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**ELECTION SPECIAL** 2016

### CAN YOU BE FORCED TO WORK ON PUBLIC HOLIDAYS?

**ISSUE 74 / JUNE 2016** 

Bosses back down when workers stand together

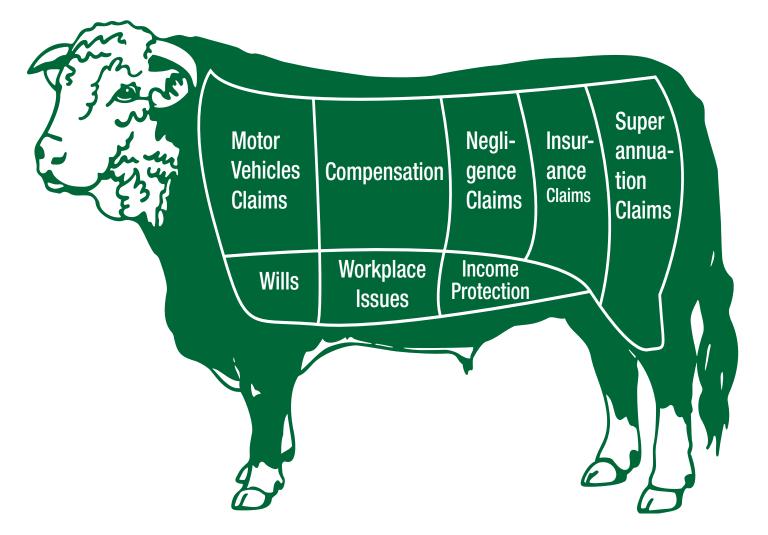
## WHO IS REALLY BUILDING AUSTRALIA?

See the massive corporations who make billions each year but pay zero tax

THE BEST CANDIDATES FOR YOUR LOCAL ELECTORATE

## SACKED FOR READING A UNION NEWSLETTER

Learn about Talleys, the worst company in the world



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When it matters

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## **CONTACT INFORMATION**

Stuart Watt

TREASURER

SECRETARY	ORGANISER	<b>Registered Office</b>	Union House
Grant Courtney	Jason Roe		34 Union St
0417 118 945	0421 554 774		NEWCASTLE WEST NSW 2302
		Postal Address	PO Box 2263
ASSISTANT SECRETARY	INT'L ORGANISER	State of the second	DANGAR NSW 2309
Justin Smith	lan Tam	Hours of Business	9:00am-4:30pm
0488 182 047	0411 182 059	Website	meatworker.net
	No. of Concession, Name	International Website	imeatworker.net
BRANCH PRESIDENT	Mark Cooke	Email	amieu@amieu-newcastle.asn.au
VICE PRESIDENT	Leonie Gibson	Telephone	(02) 4020 5406

Fax

(02) 4929 5401



# Bosses back down on Anzac Day rosters after workers stand together

Meat workers had a massive win this April when Bindaree Beef bosses tried to force their employees to work on Anzac Day - and **failed**.

'The mere fact that it is ANZAC Day is not a reasonable excuse not to work'. That's the message that Bindaree Beef delivered to their employees just three days before Anzac Day, bluntly demanding that their staff turn up for work on a public holiday.

Except that, actually, it is. Anzac Day is a public holiday in Australia, which means that it's a very reasonable (and legal) excuse not to work. However, simply being on the wrong side of the law wasn't going to stop Bindaree Beef, who went on to claim that the Fair Work Act gave them the power to force employees to show up – and not only that, but they wouldn't be paying anybody who didn't comply!

Just 24 hours later, Bindaree had backed down. Why? Because meat workers union members stood up, stood together, and said NO.

### You have the right to a public holiday.

Section 114 (1) of the Fair Work Act 2009 clearly states that permanent or part-time employees are "entitled to be absent" on public holidays, and Section 116 explains that "the employer must pay the employee" if they would have worked that day. **That's the law.** 

This is why we have public holidays: to give working people time off to relax, to reflect, and to live their lives outside of work. The founders of the trade union movement fought for these conditions -- the employers nor the government did not simply *give* us public holidays.

It is true that under certain circumstances, employers can request that you show up to work on a public holiday – but the request has to be "reasonable", and it can't be just "we would like you to keep working".

Demanding the factory must keep running - instead of taking your family to pay their respects to our fallen soldiers - is not reasonable in my humble opinion. This is a great example of what workers can achieve when they stand together and stand up for themselves.

## The danger of Q-fever

As meat workers, you know Q-fever can strike without warning.

One of our members, abattoir worker Hayley, recalls how her son was hit with what seemed like a normal flu, but quickly became so much more.

After a week of becoming progressively more and more ill from what doctors initially thought was just the flu, her son was checked into hospital. Blood tests and culture tests showed that he was having liver function problems. The infectious diseases department was called. Samples of his blood were sent off for urgent testing.

"I've never seen my kid that sick," said Hayley. "I was devastated. He was so yellow. We had no idea what was going on."

"It took so long for the test to come back, not knowing what was happening. It was devastating."

The test did come back. The doctors confirmed that her son was suffering from Q-fever.

### The long road home

After 11 days in hospital and seven weeks off work, Hayley's son is finally getting ready to return to the abattoir, but it will be a long road until he's back to his full strength. "He's not back to himself," says Hayley. "Not at all. He's fatigued. Not sleeping."

"Other people in the industry have told me that next time he gets a bad flu it could flare up again.

Late last year, the Federal Government again refused to re-introduce the subsidy for Q-fever vaccinations.

Many employers in the meat industry have followed the Government's lead and refuse to pay for, or even organise Q-fever tests and vaccinations. This hits international workers the hardest, many of whom don't speak English and who are at the most risk if something goes wrong – with no family or support network to take care of them.

Hayley's voice shakes as she tells us that more needs to be done, that the testing needs to be more accurate.

"It was scary. To know your child's liver is failing, and just not knowing. Then discovering that it could all have been prevented!"

"I don't want someone else to go through this."

### Grant Courtney BRANCH SECRETARY

### Ingham Cardiff to close down

Multi-billion dollar international private equity firm TPG Capital have decided to close down the Ingham poultry plant at Cardiff in the Hunter region. 360 workers will be out of jobs in August, although the union is working with other local companies to transition as many employees as possible into stable jobs at other sites.

## MEAT WORKERS UNITE TO SAVE JOBS AT SCONE PLANT

## WANT A DISCOUNT ON YOUR UNION FEES?

Get 10% off when you pay your six monthly membership fees UP FRONT before July 31 and Jan 31 each year.

That's a saving of \$48.88 per year. Call the office on (02) 4929 5496. Union members at JBS Swift's Scone processing plant have had a victory earlier this year after their collective bargaining power saw them retain their jobs during a downsizing effort by the company.

AMIEU Newcastle & Northern is pleased to report that every single union member at the Scone plant kept their jobs during this difficult time, with union members stepping up to fight for their rights and speak with one voice.

This news is a great example of the power of collective bargaining, and the importance of being united with your fellow workers. By standing up and standing together, union members have ensured their job security at a time when severe drought is causing a production downturn across the sector.

Lisa-Maree Richards, who works at the Scone plant

as a rouseabout, is one of the union members who stood up for her right to secure employment. She explained that she was "devastated" by the looming cuts.

"I knew there were going to be a lot of cut backs," said Lisa-Maree. "A lot of people I felt close to, work wise and family-wise, and I knew that it was going to devastate them as well. It was going to be very hard for them."

"Without the union I wouldn't have a job today, and neither would half the people here."

Another worker at Scone is Brandon Ford, operating the jawbreaker.

"The union saved me," says Brandon, in no uncertain terms. "The union is like a family. They all stick together. They help each other out."

# SACKED FOR READING A NEWSLETTER

The New Zealand Meat Union's ongoing fight against Talleys, the worst company in the world

The meat industry is full of shady characters, but few characters in Australia can compare to Talley's, New Zealand's largest agribusiness company. This enormous company owns and operates nearly all of the meat processing plants in New Zealand. They control their plants with the kind of iron-fisted regime that you'd expect from a moustache-twirling movie villain, and they *hate* unions.

Talleys hates unions so much that they have actually banned their workers from wearing union shirts on site. If you show up to work wearing a green 'Jobs That Count' shirt you won't be let in the front gate. That's the Talley's order.

### No unions allowed

In 2012, Talleys locked 776 union workers out of their plants across New Zealand for 84 days. Negotiations for a collective agreement broke down so the company did the sane, sensible thing: they just barred all of those union workers from coming to work - end of story. Talleys had to back down after a massive strike action by the union forced them back to the bargaining table. A momentarily frustrated Talleys went quiet, bided their time, and then when those contacts expired... they did it all over again.

In June 2015 Talleys shut the gates on 170 workers at one of their AFFCO plants. These union workers had refused to sign individual contracts that would have lowered their wages and slashed their conditions, so Talleys locked them out.

They continued locking them out even after the Employment Court found in November that it was illegal. It was another three months until Talleys let them back to work in February. Three months without pay, without work, illegally kept out of your job by a company that hates you because you want to get paid and treated fairly.

Like all good villains, Talleys doesn't care about little things like "the law". Talleys cares about crushing its enemies - at all costs.

### Maybe there's more to the story?

At this point you're probably thinking "There are two sides to every story. Maybe Talleys is misunderstood!" Let us clear that up for you: we're talking about a company that sacked a worker over "serious misconduct"... for reading a union newsletter. This is a company that couldn't be bothered to call an ambulance when one of their workers slashed his arm open on a slaughterboard.

Talleys is the sort of company that tried to force its employees -- against the law -- to work on the Waitangi Day public holiday. The sort of company that makes repeated submissions to the Government to water down Health & Safety laws, arguing that "making sure people dont' die" will cost them too much money. The sort of company that secretly (and illegally) donates millions of dollars into politics to get anti-worker parties elected.

It's not just their meat workers that Talleys wants to screw over. They gassed 11 frozen foods workers with carbon monoxide and had to pay \$110,000 in fines. They lost a sexual discrimination case after refusing to allow a woman to work as a fish-filleter. Andrew Talley defended this decision by saying that fish-filleting was 'a man's job' and a woman's place was to be a 'pole dancer or a beautician'. **Yes, this really happened**.

Talleys Wikipedia page has a string of industrial relations and health and safety disputes as long as your arm. Over the years they been fined, and fined, and fined again. They don't care. In fact, in an unprecedented step, Talleys was ordered last year to pay \$144,000 directly to the Meat Workers Union after the Employment Court found that the company had illegally blocked union representatives from entering workplaces.

Talleys doesn't care. By this point, you've hopefully realised that Talleys only cares about one thing, and one thing only: Talleys.

### Watch your mouth

The Hollywood supervillains at Talleys have launched a new offensive on our comrades in New Zealand this month, taking their fight to social media. Talleys are now aggressively shutting down their employees from discussing work on Facebook and Twitter, warning staff to keep their mouths shut if they want to stay in a job.

They're also trying to get the Meat Workers Union to keep their mouths shut, too: they've filed an application with the NZ Employment Authority for an interim compliance order which would gag the union from saying nasty things about them "on any website, twitter account or other site viewable on the internet".

The language of their application is so broad that it could be applied to any union member, anywhere online, at any time. This isn't a problem for Talleys: they hate every member of the union, from the bottom to the top -- but there's nobody they hate more at the moment than union organiser Darien Fenton.

New Zealand's evil meat mega-corporation are particularly angry at Darien for her frustrating tendency to do things like "tell the truth" and "not shut up". This year they took the unprecedented step of applying to the Employment Authority to bar Darien from negotiations, arguing that it was "unfair" of Darien to tell people how relentlessly awful they are. It won't work of course, because like nearly everything else Talley's does, it's **completely illegal.** 

The fight in New Zealand is ongoing and we're supporting our comrades there 100%. Why not share this article around with your friends for a glimpse at just how bad things can really get if an employer is allowed to have their way?

Find out more at the New Zealand Meat Workers website:

bsthatcount.org.

## Chlorine gas leak at Baiada Beresfield

40 poultry workers hospitalised in March incident as union members claim not enough is being done to ensure their safety

Workers at the Beresfield plant of poultry giant Baiada have vented their fustration and worry to us following a distressing incident on March 7 this year where the plant was evacuated after workers were exposed to unsafe levels of chlorine dioxide.

Union officers raced to the scene immediately on the morning of the 7th to find the Beresefield plant filled with emergency vehicles and worried workers scattered everywhere.

Over the course of that day and two more member meetings the next week, a disturbing picture began to emerge of a company that was not at all prepared for this kind of incident and had been ignoring concerns from workers for some time.

Baiada's workers testified that symptoms of gas exposure, such as chemical odours, nausea, burning eyes and feeling faint, were present hours before management ordered an evacuation. We also learned that some workers who complained of feeling like they were about to pass out were simply handed masks and told to return to work.

When you add to this picture locked gates, delayed emergency responses, evacuated workers being left in the hot sun and workers not even told where the emergency button is if they have to push it, the union is extremely concerned.

Baiada has committed to improving safety at their plant in response to the gas leak and expressed an interest in working with the union, but we are yet to receive an official invitation to take part in any such program.

Read our report into the incident at <u>http://newcastle.</u> amieu.asn.au/baiada-beresefield-chlorine-dioxideincident-report/ Your union. Your stories. Your community. Online. Join the meat workers union on social media.

facebook.com/AMIEUNewcastle

instagram.com/amieunewcastle

@AMIEUNewcastle

## We want to share your stories.

Email stories, photos, videos and more to socialmedia@amieu-newcastle.asn.au





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### FIGHTING FOR WORKERS ALL ACROSS NORTHERN NSW



## PAY RISE AT CASINO

Union workers at the Northern Co-operative Meat Company's beef works in Casino have locked in a \$22 weekly pay rise (in the first year) under a new three-year agreement negotiated by your union.

The new deal also includes months of backdated pay - a great win for the workers.



### JOBS SAVED AT JBS SCONE

Not a single union member lost their job at a recent round of cutbacks at JBS Scone.

Although it was unfortunate that the company needed to make cutbacks, the union is very pleased to report that members who stood up to speak with one voice were rewarded with job security in a tough time.



### PAY RISE AT RICHMOND DAIRY

Richmond Dairy's union workers scored a win earlier this year.

Thanks to the hard work and solidarity of union members, we were able to negotiate a great \$26 weekly pay rise (in the first year). Our new agreement lasts for two years.

### HOLDING BAIADA ACCOUNTABLE

Your union was first on the scene when Baiada workers were gassed with chlorine dioxide in March. We interviewed dozens of workers and held meetings with hundreds more, providing a full report into the incident which was picked up by local newspapers, and spoke to local politicians about the issue. We will keep fighting for your safety.

# **ICTORIES**

### BETTER PAY. BETTER CONDITIONS. BETTER LIFE.

### FIGHTING FOR YOUR RIGHTS AT BINDAREE

Union workers stood up to unfair demands from the bosses at Bindaree Beef this April and rejected illegal demands to work on Anzac Day.

