

Australia: Employers launch vicious attacks on workers' conditions and rights

Terry Cook
22 September 2006

Employers are using the plethora of industrial relations laws introduced by the Howard government in a mounting assault on wages, working conditions and workers' rights. This has escalated since the government's WorkChoices laws came into force in March, bolstering the existing bank of harsh anti-working class laws. Working people across the country are being prosecuted, penalised, arbitrarily sacked, locked out and victimised almost on a weekly basis.

Epitomising the attacks now underway was the action on August 24 by switchboard manufacturer Heinemann Electric in Melbourne, docking 56 workers a full week's pay for imposing a ban on overtime in a dispute for a new collective work agreement.

Negotiations for a new work agreement at the company apparently came to a virtual standstill after WorkChoices was introduced. According to one worker the company withdrew from many of the negotiated clauses and offered inferior conditions. The changes included "averaging out" working hours, meaning that while the standard working week remained at 38 hours, employees could be required to work through weekends without overtime penalties.

The workers at Heinemann, members of the Electrical Trades Union, are currently on indefinite strike and picketing the plant. One striker told the *World Socialist Web Site* that they had voted in a secret ballot "for stopping overtime for one week" and the company then refused to pay for the normal hours worked. He pointed out that "some workers don't normally work overtime but even they were not paid." He said: "There are other places of work in dispute with the bosses because of the new industrial relations laws. We all must take united action against these laws."

Worker Diane told WSWS that the company has been attempting to force its employees to accept changes to working conditions for the last four months. "They do not want to pay overtime penalties" she said. "I wouldn't be able to decide the time that I want to work."

The company's general manager Richard Ross justified the theft of the workers' wages claiming that docking the pay was legal under Howard's new industrial regime. Significantly, Heinemann is being advised in the dispute by Freehills, the law firm that assisted the Howard government to draw up the

WorkChoices legislation.

The company has the full backing of Australia's right-wing prime minister John Howard who told parliament: "I would make the point that this (Heinemann's docking of the workers' pay) in no way arises from the operation of WorkChoices because there's been a prohibition on the payment of strike pay in the Australian law for 10 years."

It is true that sweeping industrial laws introduced by Howard after 1996 made it illegal for workers to demand pay lost during strikes forced on them by employers' irresponsible behaviour—including breaching health and safety regulations, victimising job delegates and carrying out unfair and arbitrary sackings.

In the case of Heinemann, however, Howard is resorting to outright lies to confuse the issue. The workers were not on strike but had worked a full 38-hour week. At the same time, the ETU had complied with the long drawn out requirements under WorkChoices before taking what was extremely limited industrial action. These included applying to the Australian Electoral Commission to run a secret ballot and providing extensive notice of industrial action.

What has become increasingly clear is that the Howard government's industrial relations laws are designed to give employers a free hand to attack working conditions and at the same time intimidate and straightjacket workers to prevent them fighting back.

On September 8, even as Heinemann, with the full backing of the Howard government, continued its attack, electrical retailer Radio Rentals in Adelaide, South Australia locked out 19 service technicians, members of the Australian Manufacturing Workers Union (AMWU). The month-long lockout was imposed after the workers went on strike for just four hours in support of a new collective workplace agreement. The employer is insisting they sign individual work agreements.

The strike was supposedly "protected" action under WorkChoices because it took place during the bargaining period for a new work agreement and only after the AMWU had followed all procedures stipulated under the IR laws. But while the laws demand workers jump through hoops before taking even minimal action, employers are only obliged to provide three days' notice before enforcing a lockout.

At the same time, 147 construction workers in Western

Australia (WA) are facing hefty individual fines under the provisions of the Howard government's Building and Construction Industry Improvement Bill and Workplace Relations Act.

On July 21, Total Corrosion Control (TCC), a scaffolding contractor working for ALCOA in Pinjarra, WA served writs on 40 metal workers when a union meeting allegedly ran just 15 minutes overtime during a dispute over wage rates. If found guilty, workers will face fines of \$28,600 each. The company is also seeking unspecified damages from the workers while their union, the AMWU, faces fines totalling \$220,000 plus unspecified damages.

TCC's action came just two weeks after writs were served on 107 construction workers in WA by the Howard government's building industry attack dog, the Australian Building and Construction Commission (ABCC).

The workers, members of the Construction Forestry Mining and Energy Union (CFMEU), were employed on the \$1.6 billion Perth to Mandurah rail line project. They face fines of \$28,600 each for going on strike in February. Their action was taken in defence of a union site delegate unfairly dismissed by contractor Leighton Kumaga after he complained about health and safety issues. Since then Leighton has also sacked Mal Peters, the only remaining worker-elected occupation and safety representative on the project.

In another attack on working conditions, hundreds of workers at defence sites in Canberra face savage cuts to pay when Anglo-French company Serco Sodexho takes over a key government defence contract on October 1. The workers will be offered Australian Workplace Agreements (individual work contracts) with pay cuts of between 10 and 15 percent. The majority of the workers will lose from \$3,000 to \$5,000 a year. WorkChoices allows employers to demand workers accept AWAs on inferior conditions once an existing collective work agreement expires.

The above disputes are only the tip of the iceberg. Thousands more attacks on workers' conditions go unreported by the media. The New South Wales state government, for example, claims that since the introduction of WorkChoices it has received 80,000 complaints from working people about cuts to working conditions and other matters relating to the implementation of the IR laws.

The cringing response of the Australian Council of Trade Unions (ACTU) and its affiliates has served as a green light to employers to proceed. Typical were the comments of ACTU secretary Greg Combet when discussing the Heinemann dispute on ABC TV's "7.30 Report" on September 7. When asked if the workers had breached the new IR laws, Combet declared: "Who knows what the laws mean sometimes. We make every effort and the union concerned made every effort and the workers concerned made every effort to conform to the laws."

Combet's pathetic kow-towing runs contrary to his chest-thumping at anti-WorkChoices rallies earlier this year where he

declared that the unions would defy "unjust laws" and that union officials, himself included, would be prepared to go to jail.

Combet's declaration, greeted with thunderous applause at the time, has proven to be nothing but empty bombast rolled out to hoodwink the hundreds of thousands of working people who were looking for a united and powerful campaign to defeat Howard's laws.

What has been the reality? Rather than mounting any genuine struggle to challenge the laws, the ACTU and the unions have worked to contain all opposition to mere protest. At the same time, they are deliberately isolating each dispute as it arises to ensure that none becomes a focus for a broad industrial and political campaign by the working class as a whole.

Despite the fact that Howard's laws are being used to attack and destroy the hard-won gains and basic rights of the entire working class, handfuls of workers, such as those at Heinemann Electric and Radio Rental, are being left to face the full force of the government, the employers and the capitalist courts on their own.

In WA, the CFMEU, together with the ACTU, and the entire union leadership are working to isolate the workers facing massive fines. The CFMEU went so far as to instruct its members not to strike when their brothers were dragged before the courts.

The only perspective the unions have offered is to bow before the IR laws now and work for the election of a Labor government sometime next year. But the return of Labor will do nothing to defend workers' interests. Beazley, no less than Howard, is committed to carrying out the dictates of big business. The only difference is that Labor will more openly and directly rely on the assistance of the unions.

To take forward a fight against Howard's industrial relations laws workers must take the struggle out of the hands of the union bureaucracy. An entirely new political strategy is needed that rejects the dictates of big business and advances a socialist perspective, aimed at the reorganisation of society to meet social needs not profits. Only on this perspective can a mass independent movement be built and the enormous, as yet untapped, strength of the entire working class be mobilised.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact