership skills such as communication, time management, performance management, conflict resolution and effective decision-making to build capability of front-line managers and drive organisational success and a positive workplace culture.



# SKILLS AND LABOUR SUPPLY

## HELPING THE INDUSTRY GROW THE SKILLS IT NEEDS

As it has throughout history, the resilience of Australia's resources and energy industry continues to rise above all.

In the face of domestic policy pressures and global economic and geopolitical headwinds, the number of projects, jobs and capital investment on the horizon is only trending upwards.

AREEA's latest *Resources and Energy Workforce Forecast (2023-2028)* is a vital resource, helping members to plan for the additional workers needed.

The report, released in August 2023, shows 103 major

production-related jobs (up from 24,000).

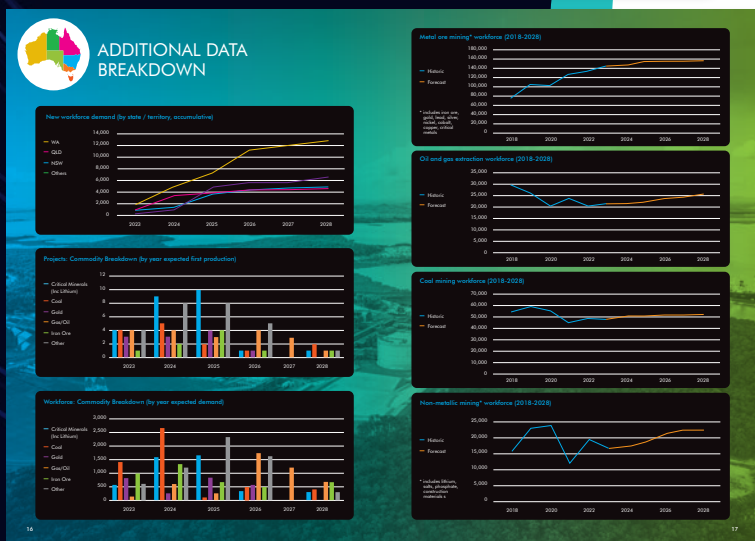
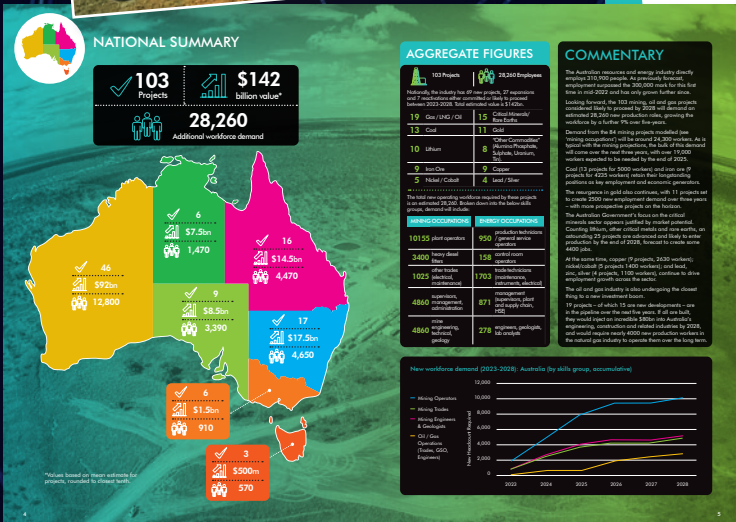
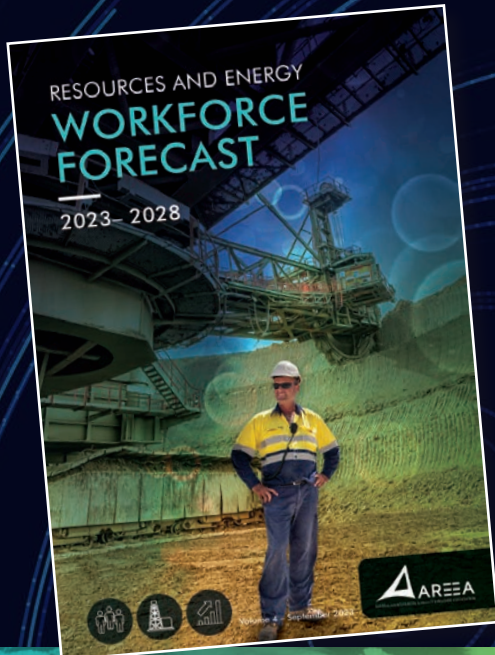
However, there's a catch: the persistent conundrum of skills shortages.

According to the National Skills Commission's 2022 Skills Priority List, core production roles such as mining and petroleum engineers, plant engineers, geologists, drillers, earthmover operators and trades workers are facing serious supply shortages in every state and territory.

The Albanese Government set up Jobs and Skills Australia, a statutory body within the Department of Employment and Workplace Relations, to replace the now defunct NSC.

For AREEA there is no practical change: we are working with all levels of government and advocating solutions to well-known problems across VET and other training outcomes, labour mobility and skilled migration.

AREEA is also working hard with members on initiatives to promote the industry as desirable and future-focused, where new generations of skilled people can enjoy long, well-paid careers and be part of innovation and new energy technologies.







## WORKFORCE INSIGHTS & REMUNERATION REPORT

In 2023 AREEA – in partnership with REMSMART – launched a new ongoing member benefit.