This is a great example about the importance of knowing your rights and speaking with one voice when standing up for them.

### RECOVERING MONEY FOR INTERNATIONALS

Your union is leading the way in recovering hundreds of thousands of dollars in back pay owed to exploited international workers.

Over two thirds of accepted underpayment claims nationally have come from our branch and we're proud to stand up for all workers in need.



## PAY RISE AT NESTLE IN SMITHTOWN

The Nestle workers at Smithtown's factory have scored a great win thanks to your union, locking in a \$30 a week pay rise (in the first year) under a new three-year agreement.

At a time when industry giants are trying to force wages lower than ever, this is a great win for workers.

### TEYS COUGHS UP AT BEENLEIGH

Your union has scored a victory over meat processor Teys Cargill in the courts, securing thousands in back pay for underpaid workers at the Beenleigh plant in Queensland.

The courts upheld the AMIEU's claim that Teys new agreement was not valid and has ordered them to fix it.

# It's time to think about your future.

There's no better way to plan for a stable, comfortable retirement than to start thinking about your superannuation now. But with so many choices on the market and everybody trying to take your money, what is best for meat workers?

There are two categories for most people when it comes to superannuation - **industry super** and **retail super**, and the difference couldn't be clearer. Industry super is managed by employer groups and members of a trade union just like you, and exists to support working people just like you. Retail super is owned and operated by Australia's big banks, and exists to make a profit for the shareholders. Every industry has a different super fund. Workers in construction and building might use Cbus, or workers in the motor trades might use MTAA. As meat and dairy workers, we have two industry super funds – **MIESF** and **AMIST Super**, both of which are low-fee, competitive funds are managed by meat industry employers and union members.

Retail superannuation hides behind different labels so you won't see who is running them. "BT Super For Life" is Westpac, for example. "Colonial First State" is the Commonwealth Bank, while "MLC" is NAB. All these funds share one thing in common: they put **shareholders first**, not you. They are businesses, trying to make a profit.

## Where did industry super come from?

In the mid-1980s, only 40% of working Australians were putting money aside for their future -- and that figure was even less in the blue collar trades, with only 25%.

Wally Curran, the secretary of the Victorian Branch of the AMIEU, led a campaign in conjunction with the ACTU to ensure that employers made contributions for the entire Australian workforce.

But they needed to devise a way that the hard-earned money of workers would be protected from the sorts of fees and commissions that big banks wanted to impose.

This led to the creation of bipartisan employer/worker-dedicated industry super funds, which have a unique structure that sets them apart from profit-driven retail super funds. Just like unions themselves, industry super funds are workers standing up for other workers.

### Why choose Industry Super?

Industry super is a better choice for workers like you. Here's why:

**A better result.** Industry super funds perform better than retail super funds. Over the last 10 years the average industry super fund has delivered around \$16,000 more to their members than the average retail super fund.

A better retirement. Get the peace of mind you need when you retire with the knowledge that workers just like you are looking out for you and will support you. Unionised workers have created some of the best retirement plans in the world.

**For members, not for corporations.** Industry super funds are governed by employer and trade union representatives. They do not have shareholders hungry for dividends, which means money made on investments is returned back into the fund for members.

**Lower fees, no commissions.** Unlike retail funds, industry funds do not pay commissions to financial planners. With no shareholders to keep happy either, industry fund fees are lower than retail fund fees.

The Liberals don't want you to. The Turnbull Government has plans to bring in changes to compulsory superannuation, which would hit industry super funds hard and favour their friends at the big banks.

Superannuation is an important issue for every Australian. Start saving now to take care of yourself when you retire – and the best way to do that is to put your money into your industry super fund, run by workers like you, for workers like you.

You can find contact details for meat super on our website: **newcastle.amieu.asn.au** 

**ANTHONY MAHER** 25 YEARS SERVICE

LORETTA WALTERS

**35 YEARS SERVICE** 

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**25 YEARS SERVICE** 

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**GARY WOOD** 25 YEARS SERVICE

# THANK YOU

Our strength comes when workers stand together. Your committment and dedication makes life better for all workers. Thank you for your hard work.



## **BRIAN NEELY**

**KERRY McLAUGHLIN** 

**50 YEARS SERVICE** 

**50 YEARS SERVICE** 

SHARON PASTERFIELD **25 YEARS SERVICE** 

**GREGORY GARDNER** 35 YEARS SERVICE

**JASON FRY** 25 YEARS SERVICE 1037

613

**STEVE HYHAM** 25 YEARS SERVICE

-513

## WHICH COMPANIES ARE DODGING THEIR TAXES?

### ONE THIRD OF AUSTRALIA'S RICHEST COMPANIES PAID ZERO TAX IN 2013-14.

98 of 321 private firms reported a taxable income of \$0 for the last financial year.

### PRIVATE COMPANIES WITH A TOTAL INCOME OF \$200M OR MORE WERE REQUIRED TO REPORT THEIR FINANCES.

A number of the richest companies actually restructured themselves so that they wouldn't need to report how much money they earned.

### COMPANIES CAUGHT EXPLOITING FOREIGN WORKERS ARE SOME OF THE WORST TAX DODGERS.

Organisations like 7-Eleven use complicated tax tricks to make billions of dollars in revenue disappear. Working Australians are feeling the squeeze more than ever in 2016. With the cost of living rising every year and businesses saying it would "hurt the economy" if wages went up, people are starting to wonder: where is the money going?

Why is my local school struggling? Why is my local hospital understaffed? Why can't the council afford to fix the roads?

Why is my CEO getting a \$4 million bonus this year, but I can't afford to take my children on a holiday?

We're finally starting to get answers to these questions.

This year, two important things happened. First, the ATO released the first ever look at the financial activities of the richest 300 companies in Australia. This data shows that Australia's richest companies are getting off scot-free without contributing a cent to your country and to your future.

Second, a mole at Mossack Fonseca, one of the most secretive offshore lawyers based out of Panama, leaked to the press 11.5 million secret documents showing beyond a doubt that massive corporations are using complicated tax laws to **hide their money** and **make you pay for everything**.

Read on for a detailed look at some of the figures.

### ATO data reveals the Australian companies who refuse to pay for your schools, your hospitals and your roads

	COMPANY	TOTAL INCOME	TAX PAID
1.	CBH GRAIN	\$3,436,600,727	\$0
2.	PRATT CONSOLIDATED HOLDINGS	\$2,579,392,459	\$0
3.	ALINTA POWER	\$1,698,802,352	\$0
4.	WT FINANCE	\$1,429,676,509	\$0
5.	STATE ONE HOLDINGS	\$1,209,324,056	\$0

The top 10 tax-dodging companies in Australia in 2013-14 together had a combined total income of **more than 15 billion dollars**.

Thirty percent of that money -- an incredible \$4.76 billion dollars -- should have been taken as tax and returned into the Australian economy. Instead, these ten companies (and nearly 100 more) paid zero tax.

These are the same companies who say that it would "hurt the economy" if they paid you more. The same companies who fight tooth and nail every year to stop the minimum wage from being increased. The same companies who ask more and more of their workers: longer hours, awful contracts, poor conditions. The same companies whose CEOs take home millions each year with millions more in bonuses. Meat workers across Australia are struggling with poor wage growth. The average salary of an Australian meat worker is \$38,000. Can you imagine how many more jobs could have been created if even just a fraction of that \$4 billion in unpaid taxes had been redirected into the economy?

