

Our ref: G11/1614 IND/0007 MF/DAS

Tuesday, 3 May 2011

OPEN LETTER TO STAKEHOLDERS

Dear Sir/Madam

**RE: ESPERANCE PORTS SEA AND LAND
FORMAL NOTICE OF THIRD 24 HOUR INDUSTRIAL STOPPAGE
ENTERPRISE BARGAINING AGREEMENT (EBA) NEGOTIATIONS**

We refer to our letter dated 29 March 2011 and 30 March 2011, under cover of which Esperance Ports Sea and Land (EPSL or the Port) advised that it has been engaged with the Maritime Union of Australia (MUA) and members of the MUA employed by EPSL in negotiating Enterprise Bargaining Agreement (EBA) terms.

EPSL was scheduled to meet with MUA representatives at a Fair Work Australia (FWA) Conciliation Hearing on Friday 6 May 2011. However, EPSL has been notified today (Tuesday 3 May 2011) that the Conciliation Hearing has been cancelled by FWA.

EPSL has now been served a third formal notice by the MUA of its intention to take further protected action as permitted under the Fair Work Act. The notice states:

All members of the MUA employed by Esperance Ports Sea and Land at your Esperance Port operations shall engage in a stoppage of work for 24 hours and shall cease all work on Monday 9 May 2011 at 07:30 am and shall not resume work until 07:30 am on Tuesday 10 May 2011.

The Employee Action Claim of which you are being notified is being undertaken for the purpose of supporting or advancing claims made in respect of a proposed Enterprise Agreement.

Potential impacts on Port operations and other workers

As previously advised, other than for emergency situations, the pending work stoppage will result in the cessation of all vessel berthing, loading and unloading operations and handling of iron ore trains in the Port of Esperance.

Those Port service contractors or operators which are able to operate independently of EPSL labour will need to determine whether they continue with their operations during any periods of work stoppage.



From: Michal Frydrych – Esperance Ports Sea and Land

3 May 2011

To: Open Letter to Stakeholders

Re: Esperance Ports Sea and Land - Formal Notification of THIRD 24 Hour Industrial Stoppage
- Enterprise Bargaining Agreement (EBA) Negotiations

Port administrative and management staff will continue to work during any stoppage. However, non-union EPSL staff covered by the EBA may have to be stood down while Port operations are halted.

Yours sincerely



Michal Frydrych
Chief Executive Officer