The Resources and Energy Industry Workforce Insights & Remuneration report provides comprehensive industry data into pay and other key workforce matters for AREEA members.

Published biannually, this includes six-monthly movements on salaries, compensation and benefits, turnover, bonuses and workplace behaviour issues.

The inaugural February edition was widely welcomed, underscoring the sector's thirst for an array of remuneration and workforce information. Edition Two published in July built upon this success as more AREEA members got involved.

While the reports are a high-level summary of labour market indicators, companies participating in the survey receive an extraordinary depth of detail within the full data set.

With participation entirely inclusive with your AREEA membership subscription, ensure your company is taking advantage.

**PAY MOVEMENT**  
**SALARY MOVEMENT DATA HIGHLIGHTS (GENERAL):**  
 REMSMART data and Workforce Insights results show employees have to make movements to increasing cost pressures. Summary data is:  
 • Overall salary movement was 4.2% for the six-month period.  
 • Projected remuneration increases for the next 12 months will range, on an average of 3.5%.  
 • Key roles (Specialists project critical and/or roles with greater skill) are remunerated higher with pay rises from 5% to 10% in the next 12 months.  
 • 5% of companies provided annual salary adjustments in the last 12 months (quarterly being 100%+ to 500%+ and 50%+ to 100%+).  
 • 40% of companies have budgeted for annual salary adjustments in the next quarter being 100%+ to 500%+ and 50%+ to 100%+.

**FUNCTIONAL BREAKDOWN:**  
 REMSMART data shows the following average salary movements occupational rates over the last six months:

- 4% GRADUATES
- 2.4% TECHNOLOGY
- 4.3% OPERATORS
- 2.6% COMMUNITY

**INCENTIVES**  
 Survey results reveal incentives remain a major element of pay in the resources and energy industry. The data shows:  
 • 70% of respondents offer a short-term bonus to either all employees or specific levels of employees.  
 • General Manager and Executive Management maximum short-term incentives range from 10% to 20%.  
 • 40% provide a bonus to either all employees, from Operational/Office Professionals to Frontline Supervisors and Superintendents, Service Leaders and Heads of Department.  
 • Frontline Leaders and Supervisors and Superintendents' maximum short-term incentives are 10% to 15%.  
 • Department Heads' maximum short-term incentives are 15% to 20%.  
 • 60% of all respondents offer a long-term bonus to either all employees or specific levels of employees.  
 • General Manager and Executive Management maximum long-term incentives are 20% to 30%.  
 • Department Heads' maximum long-term incentives are 10% to 15%.  
 • 70% of respondents offer salary sacrifice arrangements to all levels of employees.  
 • Salary sacrificing is available on superannuation, laptop, parking, employee share schemes, meals and housing, medical leave, flights to and from home, income protection, tools of trade, professional membership fees and donations.

**REMSMART DATABASE - SHORT-TERM INCENTIVE SNAPSHOT**  
 Short-term incentives (STIs) have all increased.

REMSMART LEVEL	PERCENTAGE OF RESPONDENTS OFFERING STI	MINIMUM INCENTIVE (% OF BASE)	MAXIMUM INCENTIVE (% OF BASE)
General Manager	70%	10%	20%
Executive Management	70%	10%	20%
Department Head	70%	15%	20%
Frontline Supervisor	70%	10%	15%
Operational/Office Professional	70%	10%	15%
Service Leader	70%	10%	15%
Head of Department	70%	10%	15%

STIs paid out have all increased.

**REMSMART DATABASE - OTHER BONUSES PAID**  
 • Sign on bonuses are highest at Management and Operations levels.  
 • Highest retention bonuses are paid in the Energy sector.  
 • The most retention bonuses were paid in Technical Support and Operations roles.  
 • The highest project completion bonuses were paid in different levels of management.

REMSMART LEVEL	OPERATIONAL/ OFFICE PROFESSIONALS	OPERATIONAL/ OFFICE PROFESSIONALS	OPERATIONAL/ OFFICE PROFESSIONALS
General Manager	2.000%	2.000%	2.000%
Executive Management	2.000%	2.000%	2.000%
Department Head	2.000%	2.000%	2.000%
Frontline Supervisor	2.000%	2.000%	2.000%
Operational/Office Professional	2.000%	2.000%	2.000%
Service Leader	2.000%	2.000%	2.000%
Head of Department	2.000%	2.000%	2.000%

### ATTITUDES OF GENERATION Z

Anecdotal evidence indicates that Generation Z holds a range of attitudinal opinions, both against employment in general and specifically against employment in the resources and energy sectors.

The following section provides an overview over a number of the broad attitudinal opinions prevailing Generation Z from seeking employment.

#### EMPLOYMENT-SEEKING COMPARED TO ENTREPRENEUR AND INFLUENCER CAREERS

Generation Z can't see the logical outcomes of influencer-led marketing through the other generations are slowly coming up, the gap is still significant. This applies Generations Z and X disproportionately to entrepreneur and influencer success stories.

Traditional media endorses this view, as exemplified by the 'Young Billionaire' where most of the top people's success is attributed to entrepreneurial efforts to build their social media fame. Stories of successful traditional employees or professionals follow a similar 'frequency' and 'in the words of a former "one" call' by comparison.