At the time of printing, the Turnbull Government is considering cutting the corporate tax rate even further. Is there a number less than zero? Perhaps Mr. Turnbull would like us all to start paying money to these companies instead of taking it from them in taxes.

When you head to polls this election, think very carefully about which party is willing to stand by and do nothing while huge corporations **steal your future.** 

## INJURED AT WORK?



- **Report your injury to the employer** as soon as possible.
- See your own doctor as soon as possible, even if your employer has a company doctor. You have the right to see your own doctor and nominate your own doctor as your "nominated treating doctor" your own doctor will be responsible for providing you with certificates of capacity, treatments and referrals to appropriate treating professionals that may include physiotherapy etc.
- Ask your employer for a claim form. Fill it in and give a copy back to your employer with your WorkCover Certificate of Capacity. Keep a copy plus copies of any documents or any receipts etc or any other paperwork involving your circumstances.
- Select your own workplace rehabilitation provider. Your employer cannot force you to use their preferred Workplace Rehabilitation Provider or Return To Work adviser/coordinator. You have the to right to choose your own.

Injury and Mediation Interventions is a WorkCover accredited provider who provides tailored, independent services to all injured and or ill workers. All our consultants have experience assisting injured members through working with their unions.

We will appoint a rehabilitation consultant who will work with you, your union, your employer, your doctor and insurer/agent to achieve a positive recovery at work outcome for you. Your appointed consultant will be a health professional such as an occupational therapist, physiotherapist, exercise physiologist, rehabilitation counsellor or psychologist. Specialised Services on offer to you will include;

- assessing your capacity to perform duties safely with your current employer
- identifying duties that will support improvements in your capacity
- identifying options to help reduce work demands (including providing advice on equipment, job or workplace modifications)
- identifying and addressing risks that may impact on your recovery at home and or return to work outcome
- developing, implementing and monitoring a plan to achieve an agreed recovery and work goal in consultation with all parties
- attending case reviews with you and your nominated treating doctor

Most workers are able to recover and remain with their pre-injury employer. However, where this is not possible we can help a you to obtain work with a new employer. This may involve:

- assessing your skills, education and experience
- vocational assessment and identifying suitable employment options
- providing job seeking assistance and organising training (where appropriate)
- accessing appropriate programs and services that support you in securing sustainable suitable employment.

For further information please contact:

### **Injury and Mediation Interventions**

PHONE:	0407 006 182
EMAIL:	bgrills@iandmi.com.au
ONLINE:	iandmi.com.au.

We look forward to assisting all union members.



## VIEW FROM THE TOP

Interesting times at the moment.

A lot of companies are desperately trying to deunionise their workforces, hoping the July 2 election returns a pro-business

and anti-union government for them. So desperate are they to stop workers from unionising that they are spouting all sorts of hysterical nonsense to workers.

They try to make the workers union offices out to be somehow disassociated with the union members, and even suggest that YOUR union office is somehow not owned by YOU, the union members. They use catch phrases like 'third parties' in relation to your elected representatives to try and trick you into questioning how the union works.

It is very simple how the union works. The members ARE the union.

And why are the bosses doing this? Well this is another question that is easy to answer: **UNIONS WORK FOR THE BENEFIT OF WORKERS ONLY.** 

Let's face it, bosses don't like having to deal with people on a collective basis because when you stand together you have bargaining strength. Picking people off as individuals is easy. When a company says "we want to deal direct with our employees", what they are really saying is "we want to deal with them individually rather than together because the workers are too strong when they work together".

This de-unionising attempt by some bosses is also having another effect - other unions who are desperate to grow are actually trying to steal coverage off other unions. Yes, it is sad but true.

One such organisation is the SDA. This organisation was so desperate that it bargained an agreement with Coles Supermarkets management to extinguish the terms of our meat agreements. Their strategy relied on tricky legal technicalities that prevented us from taking industrial action to defend ourselves. And how bad was this deal? Well not only did it attempt to do over the meat union, it then failed the Better Off Overall Test (BOOT)! What an unbelievable disgrace they are! This is so significant that Woolworths have refused to roll out their deal with the SDA for workers to vote on for fear of also failing the BOOT. Agreement was reached in principle last year, and now they are just sitting on it!

They are currently considering their position, now that Coles has made such headlines with their historic failure. The SDA has form in this area with other agreements of theirs also failing the BOOT. Members may have noticed the recent McDonalds agreement issues where the media reported the exploitation of young workers as "Hamburgling!"

Another area of spectacular exploitation of workers lately has come from labour hire agencies. The AMIEU has been also spectacular in terms of its response to the shady operators in our industry. As a result of massive campaigning we have brought many of these to justice and are still working tirelessly to weed out the other nuisances and exploiters.

The shady agencies not only exploit labour, they also put pressure on our working conditions through our enterprise agreements because the shonks can provide very cheap labour and undermine our wages on plant.

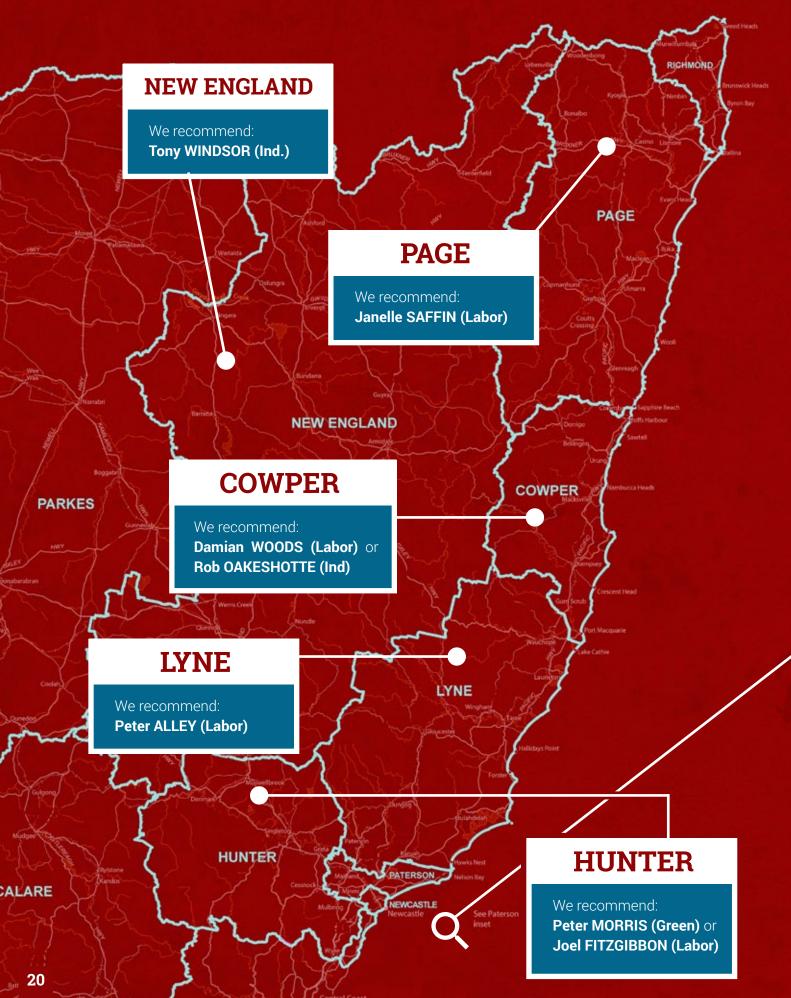
Of course, many enterprise agreements which should fail the BOOT slip past, where unionisation of the workforce is low or non-existent. These agreements are equally as cheap as these exploitative agencies deals.

