

IN THE FAIR WORK COMMISSION

Matter No.: AM2014/190

Title of Matter: Four yearly review of modern awards - Black Coal Mining Industry Award 2010 - Clause 18 - Accident Pay

THIRD STATEMENT OF DAVID GUNZBURG

On 22 November 2017, I, David Gunzburg, of [REDACTED] Victoria, Consultant, say:

Background

1. I have previously prepared two statements filed in this matter, dated 24 February 2017 (**First Statement**) and 18 August 2017 (**Second Statement**). The contents of that statement remain true and correct to the best of my knowledge and belief.
2. For convenience, in this Third Statement I have continued the numbering of annexures following from my Second Statement, commencing at Annexure "DG-15".

Number of person employed in the coal mining industry

3. I refer to paragraph 14 of my Second Statement, which refers to the statistics: "Australian Bureau of Statistics, 6291.0.55.003 Labour Force, Australia, Detailed, Quarterly, May 2017, Table 06: 'Employed persons by Industry sub-division of main job (ANZSIC) and Sex'".¹ The data referred to in that paragraph from the Australian Bureau of Statistics relates to "employed persons" in the "coal mining industry".
4. The definition of "coal mining industry" set out in the *Australian and New Zealand Standard Industrial Classification 2006* includes black coal mining, brown coal mining, lignite mining and peat cutting. An extract from that publication is annexed to this statement and marked as "**DG-15**".
5. As set out in paragraph 14 of my Second Statement the ABS data shows that, as at August 2011 approximately 51,000 employed were employed in the broader coal mining industry and in May 2017 that these levels had reduced to approximately 48,000. Due to the definition of "coal mining industry" these figures include those not employed in the

¹ See <http://www.abs.gov.au/AUSSTATS/ABS@Archive.nsf/log?openagent&6291006.xls&6291.0.55.003&Time%20Series%20Spreadsheet&215F884FDFFA7678CA258146001A632B&0&May%202017&22.06.2017&Latest>

Lodged on behalf of the Coal Mining Industry
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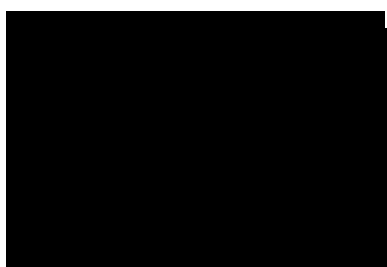
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"black coal mining industry". The figures also likely to include employees of contractors, and other persons, working in the industry who may not be covered by the Black Coal Mining Industry Award.

6. The employer companies or company groups described as the CMIEG for the purpose of the present proceedings are Anglo American; BHP; Centennial Coal; Fitzroy Resources; Glencore; Idemitsu; Jellinbah Resources; New Hope; Peabody Energy; Rio Tinto; South32; Curragh (Wesfarmers Resources); Whitehaven Coal and Yancoal.
7. I have been informed by the respective human resources personnel from each of the company groups who comprise the CMIEG and believe, that the number of direct employees and long term contractor personnel engaged by each, and the number of mines at which those persons are engaged, is as follows:

CMIEG member	Number of mines	Number of employees and long term contractors
Anglo American	5	4,150
BHP (Mt Arthur and BMA)	11	7,456
Centennial	5	1,341
Idemitsu	3	1,300
Glencore	16	7,467
South32	2	1,233
Jellinbah	1	170
New Hope	2	363
Peabody	7	2,640
Rio Tinto	2	1,730
Fitzroy	1	411
Wesfarmers	1	1,700
Yancoal	13	4,014
Whitehaven	5	970
Total	74	34,945

8. Collectively, the company groups forming part of the CMIEG directly employ, or engage via long term contract arrangements, approximately 35,000 persons across 74 mines.
9. The contents of this statement are true and correct to the best of my knowledge and belief.



Date: 22 November 2017

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ANNEXURE DG-15

TO THE STATEMENT OF DAVID GUNZBURG DATED 22 NOVEMBER 2017

Australian and New Zealand Standard Industrial Classification (ANZSIC)

2006

Dennis Trewin
Australian Statistician
Australian Bureau of Statistics

Brian Pink
Government Statistician
Statistics New Zealand

AUSTRALIAN BUREAU OF STATISTICS / STATISTICS NEW ZEALAND

EMBARGO: 11.30AM (CANBERRA TIME) TUES 28 FEB 2006

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INQUIRIES

- For further information about these and related statistics, contact the ABS National Information and Referral Service on 1300 135 070 or Statistics NZ's Information Centre on 0508 525 525.

DIVISION B – MINING

Subdivision 06 – Coal Mining

Group	Class	Description
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060

COAL MINING

0600

Coal Mining

This class consists of units mainly engaged in open-cut or underground mining of black or brown coal.

Primary activities

- Black coal mining
- Brown coal mining
- Lignite mining
- Peat cutting (except horticultural)

Exclusions/References

Units mainly engaged in

- extraction of horticultural peat are included in Class 0990 Other Non-Metallic Mineral Mining and Quarrying; and
- peat briquetting, where the peat is purchased and not mined, are included in Class 1709 Other Petroleum and Coal Product Manufacturing.