In addition, due to the much-needed preservation of the availability bias – that is, the individual's tendency to rely disproportionately upon the most readily available data – Generation Z and X are likely to overestimate the probability of success in self-employed entrepreneur and influencer roles compared to traditional employee roles.

To counteract the influence towards or even dislike of traditional employment, it might be useful to consider advantages on social media.

Emphasizing the statistically low success rate of entrepreneur and influencer compared to a resource career, particularly related to the success of Gen Z and X, could be a useful strategy to counteract the influence of social media on seeking over them and social of target and that, for instance, social media is creating unrealistic expectations.

Instead, it might be more useful to emphasize that "traditional" employment can be fulfilling and exciting. It is important to do this in a way that is appealing to Generation Z and X for multiple reasons: traditional content, especially for Generation Z and X, is more likely to be consumed on social media.



### RESOURCES-SECTOR-SPECIFIC OPINIONS OF GENERATION Z

Beyond the broad opinions concerning Generation Z from seeking employment, described in the preceding section, there is further anecdotal evidence that Generation Z holds a number of attitudinal opinions specifically against employment in the resources and energy sectors. This section explores some of these.

#### ENVIRONMENTAL RESPONSIBILITY AND SUSTAINABILITY OF RESOURCES AND ENERGY SECTOR

Climate change is a topic with strong and pervasive public attention that influences Generation Z. There is an expectation that the resources and energy industry is a significant contributor to climate change. The negative impact of industry on the environment has been emphasized by oil controversies. In this report, we focus on one of the dominant concerns from working in the resources industry.

Generation Z is also concerned that the sector lacks moral integrity, putting profits above people and about the destruction of traditional indigenous lands, and sacred sites, and effects on communities. Generation Z is reported to consider corporate social responsibility and social issues as some of their priorities when choosing employment.

In addition, there is a perception that due to environmental and other factors, the sector of the resources industry is 'shrinking' those pursuing a resource career is seen as not sufficiently future-proof.

As a result of the above points, Generation Z questions both user and resource career not to work in the resources and energy industry. There have even been reports of students being advised to avoid green energy and energy.

Options to reduce these perceptions involve focusing on and promoting environmental and net zero initiatives.

It was suggested that showcasing environmentally friendly technologies and resources and energy companies' commitment and actions towards net zero would be well-received.

Another suggestion involves highlighting the unique position of the industry as being the major source of solutions and action on climate change.

This would serve two purposes: alleviating concerns that the industry is 'shrinking' the time with regards to environmental responsibility and showcasing excitement about being involved in innovation and future-oriented technology.

It might be considered to promote statistics showing clear progress towards net zero, as Generation Z wants to see genuine efforts by resource companies to lower emissions or transition into green energies and energy. Follow the statistics like net zero transition.

It was further suggested to promote the value of community consultation with regards to traditional lands and legislative changes to protect indigenous cultures and communities.



## DEMOGRAPHIC AND GENERATIONAL CHANGE - A SPECIAL REPORT

AREEA's recent Thought Leadership Series report, *Demographic and Generational Change*, casts a wider lens on the skills shortage dilemma.

Demographic changes are accelerating, leading to increasing generational handover. Executives of the Baby Boomer Generation are starting to hand the reins to Generation X. In another 10 years, Generation X executives will pass the baton to Generation Y, who by then will be senior managers.

This report drills down on these themes and much more – including the detrimental opinions of young people towards the resources sector, age bias and engaging baby boomers to help overcome skills shortages.



# SAFE AND RESPECTFUL WORKPLACES



## DIVERSITY AND INCLUSION SUPPORT

AREEA is the convener and coordinator of the Australian Women in Resources Alliance (AWRA), which is guided by AREEA's Diversity & Inclusion Advisory Board and has multiple programs and initiatives to raise female workforce participation.

AREEA supports members with safety audits of workplace facilities, policies and practices. The audits can be conducted on all companies, including contractors, with various members taking up this service in 2023.

Also in strong demand is AREEA's Appropriate Workplace Behaviour Training which upskills supervisors, site managers and many others.

## WORKPLACE SEXUAL HARASSMENT TASKFORCE

In response to the landmark *Enough is Enough* report, last year AREEA formed the National Industry Taskforce on Workplace Sexual Harassment – comprising 16 resources and energy employer representatives with a range of professional disciplines and expertise.

AREEA continues to take significant steps to address sexual misconduct and harassment in the mining industry.

Actions in 2023 included publishing insightful guidance materials on workplace sexual harassment, notably an industrial relations factsheet to help members stamp out workplace cultures that enable gender inequality, harassment and assault.

As part of the taskforce's mission to drive meaningful change, AREEA's *That's why I speak up* campaign was launched in late 2022. The campaign features a suite of education and awareness materials that has since been widely adopted by work sites.

In a 22 June 2023 media statement, AREEA deputy CEO Tara Diamond said the following to mark the one-year anniversary of *Enough is Enough*:

*"The report's findings were deeply concerning so AREEA welcomed the opportunity to lead and collaborate on reducing unacceptable patterns of workplace behaviour. While there is more work to do, much has been achieved over the last 12 months."*

## FEMALE ROLE MODEL TOOLKIT

Despite progress, there needs to be greater awareness of female role models – particularly those flourishing in professions traditionally dominated by men.