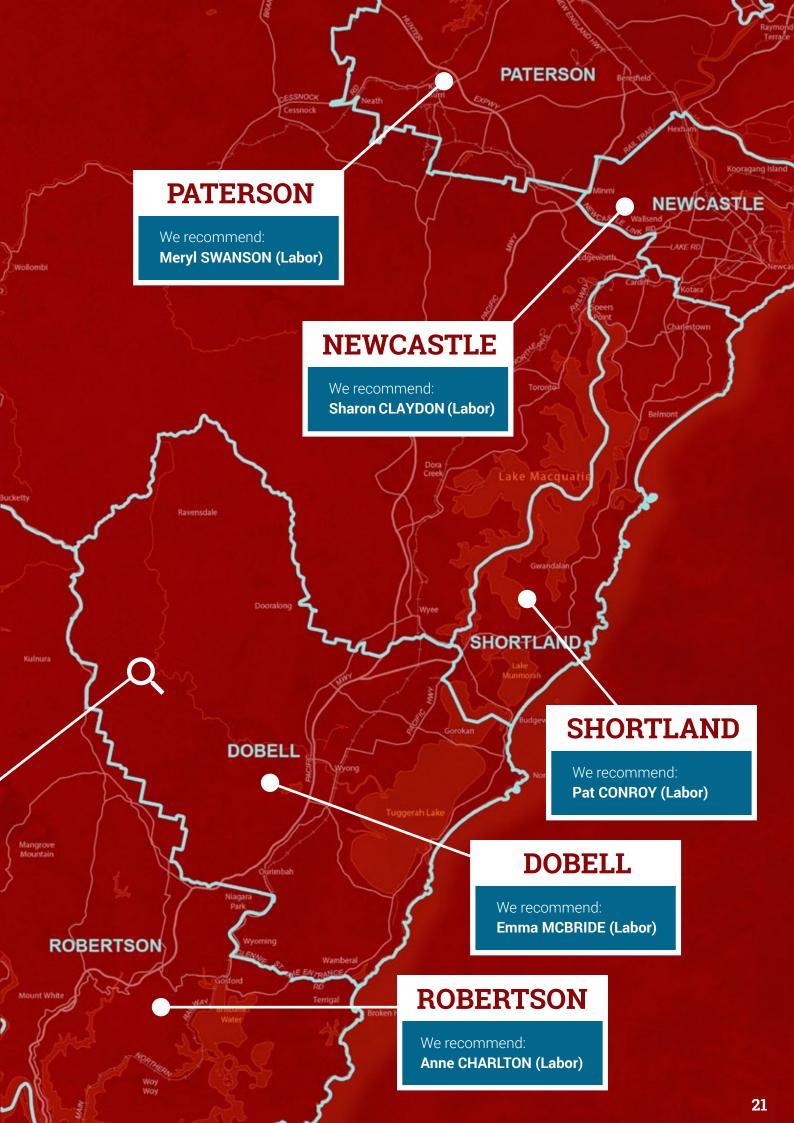
A good example of this was just recently where the Employment Ombudsman busted an agency for paying workers less than the award. Their defence was that they were paying what the registered site enterprise agreement paid the permanent workers. On the basis of this plea they avoided fines for making deliberate underpayments, but still had to pay the underpaid wages to the workers.

Enterprise agreements are serious business. You need to get them right or you simply get ripped off!



### FEDERAL ELECTION 2016 Which candidate is best for meat workers?





Australians were shocked to read a damning report from Oxfam last month about how poultry workers at Tyson Foods plants across America were routinely soiling themselves at work. Unable to take bathroom breaks due to relentless production speeds and inhumanly demanding schedules, some workers even reported wearing diapers to work to cope.

This isn't the first time Tyson Foods has been embroiled in controversy. As the largest food processor in the USA, Tyson oversees one of the largest low-paid work forces in the OECD, with a string of industrial relations controversies as long as your arm.

In March this year the Supreme Court awarded thousands of meat packing workers nearly \$3 million in damages as part of an ongoing underpayment scandal. Tyson managers have been caught by undercover immigration agents attempting to arrange for the delivery of hundreds of illegal immigrants as cheap labour. Tyson spent years bribing meat processing plant inspectors in Mexico, then had to cough up \$4 million in penalties in 2011 when it was caught out. They had to pay another \$4 million in 2013 after gassing their workers with ammonia.

(And that's not even mentioning millions in environmental fines from the illegal dumping of wastewater, the price racketeering, the ongoing animal abuse controversies and boycotts, being slapped by the USDA over falsely claiming their products are free of anti-biotics...)

# AMERICAN NIGHTMARE

The future of Australian meat work under Turnbull

### **American Horror Story**

Poultry workers in America get roughly 2% of the money that consumers spend on their products, just 2 cents for every dollar. The other 98 cents goes right back to the company -- so it won't surprise you to learn that Tyson Foods is on track to make record profits this year. In fact, shares have hit an all time high.

Most meat workers in America earn around \$11 an hour, an already appalling low wage that now actually buys you 40% less than it would have in the 1980 (meanwhile, Tyson's president and CEO took home \$12.2 million last financial year). Poultry workers suffer carpal tunnel syndrome at more than seven times the national average, are employed on a casual basis where they can be terminated for no reason, and over-represented by economically disadvantaged groups who have no other choice but to accept these outrageous conditions.

Workers have no sick days, and can be penalised or sacked for calling in sick, so they turn up to work every day. They can't afford to see a doctor if they get injured, so they turn up to work every day, and the injury gets worse. They don't get paid overtime, which they do every single shift. And they're not even allowed to take bathroom breaks.

This is the horror story that is deregulated American labour. This is the end result of decades of campaigning by massive corporations to destroy unions, relax labour laws, to remove government oversight, and to squeeze every last drop of blood out of a workforce regarded as entirely disposable. Good thing this is only happening in America, right?

...right?

### An unfair go

You don't have to travel too far in Australia to hear about workers in the meat processing sector who will tell you similar stories.

Companies operating in Australia are now adopting this American model, resulting in a race to the bottom -- lobbying the government to weaken labour laws and lift restrictions on international workers, while enforcing draconian workplace agreements that force their underpaid workforce into casual, disposable positions. Workers have told us about holding their bladder for hours until it hurts, knowing that their bathroom break has come and gone and if they step away they'll be sacked. We've also heard from people who have soiled themselves and been forced to keep working, though fortunately, these cases are much rarer than they appear overseas. There are now companies operating in Australia that only offer their employees 10 minute breaks each shift, period. That break includes the time it takes to walk there and back, to go the bathroom, to have a snack, and the clock starts the second you step away from the production line. You'd better be back when your time is up.

### Union-busting through over-work

This is a deliberate tactic with two great outcomes for the company: Not only does it extract maximum profit by keeping the production at dangerous speeds, but it also means that exhausted workers use their spare time taking care of their basic human needs and are too tired and busy to think about organising themselves and speaking up. Combined with the constant fear of being sacked from your job for being even a minute late back to the production line, it works wonders to keep the employees under control and away from the negotiating table.

It's absolutely no coincidence that workers at American food processing giants like Tyson Foods, Pilgrim's and Sandersons, which Oxfam investigated, have extremely low union representation. Malcolm Turnbull's recent hamfisted plan to force unemployed youth into a \$4-anhour 'internship' program – less than half of the minimum wage in the USA, and one quarter of the Australian minimum wage – is just another step towards the Liberal dream of a wholly deregulated labour market, and a world where corporations act with total impunity in the pursuit of profits. It's another example of how out of touch the Liberal Government is with the needs of struggling Australian workers.

