



23 NOV, 2023

## Miners dig in on 'divisive' IR deal

The Australian, Australia

Page 1 of 2

# Miners dig in on 'divisive' IR deal

**EWIN HANNAN**  
WORKPLACE EDITOR

Labor's industrial relations deal with resource sector employers has split the mining industry, with Gina Rinehart's Hancock Prospecting opposing the agreement and the Minerals Council of Australia accusing a rival employer body of being a "soft target".

As the Senate crossbench renewed its bid to split the bill this year, employer groups representing big and small business criticised the Australian Resources and Energy Employer Association over the deal to exclude service contractors from the industrial relations bill.

Hancock Prospecting's Roy Hill mining operation, which is a member of both AREEA and the Minerals Council of Australia, wrote to AREEA chief executive Steve Knott on Wednesday to express concern about the deal.

In a statement, Hancock Prospecting chief executive operations Gerhard Veldsman said despite the AREEA deal, the bill was "still a cumbersome, multi-step process to determine if they're in or out – it doesn't deal with the broader issue of service contractors".

"We stand by our position that

the bill needs to be rewritten. It needs to be simplified, and there needs to be consultation to come up with a bill that's workable," Mr Knott said.

His comments came after MCA chief Tania Constable said the AREEA deal with the government, revealed by The Australian, was not a "credible solution" but an attempt to "hoodwink" the parliament and the public.

She said the amendments offered nothing for a range of service contractors, despite the claims of the government.

"Unfortunately, this is the modus operandi for Minister for Workplace Relations Tony Burke. Find a soft target, get them to support your amendments sight unseen and then portray the problem as solved," she said.

"No one should be fooled by such tactics."

Council of Small Business Organisations Australia chief executive Luke Achterstraat accused Mr Knott of striking a "sweet-heart deal" with Labor, while the Business Council chief Bran Black said the "secret deal" did

not address the bill's flaws. But Mr Knott said, unlike Ms Constable and other employer critics, he had seen the amendments and had them reviewed by lawyers be-

fore signing off on them in the meeting with Mr Burke on Tuesday.

"There is overwhelming member support for AREEA both taking a seat at the negotiating table with Minister Burke and securing service contractor amendments," he said.

"The amendments, when tabled in parliament next week, should temper some misinformation from persons yet to see the amendments."

Mr Burke said on Wednesday that the Minerals Council would never support the legislation because one of its key members, BHP, "uses the labour hire loophole in a very significant way".

BHP declined to comment.

The minister said the Minerals Council, which is spending up to \$24m on a campaign trying to kill off the bill, opposed the amendments without having seen them.

"I don't think there is any scenario where they end up supporting the bill," he told the ABC's Patricia Karvelas.

"But as people watch the millions and millions of dollars of ads over summer, I think a lot of Australians will be saying why are you spending the money on ads rather than just paying your workers."

"To have two people doing the exact same job with the same



23 NOV, 2023

## Miners dig in on 'divisive' IR deal

The Australian, Australia

Page 2 of 2

level of experience and the same level of authority and working side by side on radically different rates of pay is simply not fair.”

He laughed at Ms Constable’s description of Mr Knott, a long-time critic of Labor’s workplace policies, as a soft target

“I have to say, having been in debates with Steve Knott on the other side for quite a few years now, he is a very resolute contributor on behalf of his members.

“This was not an easy negotiation. This was not something where they felt any need that they had to reach a compromise with the government.

“They wanted to be 100 per cent sure that their members would be excluded and they are. But the people who aren’t excluded are the companies using this loophole. Effectively, what the loophole does is it allows people to be underpaid.”

Senate crossbenchers David Pocock and Jacqui Lambie renewed their call for the government to support their private members’ bills that would allow early and separate passage of four non-controversial elements.

But Mr Burke said the cross-bench bills were no longer on the notice paper due to the opposition’s conduct in parliament.

**‘Effectively, what the loophole does is it allows people to be underpaid’**

**TONY BURKE**  
WORKPLACE RELATIONS  
MINISTER