As the national employer association for the resources and energy industry, AREEA has proudly led work in this space.

On 15 June 2023 – International Women in Mining Day – we bolstered those efforts with the publication of the *Female Role Model Toolkit*.

Developed with member input, the far-reaching guide combines research, case studies and expert advice for AREEA members on how to support female inclusion and equity in the workforce, increase visibility of female role models and celebrate female leaders.





**CULTURE AND LEADERSHIP**

On 24 August 2023, AREEA launched the latest report in our A New Horizon Thought Leadership series: *Culture and Leadership*.

The resources and energy industry faces sizable challenges, including labour shortages, generational shifts, workplace behaviour issues and a declining appeal among prospective employees.

The sector is also undergoing rapid demographic and technological change.

These are all issues that require significant adaptation, investment in culture and strong leadership.

AREEA's *Culture and Leadership* report is a starting point for discussion and guidance.

An initiative of AREEA's People & Culture Advisory Board, the report looks at key elements of high-performing culture, how to implement culture change and interventions to eradicate inappropriate workplace behaviour.



**MENTAL HEALTH**

Resources and energy industry employers across Australia have a shared commitment to physical and psychological safety.

This has been demonstrated by members' overwhelmingly positive response to AREEA's *Mental Health Maturity Assessment Tool*.

The tool provides employers with an easily accessible platform for assessing their mental health actions and initiatives against industry best practice and has been widely adopted by members in 2023.

Aligning with the *Resources and Energy Industry Workforce Mental Health Framework*, which AREEA released in 2021, the Maturity Assessment Tool reflects the next step of development in the important resources developed under the leadership of AREEA's Mental Health Advisory Board.

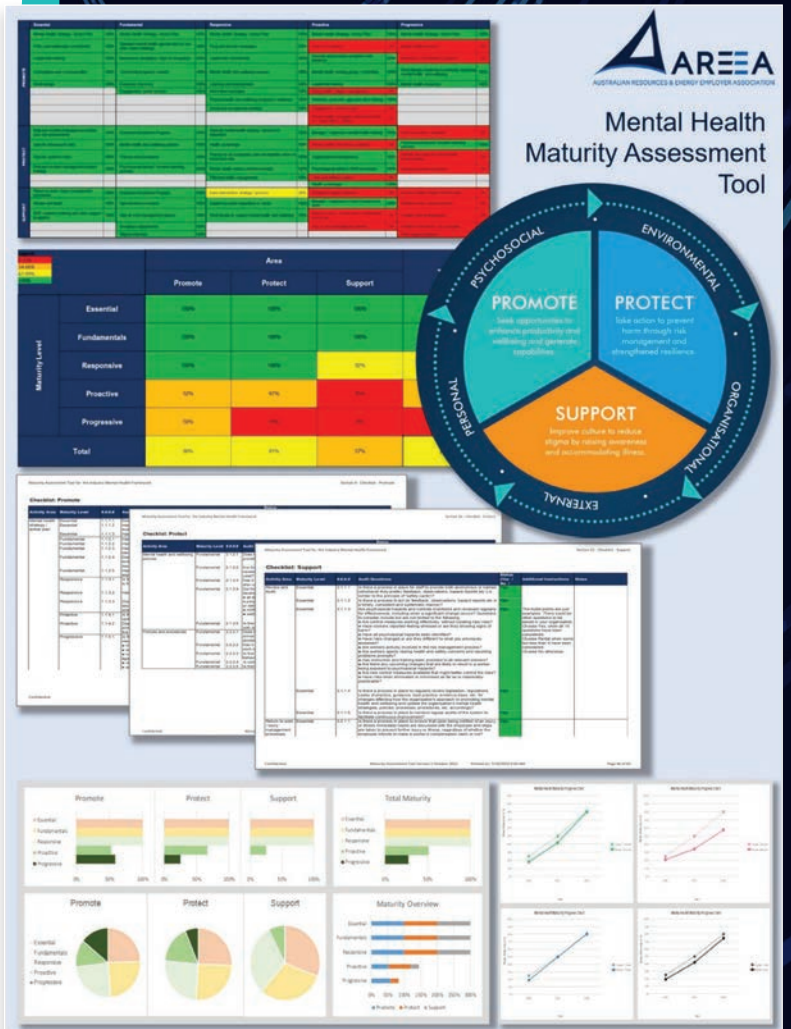
Further, AREEA's online, interactive, group-based *Resources and Energy Mental Health Training* program provides awareness and practical application of workplace mental health, tailored to Australia's resources and energy industry.

**SAFE AND RESPECTFUL WEBINARS**

AREEA continues to deliver regular webinars for members to support their safe and respectful workplace initiatives.

Throughout 2023 AREEA has brought top tier presenters from government, academia, private sector practice and more, in both its *Diversity and Inclusion* and *Mental Health Matters* webinar series.

AREEA members can access previous webinar recordings via the Mental Health and Wellbeing Knowledge Centre within AREEA's Member Portal.





The biggest proposed changes to Australia's workplace relations system since the Fair Work Act took effect in 2009 have underscored the importance of a well-informed and well-connected community of practice.

In this uncharted landscape, the experience and insights of AREEA's expert team have never been more accessible. Through a range of communication and engagement tools, the Association is ensuring industry is up to speed and prepared for the transformation.