This nightmare future can be avoided. Earlier this year, the Meat Workers Union was successful in forcing the biggest food processor in the world, Teys Cargill, to cough up thousands in back pay to Queensland workers. If you're being worked until you pass out, if you're not getting treated fairly -talk to your union. We can help.

**Brian Neely's last day** After 50 years at NCMC Casino, Brian calls it quits.

## THIS JUST-IN

## ASSISTANT SECRETARY JUSTIN SMITH EXPLAINS HOW IT STARTS WITH A QUESTION.



Recently there have been some big wins by members around working on public holidays, overtime and changes to shifts.

These wins all started with one thing: members questioning the boss.

This is not a new way of dealing with work place issues. Australia is a country built on workers questioning the boss, and making them come to an agreement on how together we can get the job done.

We have a very proud tradition of questioning the establishment that goes back as far as when the first convicts went on strike for more food. Unfortunately some workers have forgotten how to stand up for themselves. They just accept that what they are told without question. I am not advocating that members question every decision that a boss makes, but if it does not feel right, or you are concerned about what impact that decision will have on you and your work mates – ask the question. In this country you have the right to ask, and get advice from an outside source like your union.

Here are some hints on how to say no:

**KNOW YOUR EBA.** During EBA discussions you have the right to a copy of the new agreement you will vote on. If that agreement gets up, it is the rule book that you will work under until it is replaced by a new EBA. Keep a copy so that you can refer to it when issues come up.

**PLAN AHEAD.** If there is a public holiday or a very busy period coming up refer to your EBA, start talking to your work mates and union delegate. The union delegate will contact the union organiser and we can be ready for any issues that may come up.

**SUPPORT EACH OTHER.** The one thing we all have as workers is each other. When workers come together is when workers are strong

### JOHN CORMICK ON FORTY YEARS OF BONING

"I commenced working in the boning room of the Northern Co-Operative Meat Company in 1965. In those days there were less than 100 people working in the Boning room and only 2-3 people would be employed there each year.

The "busy" season would last for about 8 months and the "slack" season for about 4 months. During the "slack" months the manager would try and find work for everyone by putting people in other departments and also creating jobs for anybody left over. I remember being sent up to the top work shed and there would be bags of rope all knotted together and you would have to untangle them and roll the rope in a ball.

n 1971 I commenced my Learner Boner Scheme. It was completely different then to now. You would only be paid as a labourer for 16 weeks with the percentage going up 5% each week until you were up to 100%. You lost a lot of the money but it was worth it to become a boner. Over the years, with the help of the AMIEU, we achieved a much better deal. Now the learners do not lose any money at all.

When I started boning we were doing table boning. It was very hard

work with a lot of lifting. We were boning quarters of beef, veal, bobby calves and sheep. We were boning a lot of sheep that were brought on truck from the tablelands. We boned this way until the 1980s when we went to chain boning. It is a lot easier on your body but you have to go a lot faster too.

I have enjoyed my time at Casino Meat Works having boned for 40 years. When I reached 60 the company offered me a much lighter job and I could work there until I retired and I was very thankful for that."

John Cormick reflects on life at Casino

## WHAT IS YOUR BOSS TRYING TO SAY? HOW TO DECIPHER BOSS-SPEAK

WHAT YOUR	WHAT THEY
BOSS SAYS:	MEAN:
"We need to simplify our outdated industrial relations."	"I want to take money from you and keep it for myself."
"We need to stay flexible in a	"I want to take money from you
constantly changing economy."	and keep it for myself."
"We need to do more to encourage	"I want to take money from you
innovation and productivity."	and keep it for myself."
"We need to cut back on red tape	"I want to take money from you
and unnecessary regulation."	and keep it for myself."
"We need to consider if penalty rates	"I want to take money from you
have a place in modern society."	and keep it for myself."
"We need to do something about militant unions in the workplace."	"I want to take money from you and keep it for myself."





## **DO YOU PAY YOUR UNION FEES BY DIRECT DEBIT?**

If you leave your employment you MUST notify the union in writing by letter, fax or email to cancel your direct debit deductions. THE UNION WILL NOT BE HELD RESPONSIBLE FOR ANY BANK CHARGES IF NOT NOTIFIED.

Please be aware the if insufficient funds are in your account at the time of the debit, you may incur an overdraw fee from your bank. Call (02) 4929 5496 for more information.

# THE ROE REPORT

UNION ORGANISER JASON ROE HAS BEEN DRIVING ALL ACROSS NORTHERN NSW TO FIGHT FOR YOUR RIGHTS AND YOUR PAY One of the biggest issues facing our industry (and industries all across Australia) is the casualisation of the work force.

In the last six months since our December issue we've seen plenty of plants across Northern NSW affected by a rise in casual labour - but casuals are always the first on the chopping block when things go south. But there's also plenty to celebrate. We've got negotiations opening soon at Inghams in Lisarow, Baiada and Oakburn in Tamworth and Teys in New England.



### Steggler for the day

Jason Roe (second from left) runs the Raw Challenge with a group of Baiada employees

## We'll be fighting for the pay rises you deserve as well as better conditions and support.

You can follow us on social media to keep up to date with the latest negotiations (check page 9 for the details of how to connect with us).

You will have read earlier in the journal about the chemical leak that happened at Baiada in Beresfield in March. The fallout from this has been considerable, with the union producing a report into the events, appearing in the papers, and holding meetings with hundreds of workers to get testimony.

There's been a silver lining in this chemical cloud, which is that now more and more workers are aware of the importance of having a Health and Safety Representative in every work group. Having a properly union-trained HSR in every group means workers can speak up and get problems fixed before they happen and people have to be taken to hospital. We're proud to see how many people have stepped up to be elected as HSRs following this incident.

We're determined to hold Baiada to account for their clear failure to properly prepare for such an accident.

You can read the full report at our website: http://newcastle.amieu.asn.au/baiadaberesfield-chlorine-dioxide-incident-report/

## FIVE REASONS TO JOIN THE UNION (show your mates!)

## **BETTER PAY AND CONDITIONS**

Union workers on average get paid 15% better than non-union workers, and have their disputes resolved faster. Check with your union official to see how joining can benefit you.

## WE'VE GOT YOUR BACK IN A FIGHT

Dismissed unfairly? Harassed at work? Union members have access to the best legal representation. To pay these legal costs on your own you would be looking at thousands of dollars just to be heard.

## **3** SUPPORT WHEN YOU'RE INJURED

Your union membership automatically includes a To and From Work Benefit so that you can be paid while recovering. We also cover all emergency transport costs like ambulances for you **and your family** so you're not out of pocket\*. Talk to an official to learn more.

## 4

5

1)

2

## **GREAT TOOLS AT GREAT PRICES**

Union members have access to the best quality tools at cost prices. We buy great tools for our workers and pass the savings onto you. Speak to an official to get a catalogue.

## UNION FEES ARE TAX DEDUCTIBLE

Union fees are 100% tax deductible when tax times comes around.

\*some conditions apply

When workers stand together, great things happen.





# IAN TAM TALKS

BAIADA COUGHS UP HALF A MILLION AS THE UNION LEADS THE WAY IN CLAIMING UNDERPAYMENTS FOR OUR EXPLOITED INTERNATIONAL WORKERS

Testimonials



"I really appreciated everything the union did for us. Without their help I would never have been strong enough to get the money that was stolen from me."

### LING-CI JHANG / IVY



"The union really does care about workers rights, and about helping people without a voice. They really are trustworthy. Thank you, from my deepest heart."

### ROSETTE

Members may recall how the AMIEU uncovered that chicken processor Baiada was exploiting foreign workers, despite promising to improve working conditions.

In October of last year, Baiada set aside \$500,000 to repay its exploited contract



workers. This is the first occurrence of a primary company in the Australian meat industry backpaying its underpaid workers for its labour hire contractors.

Many inquiries have been made to the AMIEU in asking for representation to follow the claims. The AMIEU Newcastle and Northern Branch has represented dozens of eligible claimants in Northern NSW—the majority are 417 visa workers coming from Hong Kong, Taiwan, and Korea.

Based on the information collected from the exploited workers, we found that the contracting labour hire companies Baiada engaged after the AMIEU exposure were manipulating clock in/off systems. These labour hire companies were also asking that workers receive their back pay in cash to continue their illegal practices.

Three months after being lodged, the AMIEU Newcastle and Northern Branch successfully settled claims valued at hundreds of thousands of dollars for the members who were underpaid. Our branch makes up the majority of such claims across Australia, with over two thirds of the total underpayment nationally successfully claimed by our branch.

Congratulations to the international members who have the courage to stand for your rights and finally get back what you deserve.

### JBS Scone Night Shift Cleaners Underpayment

Recently the AMIEU Newcastle and Northern Branch received inquiries from night-shift cleaners who were paid below the minimum award rate at JBS Scone. Two months later, the issue has been resolved with excellent outcomes. Read their stories to the left.

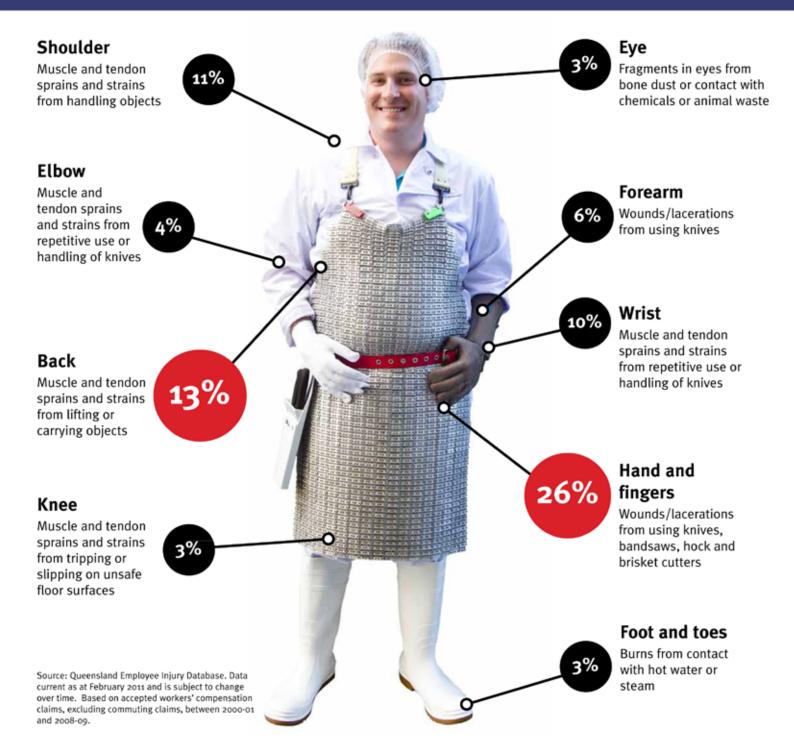
# WORKPLACE HEALTH & SAFETY

**BE ALERT · BE AWARE · BE WELL** 

### Meat processing

These are the most common injuries to workers in the meat processing industry based on accepted workers' compensation claims

\*The meat processing industry includes organisations mainly engaged in slaughtering animals, boning, freezing, preserving or packing meat, canning meat, manufacturing meats from abattoir by-products or rendering lard or tallow.



## The Australasian Meat Industry Employees Union TOOL CATALOGUE





The AMIEU Newcastle & Northern Branch is a specialist union for all workers in the meat industry.

We supply tools to both our members and non members alike, although our members do get a substantial discount on all products.

We stock over 200 product lines from knives, steels, stones, safety equipment and accessories. Product enquiries are welcome.

We are a non profit organisation and our members pay no mark up for these tools. That's why they are so cheap, we sell at the wholesalers prices.

If you are interested in viewing the catalogue and price list, please visit our website <u>newcastle.amieu.asn.au</u> or contact our Newcastle branch office on:

(02) 4929 5496

## **QUALITY TOOLS - UNION MEMBER DISCOUNT!**

### **MEMBERSHIP APPLICATION FORM**



### AUSTRALASIAN MEAT INDUSTRY EMPLOYEES' UNION (AMIEU) NEWCASTLE & NORTHERN BRANCH

PO Box 2263, DANGAR NSW 2309

Phone: (02) 4929 5496 Fax: (02) 4929 5401 Email: amieu@amieu-newcastle.asn.au

### THIS FORM MUST BE SENT TO AMIEU NEWCASTLE OFFICE - PLEASE PRINT CLEARLY

Being an Industrial Union of employees registered under the Industrial Relations Act 1996 as amended AND Being registered under the Workplace Relations Act 1996 as amended.

	Employer:
Title (eg. Mr/Mrs):	Location:
Surname:	Section:
Given Names:	
Known Name:	Delegate:
Address:	First Language: Senior 🗍 Junior
Suburb: P'Code:	l, the undersigned apply for membership of the Australasian Meat Industry Employees' Union, Newcastle & Northern Branch and pledge myself to loyally
Phone (H):	abide by its Rules and any amendments that may be made hereafter. I/We authorise and <i>request you until further notice in writing,</i> to debit my/our account/credit card below, any amounts which the Australasian Meat Industry
Mobile:	Employees' Union may debit or charge me/us through their banking system. I/We understand and acknowledge that: 1. The financial institution may, in its absolute discretion, determine the order
Date of Birth:	and priority of payment by it of any monies pursuant to this request or any authority or mandate;
Email:	<ol> <li>The financial institution may, in its absolute discretion, at any time by notice of writing to me/us terminate this request as to future debits;</li> <li>The user may, by prior arrangement and advice to me/us, vary the amounts or</li> </ol>
<b>OPTION 1</b> - DIRECT DEBIT	frequency of future debits.
Weekly - Default       If weekly, select day:         Weekly (1st of month)       Wednesday (Default)	Signature: Date:
Monday	<b>OPTION 2</b> - CREDIT CARD
Friday If the direct debit day lands on a weekend or public holiday, it will occur on the next business day.	
Name of financial institution:	Monthly (1st of month) - Default If the scheduled day lands on a weekend or public holiday, it will
	6 Monthly (2nd January/1st July) occur on the next business day.
Branch:	
Branch: Account Name(s):	6 Monthly (2nd January/1st July) occur on the next business day.
	<ul> <li>6 Monthly (2nd January/1st July) occur on the next business day.</li> <li>VISA MASTERCARD</li> </ul>
Account Name(s):	6 Monthly (2nd January/1st July) occur on the next business day.      VISA      MASTERCARD      Card No.      Output
Account Name(s):	<ul> <li>6 Monthly (2nd January/1st July) occur on the next business day.</li> <li>VISA MASTERCARD</li> </ul>
Account Name(s):	6 Monthly (2nd January/1st July) occur on the next business day. VISA MASTERCARD Card No.



