

Our ref: G11/1695 IND/0007 MF/DAS

Thursday, 5 May 2011

## **OPEN LETTER TO STAKEHOLDERS**

Dear Sir/Madam

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

We refer to our letters dated 29 March 2011, 30 March 2011, and 3 May 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.

The Fair Work Australia (FWA) Conciliation Hearing in relation to EBA (Operations and Maintenance) negotiations, which was originally to have been held on Friday 6 May 2011, but cancelled by FWA, has now been rescheduled to be heard on Monday 9 May 2011.

EPSL has now been served a fourth 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 Wednesday 11 May 2011 at 07:30 am and shall not resume work until 07:30 am on Thursday 12 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

Thursday, 5 May 2011

To: Open Letter to Stakeholders

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

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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**