AREEA's suite of tools and services is always expanding, delivering real value for members.

Webinars, advisory boards, working groups, in-person events, case studies and news updates mean members are far from passive receivers of information, but active participants in the issues and processes that matter, including policy formulation.

In 2023, this two-way dialogue has been crucial as AREEA worked with members on direct representations to Government Ministers and Department officials on issues and positions of critical importance to them.

Elsewhere, AREEA has kept members informed of fast-breaking industry news and employment and workforce issues such as psychosocial health and safety and diversity and inclusion.

While priorities will evolve and change, AREEA has built a rock-solid platform of engagement and communication to serve members for years to come.







# ENGAGEMENT





# AN INFORMED AND CONNECTED NETWORK

## ADVISORY TEAM

AREEA’s advisory team is proactive and relationship driven.

We pride ourselves on developing long-term connections with our members and delivering ongoing value to their workplaces.

Our advisers provide cost-effective expertise and strategy covering workplace relations, human resources, enterprise bargaining, workforce development and change, workforce diversity and inclusion, workplace investigations and legal representation.

When members needed support with workforce challenges in 2023, AREEA was right there with them.

## AREEA NEWS UPDATE

AREEA’s fortnightly News Updates inform members of the latest industry-related news, advice, commentary and events. Delivered to company representatives via e-mail campaigns, the popular News Updates include:

- In-depth case summaries of relevant workplace tribunal and court rulings, highlighting the implications for employers;
- Analysis of key policy developments and workplace regulation;
- Breaking news on industry, economic and political issues;
- Feedback and input opportunities for

members on key issues and AREEA advocacy and representation; and

- Announcements and communication of AREEA events and initiatives.

## EMPLOYMENT SNAPSHOT

The monthly *Employment Snapshot* is another in-demand AREEA service, delivering key workplace relations developments in a digestible two-page format. The snapshot aims to keep members on top of changing compliance arrangements by capturing developments in legislation and regulations. Content includes:

- New Commonwealth and State legislation;
- Bills introduced or progressing through Parliament;
- Regulatory changes and tribunal/ court decisions of significance to your employment practices; and
- An employer checklist to help members remain compliant.

## DIVERSITY & INCLUSION

AREEA chose 25 August 2023, Equal Pay Day, to launch a raft of key metrics on women working in the resources and energy industry – along with an undertaking to track and update the data every six months.

The commitment of employers in the sector to career development and opportunities for women is starting to

pay off.

For example, in managerial and specialist roles, we know that women are being promoted, on average, at an earlier age than men.

While all this is happening on the ground, there’s a long way to go.

The “scorecard” is an initiative of AREEA’s Diversity and Inclusion Advisory Board, drawing inspiration from the Federal Government’s “Status of Women Report Card” – but focused on the resources and energy industry.

## LUNCHTIME WEBINARS

AREEA hosts three streams of lunchtime webinars: the Workforce Q&A, Mental Health Matters and AWRA (Diversity and Inclusion) series.

The Monthly Workforce Q&A is open exclusively to AREEA members and focuses on prevailing employee and industrial relations issues. The webinars are designed to ensure members are informed on latest workplace developments and provide ample time for questions and discussions.

Mental Health Matters targets information sharing between industry members, research organisations and government departments. This year, AREEA welcomed speakers from the Australian Public Service Mental Health and Suicide Prevention Unit, FIFOFocus and WorkSafe.

**AREEA | Australian Resources & Energy Employer Association | Fortnightly News**

- POLICY**  
YOUR GUIDE TO THE NEW IR BILL  
Closing loopholes, broken down
- PEOPLE**  
NATIONAL #UOKT DAY  
Small actions can make a big difference
- WORKFORCE**  
WORKFORCE FORECAST  
2023 - 2028  
WANTED: 30,000 MORE WORKERS BY 2028  
Discover what estimate report our new
- DEVELOPMENT**  
DENIED  
BREAKING UP IS HARD TO DO  
New IR laws entrench union solidarity
- INDUSTRY**  
PITFALLS OF GREENFIELD AGREEMENTS  
Ports cause survival guide to employers

Works on the rise in new enterprise agreement data

**LEGISLATION IN EFFECT**

**FAIR WORK COMMISSION AMENDMENT (2023 MEASURES NO. 1) RULES 2023 - COMMENCED 1 AUGUST**

- Changes have been made to the rules of the Fair Work Commission (FWC) relating to various recent amendments to the Fair Work Act 2009 (FW Act). Primarily, the ability to FWC procedural requirements for its new powers to mediate sexual harassment complaints, exercise equal remuneration orders, exercise new powers on agreement termination applications and make determinations on extending so-called 'Zombie Agreements' beyond the termination point of 6 December 2023. New forms have also been issued in relation to these matters. Read more via the [EJG website](#) and [AREEA's Member Guide to the 'Secure Jobs, Better Pay' Amendment Act](#).
- FDV Leave now available to small business employees - commenced 1 August
- From 1 August, 10 days paid family and domestic violence leave is available as a right for all workers covered by the FW Act. This now includes small business employees, bringing them into line with the same entitlement in place since 1 February for employees who work for large or medium businesses. The entitlement includes casuals. See the [Fair Work Ombudsman website](#) for more information.