## Summary of benefits & costs

### MIESF returns all of its profits to members Higher returns – Lower costs

righer returns - Lower costs			
Earnings Allocated – MIESF MySuper	2014/15	6.3% p.a. (7.2% p.a. for Pension section)	
Historical – MIESF MySuper	5 year average 10 year average 20 year average 32 year average	<ul> <li>8.3% p.a. (9.2% p.a. for Pension section)</li> <li>5.7% p.a. (6.4% p.a. for Pension section)</li> <li>7.0% p.a. (7.7% p.a. for Pension section)</li> <li>8.6% p.a. (Pension section started in 1995)</li> </ul>	
High Growth Option	With effect from 31 January 2009, the Fund offers Main section members an investment choice which is referred to as the "High Growth Option". The earnings rate allocated for the High Growth Option was 12.9% p.a. for 2014/15. The 5 year average was 11.6% p.a. and the 6 year average was 11.4% p.a.		
Net Assets at 30 June 2015		\$700 million	
Size of Fund as at 30 June 2015	Membership Registered ''active'' employers	25,750 1,950	
Management Fees	Administration\$67.60 p.a. deducted from each account0.46% p.a. of your account balance when it is invested in MIESF MySuper or 0.37% p.a. of your account balance when it is invested in the High Growth Option. These are the Fund's investment related costs.There are no entry fees, however a withdrawal fee of \$35 applies for each withdrawal from the Fund.		
Death, Terminal Illness and Total and Permanent Disablement (TPD) Insurance Cover 94% of MIESF members are insured	<ul> <li>Eligible members under age 65 have \$200,000 of death and Terminal Illness insurance cover.</li> <li>Eligible members aged 65 to 69 inclusive have \$35,000 of death insurance cover.</li> <li>Eligible members aged 65 to 68 inclusive have \$35,000 of Terminal Illness insurance cover.</li> <li>Eligible members under age 39 have \$200,000 of TPD insurance cover. The level of cover reduces rapidly from age 39 to age 64 and is \$0 from age 65.</li> <li>\$5.60 per week is deducted from each eligible member's account to cover the cost.</li> <li>You can view the Fund's Insurance Booklet dated 22 October 2014 online at miesf.com.au/pds.</li> <li>The various cover restrictions are explained on pages 3 and 4 of the Insurance Booklet.</li> </ul>		
Pension Section	Members who have reached their preservation age can start a MIESF Pension with the same low "Management Fees" as set out above.		
Voluntary Contributions	Voluntary member contributions can be made at no extra cost and may qualify for government co-contributions. Please note that if you are aged 65 or over, you will need to be employed on at least a part-time basis to make voluntary member contributions. If you are aged 75 or over, you cannot make these contributions into superannuation.		
Your Industry Fund	MIESF was established over 30 years providing superannuation for people	ago. It operates Australia-wide as a multi employer fund working in the meat industry.	

The above is only a summary. Please note that past investment performance is not a reliable indicator of future performance.

Details of the Fund's benefits, costs and operations can be seen in our latest Product Disclosure Statement (PDS) dated 22 October 2015. There is also a PDS for the Pension section members dated 22 October 2015.

You can view these PDSs online at **miesf.com.au/pds** or, if you would like a printed copy, please call 1800 252 099. You should consider the Fund's Product Disclosure Statements before making a decision to acquire or continue to hold interests in the Fund.

The Trustee of the Fund is Meat Industry Employees' Superannuation Fund Pty Ltd (ABN 58 005 793 199) (AFSL 239953) (RSE L0001434) MySuper Authorised 17317520544110



## Continued solid investment returns from MIESF

### Solid Investment Returns

The returns (net of investment costs and tax) allocated to the accounts of members for the year ended **30 June 2015** were:

- 6.3% for Accumulation Members invested in MIESF MySuper
- 12.9% for Accumulation Members invested in the High Growth Option

### 7.2% for Pension Members

Members will see the impact of these solid investment returns on their superannuation account by checking their Annual Benefit Statement.

If you did not receive your 2015 Benefit Statement, please telephone the Fund.

Please take a few minutes to review the "Summary of benefits & costs" for MIESF shown on the previous page.

### **Superannuation Guarantee Contributions**

Compulsory Superannuation Guarantee contributions made by your employer should be 9.5% of your ordinary earnings since I July 2014.

### **MIESF** is Your Industry Fund

MIESF was created in 1981 by the AMIEU. The Fund continues to be supported by the Union. The Trustee company that controls the Fund has an independent chairperson and half of the other directors are nominated by the Union.

The Fund's objective is to offer meat workers a low cost, simple and efficient superannuation fund. The aim of MIESF MySuper is to ensure the security of your retirement money and to provide a reasonable rate of return above bank rates of interest over the medium and long-term without taking undue financial risk. Members who can tolerate a higher degree of risk may invest part or all of their account in the High Growth Option.

### **MIESF** is **MySuper** Authorised

The Trustee of MIESF has been authorised by the Australian Prudential Regulation Authority to provide MIESF MySuper for its members.

Government legislation requires employers, in many cases, to pay superannuation contributions to a fund that offers a MySuper account. These MySuper accounts are supposed to be a low cost, simple and efficient option for members for their Superannuation Guarantee contributions.

From I January 2014, if you have not actively chosen the superannuation fund that your employer pays your contributions to or you have not made an investment choice; your contributions must be paid to a MySuper account.

If you are currently a member of MIESF, your employer should continue to make contributions on your behalf to MIESF.

### **MIESF** has Low Fees

All MySuper products are supposed to have low fees, a simple investment option and death and total and permanent disablement insurance cover. MIESF MySuper has these characteristics. Over time you should be able to compare MySuper products and you will see that MIESF is one of the lowest cost superannuation funds in Australia.

The Australian Prudential Regulation Authority has published in its "Insight Issue One 2014" details of data collected from the authorised MySuper products. The average total administration and investment fee per annum for a member with a \$50,000 account balance was \$496, within a range of \$215 to \$1,242. By comparison, the equivalent MIESF MySuper fee was \$310 in 2014/15.

## New Insurance Arrangements from I July 2013

The Fund's self insured Death cover was replaced from I July 2013 with an insurance policy. Death, Total and Permanent Disablement (TPD) and Terminal Illness insurance cover is provided to all eligible members.

The \$200,000 Death cover for eligible members under 65 was retained. This benefit is now payable "early" upon Terminal Illness. Eligible members under age 39 now have \$200,000 of TPD insurance cover. The level of TPD cover reduces rapidly from age 39 to age 64 and is \$0 from age 65. The deduction from each eligible member's account was increased from \$5 per week (for the self-insured Death cover) to \$5.60 per week for the new insurance cover.

More details on the insurance cover are available in the Fund's Insurance Booklet dated 22 October 2014 which can be seen online at **miesf.com.au/pds**. The various cover restrictions are explained on pages 3 and 4 of the Insurance Booklet.

The death and Terminal Illness insurance cover was extended from I July 2014. Eligible members aged 65 to 69 inclusive now have \$35,000 of death insurance cover. Eligible members aged 65 to 68 inclusive also now have \$35,000 of Terminal Illness insurance cover. The \$5.60 per week deduction also applies for this insurance cover.

### How to Contact Us

Administration Officer Meat Industry Employees' Superannuation Fund 2nd floor, 62 Lygon Street CARLTON SOUTH VIC 3053

 
 Telephone:
 1800 252 099 or (03) 9662 3861 (For callers from mobile phones)

 Fax:
 (03) 9662 2430

 Email:
 fundadmin@miesf.com.au





### UNITED WE BARGAIN. DIVIDED WE BEG. JOIN THE UNION TODAY.