

Australia: Transport union abandons McArthur Express workers

Chris Gordon, Socialist Equality Party candidate for Parramatta
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The Transport Workers Union has ignored and abandoned the sacked transport workers who were subjected to a police attack last month while staging a protest outside their workplace. The union's complete disregard for the fate of the targeted workers—two of whom were arrested on serious charges—underscores their contempt for all 700 workers who were sacked without notice by the trucking company, McArthur Express, last month.

On September 26 about 30 police, including plain clothes and riot squad officers, were deployed to the locked McArthur Express depot in the western Sydney suburb of Seven Hills. A group of workers had gathered at their former workplace to seek information and termination documents from the bankrupt company. When one worker attempted to block a truck leaving the depot, a plain clothes cop tackled him to the ground and held him in a chokehold. The worker was later charged with resisting arrest and affray. The charge of affray carries a maximum penalty of ten years imprisonment.

Another man, Andrew Moore, was arrested for intimidating a police officer and resisting arrest after he went to assist his mother who had protested the initial police assault. Police threw Jackie Moore to the ground, inflicting cuts to her hand. Another woman, Tina Allen, who is due to give birth within two months, was also manhandled. The arrested men are due to appear in Blacktown Court on October 17.

The police mobilisation represents an extraordinary attack on the democratic rights of all workers. The question needs to be asked: why were riot police called in against a peaceful and entirely legitimate protest of workers who had been locked out of their workplace and told that the company would not honour their unpaid entitlements? It appears that any act of protest, or expression of dissent, is now immediately regarded as suspicious, if not outright criminal. The McArthur incident, coming just three weeks after the massive police and military operation for the APEC summit, underscores the real targets of the raft of new "anti-terror" laws and expanded police powers introduced in recent years—not "terrorists", but ordinary working people and youth.

Footage of the police attack outside the truck depot has generated significant opposition. Even the reliably rabid law-and-order-promoting *Daily Telegraph* headlined its coverage of the incident, "Mum-to-be pushed, woman thrown to ground: Were the police just too heavy handed?" The media quickly buried the story after senior police insisted that officers acted with "a great deal of

restraint" and David Campbell, police minister in the state Labor government, declared that police had to enforce "law and order".

The Transport Workers Union has refused to condemn the police violence or demand the lifting of the bogus charges against the two arrested workers. This position is consistent with the union's refusal to mount any campaign in defence of the McArthur jobs. The TWU's public statements, issued through senior official Mark Crosdale as well as its web site, have been solely aimed at appealing to the Howard government to step in and fund workers' unpaid wages and entitlements.

At a meeting in Sydney last Friday, the administrator of the liquidation process, John Melluish, effectively told the McArthur workers that they would receive nothing from the company. Under Australian corporate law, creditors and investors have the first claim over the company's recovered assets, with workers' wage and entitlement claims only considered if all corporate claims are satisfied and there is money left over. This will not be the case with McArthur Express, which has an outstanding debt estimated at \$10 million. Workers attending the meeting were simply given material on job vacancies elsewhere and encouraged to attend an information session about how to apply for unemployment benefits.

Opening the meeting, TWU official Crosdale hailed the Howard government's announcement that McArthur employees would qualify for the General Employee Entitlements and Redundancy Scheme (GEERS). According to liquidation administrators, workers will receive unpaid wages within 7 to 8 days and other entitlements within 4 to 8 weeks. The government's payout, however, will not cover unpaid superannuation and will arrive too late for many workers with pressing mortgage and other debt repayment obligations. Only 35 workers attended the meeting. Most of the others could not attend because they were looking for other jobs.

Nearly one half of the 700 McArthur workers were subcontractors who will receive nothing under the GEERS scheme. As a means of avoiding paying superannuation and other benefits, the transport company encouraged workers to become contractors and take out large loans to purchase their own vehicles. Sacked worker Edmond Odishoo told the *Sydney Morning Herald* that he had been bullied by company management into buying his own truck one year ago under the threat of losing his job.

Crosdale told the subcontractors that the TWU would "continue to pressure [Employment and Workplace Relations Minister] Joe

Hockey”.