**BILLS INTRODUCED**

**State Insurance and Care Governance Amendment (ICNSW) Bill 2023 (NSW)**

- Introduced and currently in the Legislative Council awaiting the Minister's second reading speech, this bill will amend the State Insurance and Care Governance Act 2015 to appoint an employer body representative and an employee body representative as directors to the care board.

**ON THE RADAR**

**Migrant Amendment (Strengthening Employer Compliance) Bill 2023 (Cth)**

- This bill, which will equip the Australian Border Force (ABF) with new compliance tools to deter exploitation, was scheduled to be debated in the House of Representatives on 2 August. The Albanese Government announced the results of a month-long blitz on businesses allegedly exploiting migrant workers. ABF officers inspected around 300 businesses in every state and territory in the month of July. This blitz was on top of the 140 businesses that had been sanctioned last year.

**Job and Skills Australia Amendment Bill 2023**

- The bill was introduced on 22 March and read a third time on 11 May. The purpose of the bill is to amend the Jobs and Skills Australia Act 2022 to provide for the permanent governance arrangements and functions of Jobs and Skills Australia, a statutory body within the Department of Employment and Workplace Relations. The bill also makes a number of related amendments to the Act. It is expected to be assented to later this month.

**First LACHS appointed under new Aboriginal cultural heritage laws (WA)**

- Three Native Title organisations have been appointed as a Local Aboriginal Cultural Heritage Service - or LACHS - under the State's new Aboriginal Cultural Heritage Act 2021. The first three LACHS were approved by the Aboriginal Cultural Heritage Council and will now take on a regulatory role to protect and advise on Aboriginal cultural heritage and help regulate and facilitate agreement-making on land-use proposals.

**Mineral Resources (Sustainable Development) Amendment Bill 2023 (VIC)**

- Introduced and read a second time on 21 June, the bill amends the Mineral Resources (Sustainable Development) Act 1990 to modernise the regulatory approval processes for exploration, mining and quarrying industries in Victoria. The bill seeks to improve the management of risks associated with minerals and quarry operations by a primary duty to eliminate or, if not possible, to minimise the risks of harm so far as is reasonably practicable. This will replace the existing obligations on operators to submit and comply with a 'work plan' specific to each operation. Currently before the Committee of Scrutiny of Acts and Regulations.

For more information or support contact AREEA: [policy@areea.com.au](mailto:policy@areea.com.au) August 2023

The AWRA webinars highlight organisational diversity and inclusion initiatives. In 2023, speakers from the Workplace Gender Equality Agency, and Department of Mines (Industry Regulation and Safety), joined the conversations.

**SPECIAL INTEREST GROUPS**

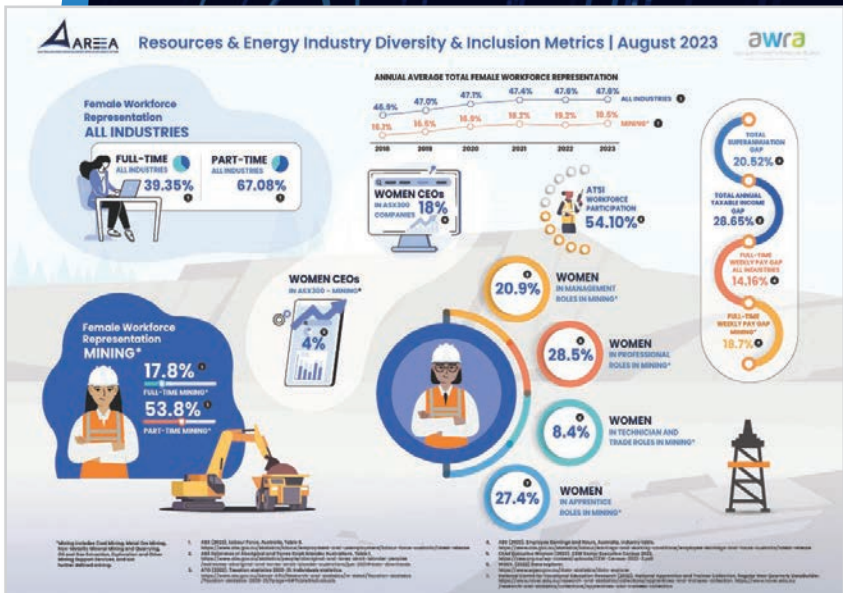
AREEA's Special Interest Groups (SIGs) provide members with a valuable and secure network for discussion and advice around areas of interest or sub-sectors of the resources and energy industry. These discreet groups are a forum for members to decipher industry trends, voice issues, share knowledge and shape AREEA's policy and lobbying efforts. The SIGs cover a range of common sector interests, from hydrocarbons and coal mining to vessel and offshore operations - and offer an unparalleled level of support and engagement.

**SUNDOWNER EVENTS**

This year, AREEA staged two successful mid-year Sundowner events (Brisbane and Perth).

These events were a great opportunity for our community of interest to collaborate and engage with some after-work networking - and reflect on this challenging workforce year.

Back by popular member demand for November and December, you can expect the Sundowner format to be a regular on AREEA's annual schedule of member events.



**Mental Health Matters Webinar**  
Wednesday 20 September

Join us this Wednesday for Mental Health Matters with Sam Lee and Justine McGillivray from WorkSafe



Sam Lee (Inspector of Mines at WorkSafe Mines Safety) and Justine McGillivray (Principal Inspector at WorkSafe Petroleum Safety and Dangerous Goods) are the Organisational Psychologists who led the implementation of the WorkSafe WA Mentally Healthy Workplaces Strategy and co-wrote the first code of practice for managing psychosocial hazards in Australia and the recent Psychosocial hazards in the workplace and Workplace behaviour Codes of Practice.

Justine is also co-founder and previous National President of the Society for Industrial and Organisational Psychology Australia.

In this webinar you will hear Justine and Sam discuss the work health and safety obligations for industry, available guidance on work design, and provide some examples of good industry practice.

Wednesday 20 September at 12.30-1.30pm AEST







# ADVISORY BOARDS AND COMMITTEES

AREEA members help inform and deliver campaigns, programs, engagement and representation activities through a number of advisory boards and committees.

The Board Reference Group (BRG), Diversity and Inclusion Advisory Board, Resource & Energy Mental Health Advisory Board and People & Culture Advisory Board develop strategies for their respective areas, contributing invaluable and grounded guidance.

These advisory boards and committees comprise subject matter specialists from AREEA members. With multi-commodity and multi-jurisdictional representation, they offer valuable collaboration on key matters affecting workplaces and workforces.

## BOARD REFERENCE GROUP

The AREEA Board Reference Group (BRG) is made up of senior and experienced workplace relations and human resources practitioners drawn from AREEA's diverse membership.

The BRG is a significant and longstanding advisory group, informing AREEA's policy directions, responses to industry threats and identifying opportunities for sector investment and employment.

AREEA members on the BRG represent:

- Alcoa of Australia
- Chevron Australia
- Compass Group
- ExxonMobil
- Fluor Australia
- Fortescue Metals Group
- Gold Fields Australia
- INPEX
- Newcrest
- Newmont
- QUBE
- Roy Hill Holdings
- Santos
- Shell Australia
- Sodexo
- Thies
- UGL
- Ventia
- Woodside Energy



**Matthew Gleeson**  
ALCOA



**Andrew Chamberlain**  
COMPASS GROUP



**Steve Clancy**  
FLUOR



**Michael Spencer**  
GOLD FIELDS



**Andre Boucher**  
NEWCREST MINING



**Dan Ortiz**  
QUBE LOGISTICS



**Alice Trethewey**  
SANTOS



**Michael Nazareth**  
SODEXO



**Julia Swift**  
UGL



**Larna Comenos**  
WOODSIDE ENERGY



**Taya Hill**  
CHEVRON



**Richard Zvirbulis**  
EXXONMOBIL



**Helen Beech**  
FORTESCUE METALS GROUP



**Garry Smith**  
INPEX



**Nigel Palmer**  
NEWMONT



**Justin Seal**  
ROY HILL



**Catherine McGonigle**  
SHELL



**Katrina de Lange**  
Savage  
THIESS



**Fabiana James**  
VENTIA





**PEOPLE & CULTURE ADVISORY BOARD**

Comprising executive people leaders from AREEA's membership, the People & Culture Advisory Board guides AREEA's advocacy and initiatives on the industry's most pressing workforce and workplace matters.

In 2023, the People & Culture Advisory Board continued the powerful series of thought leadership pieces for members.

The Advisory Board also provided input and guidance for the *Resources and Energy Industry Workforce Insights & Remuneration* report, which provides participating companies with key salary, compensation and benefits data, alongside other exclusive workforce intelligence.

AREEA members on the People & Culture Advisory Board represent:

- Alcoa of Australia
- Chevron Australia
- Gold Fields Australia
- IGO Limited
- INPEX
- Monadelphous Engineering
- Newmont
- Perenti Ltd
- Shell Australia
- Ventia
- Woodside



**Kath Soumanis**  
ALCOA



**Matthew Riordan**  
CHEVRON



**Sam Retallack**  
IGO



**Chad Calvert**  
INPEX



**Amanda Baker**  
NEWMONT



**Ben Davis**  
PERENTI LTD



**Charmaine Higgins**  
VENTIA



**Ruth Lyall**  
WOODSIDE

**DIVERSITY & INCLUSION ADVISORY BOARD**

The Diversity & Inclusion Advisory Board comprises senior and experienced human resources and diversity and inclusion practitioners drawn from a broad range of AREEA members.

In 2023, the Board's members guided AREEA's programs and policies with relevant updates and insights from within their organisations: assisting in program design and improvement; identifying new priorities; and facilitating engagement among the wider resources and energy community.

Diversity and Inclusion programs and initiatives in 2023, under the guidance of the D&I Advisory Board, included:

- Delivery of the Female Role Model Toolkit;
- Report on childcare needs as a barrier to workforce participation;
- AREEA resources and energy industry diversity and inclusion scorecard;
- Marketing to attract women to industry, including STEM roles;
- Supporting and advising on key themes and activities for the Bright Future STEM Primary Schools Program; and
- Input and guidance on AREEA's policy submissions in the areas of diversity and inclusion.

AREEA members on the Diversity & Inclusion Advisory Board represent:

- Aeris Resources
- Alcoa of Australia
- Chevron Australia
- Compass Group
- ExxonMobil
- Gold Fields
- Gold Road Resources
- Santos
- Sodexo Remote Sites
- Thiess



**Larnie Roberts**  
AERIS



**Christina Kelly**  
CHEVRON



**Simone Roberts**  
EXXONMOBIL



**Claire Swyny**  
GOLD FIELDS



**Caroline Gallacher**  
SANTOS



**Tammie Evans**  
SODEXO  
  
QUALITY OF LIFE SERVICES



RESOURCES & ENERGY MENTAL HEALTH ADVISORY BOARD

The AREEA Resources & Energy Mental Health Advisory Board is the only national committee driving a collaborative approach to the industry's mental health commitment and support initiatives.

The Advisory Board consists of experienced professionals within the resources and energy industry and mental health. In 2023, the Advisory Board provided insight into mental health within their organisations and industry, while guiding the design and delivery of support resources for AREEA members.

Initiatives included the Resources and Energy Industry Workforce and Leaders Mental Health Research Program and

leveraging the sector's first Resources and Energy Industry Workforce Mental Health Assessment Tool.

AREEA members on the Mental Health Advisory Board represent:

- Chevron Australia
- ConocoPhillips
- INPEX
- Monadelphous Engineering
- Newcrest Mining
- Perenti Ltd
- Santos
- Shell Australia
- Sodexo Australia
- UGL
- Woodside Energy



**Karen Bradshaw**  
GOLD FIELDS



**Dean Brajevic**  
MONADELPHOUS



**Drew MacOwan**  
SHELL



**Candy Lethridge**  
CHEVRON



**David Robotham**  
INPEX



**Dennis Murphy**  
CONOCOPHILLIPS



**Joshua Reid**  
MONADELPHOUS



**Narelle MacFarlane**  
ALCOA



**Laura Brennan**  
NEWCREST



**Mark Dawson**  
PERENTI LTD



**Erin English**  
COMPASS GROUP



**Paul Richards**  
SANTOS



**Thomas Pols**  
SHELL



**Jessica Logan**  
GOLD ROAD RESOURCES



**Keith Weston**  
SODEXO



**Tammie Evans**  
SODEXO



**Nevinia Davenport**  
THIESS



**Meg Abaldonado**  
UGL



**Penny Bayliss**  
WOODSIDE





# 2023 AREEA GALA DINNERS AND INDUSTRY AWARDS

Thank you to the hundreds of resource and energy professionals who packed out two AREEA gala dinners – in Brisbane and Perth – to celebrate the industry’s ongoing success.

It was a sporting theme this year, with iconic venues (the Gabba and Optus Stadium) and champion guest speakers: 400m freestyle world record-holder Ariarne Titmus and paralympic gold medallist Madison de Rozario.

Both speakers gave profound interviews on what it takes to get to the top, while staying grounded and contributing to wider society.

The 2023 AREEA Industry Awards were presented at the dinners, recognising individuals and companies for their achievements in four categories.

**Mental Health & Wellbeing Award**

**Winner:** AngloAmerican Steelmaking Coal  
Sponsored by Northern Star Resources

**Future Leader Award**

**Winner:** Jessica Farchione,  
Viva Energy Australia

**Workforce & Workplace Relations Innovation Award**

**Winner:** Sodexo

**Diversity & Inclusion Award**

**Winner:** Viva Energy Australia  
Sponsored by Sodexo

**2023 LONG MEMBERSHIP MILESTONE RECIPIENTS**

In 2023, the following resources and energy employers were recognised for their longstanding membership of AREEA:

**55 years**

Chevron Australia

**40 years**

Thiess

**35 years**

St Barbara

**30 years**

Helicopter Resources

Incitec

Sodexo

**25 years**

Fluor Australia

Gold Fields Australia

**20 years**

Aeris Resources

Talison Lithium

**15 years**

Go Offshore

**10 years**

Orontide

Ramelius Resources















# BRIGHT FUTURE STEM PROGRAM - BREAKING RECORDS

This year, the Bright Future STEM Primary School Program hit new heights, thanks to the hard work and enthusiasm of AREEA's organising team – including our role model member partners.

Through STEM-related activities – and with the help of these generous partners – a record 10,000 Year 5 and 6 students drew positive connections between their schoolwork and future opportunities in the resources and energy industry.

The 2023 program:

- Engaged with 10,000 primary school students;
- Visited 102 schools across Victoria, New South Wales, Queensland, Western Australia, South Australia and the Northern Territory;
- Featured industry role models from 20 member companies – Agnico Eagle, AngloAmerican, Byrnegut, ConocoPhillips, Deepcore Drilling, Fortescue, Gold Fields, Howden Australia, INPEX, Mandalay Resources, Monadelphous, Newmont Australia, Pembroke Resources, Santos, Sibelco, Sodexo, Stawell Gold, Thies, UGL, VIVA Energy; and
- Designed and developed STEM activities featuring VR Headsets, Edison (Robots), Dr Eureka, Gravitrax, Snap Circuits and Turing Tumble.

The resources and energy industry is forecasting significant growth in STEM-related careers.

Paradoxically, study in these subjects has declined in recent years.

The Bright Future STEM Primary School Program is a commitment to turning this around. In particular, opening the eyes of girls and boys to future opportunities in the industry, based on innovation, sustainability, diversity and growth.

Learn more via [Brightfuturestem.com.au](http://Brightfuturestem.com.au)