These craven appeals to the Howard government will leave hundreds of workers with nothing. Hockey made this clear when he declared: “This is taxpayers’ money and it is about employees, and it’s not about independent contractors.” The federal minister has demanded that the NSW Labor government compensate the McArthur subcontractors, but the state government has similarly washed its hands of the matter, insisting it is a federal responsibility.

The *World Socialist Web Site* spoke with sacked McArthur workers after last Friday’s meeting.

Nicole Warren had worked for McArthur for seven months. “On the last Friday I was offered a pay rise for my efforts at work, only to go in on Monday to find out that I didn’t have a job anymore,” she explained. “I don’t understand how a company can give you a pay rise the day before they’re going to fold. They’ve let me down. Being a single parent with a mortgage, with a parent’s mortgage on top of that mortgage, you don’t know what to do ... you’re left without a cent.

“You’re marched off the premises on Monday, saying you don’t have a job. We were told that we were still trading on Monday and everything should be ok, be positive. From 10 to 4 we worked, all day Monday, only then to be told we didn’t have a job at all.... As soon as you get a pay rise you think stability, I’ve got stability, I’ll be fine, I’ll be here for a long time, and boom, you’re just told no, see you later. No pat on the back, no nothing—just ‘get out’.

“I think I’m owed about two months pay, because I didn’t take holidays and I am hoping that I’ll recover every cent of that, but you just don’t know. Not at one stage did anyone tell you what was really going on. You had to wait to hear it on the news and I think that’s very disappointing.”

Nicole told the WSWs that she was fortunate to have found a new job in a different transport company. “If I didn’t have this job my house would probably go up for sale and so would my mother’s. You can’t meet a mortgage on social security benefits—that’s why we work. So I would lose my house and there’d also be problems at home with my child because children are not cheap, they’re very expensive. My son is 13—that’s a very expensive time.

“I can’t honestly say how any of this happened. How can a company be \$15 million in debt and nobody know about it—and they still hand out pay rises to people—how does that happen? There are a lot of people who don’t have anything to go to, don’t know what to do, and don’t know where to turn. McArthur had staff members where both husband and wife work there, so they’ve walked out of there with absolutely nothing. How do you feed and clothe your children if you haven’t got any money coming in? And as far as we were told, with social security it is two weeks before you receive any payments. So what do you live on for those two weeks until that point?”

The WSWs asked about revelations that McArthur employees were never legally employed by the company at all. They were instead officially hired by three different labour-hire firms registered in the British Virgin Islands. “I officially worked for a company called King Rich,” Nicole explained. “I didn’t realise, I just thought it was an agency that did the payrolls. I didn’t realise

that we didn’t work for McArthur Express, which is very disappointing because I was one of the employees who worked from 7 till 4, 7 till 5 and I didn’t get paid overtime. I just put my efforts in only to be knocked down into the ground and be told I never worked for them in the first place.”

Nicole was working for her new employer when police attacked protesting employees on September 26, but she defended the workers’ actions. “I don’t blame them for doing what they’re doing. There are men out there that have lost everything, especially the subcontractors. They’re not going to be covered under the government’s scheme, which is very unreasonable. I think that if you’re working for the company then you’re working for the company. It doesn’t matter how, they’re paying your wage, so they should cover it. I really think that they must cover the subcontractors, make sure they’re ok.”

The WSWs asked about the role of the TWU. “I’ve heard nothing from the union. Despite being an employee there I’ve heard not a thing. Like I said, the only information I’ve ever been given is what I’ve heard on the news. That’s a poor effort, because no matter what, we have to live and someone needs to be available to talk to so we can find out how we’re going to live. But instead I’ve heard nothing from the union at all.”

Edmond Odishoo, an independent contractor, also spoke with the WSWs. “I’ve been with McArthurs for about three years now,” he said. “I have four weeks’ pay owed to me. They always held back three weeks of wages, but last week they said the cheques weren’t signed. So all up, it’s four weeks, which for me personally is about \$7,000. There are some people who are owed upwards of \$10,000. We virtually worked one month for nothing, for free. At the moment we feel a little bit shunned as subcontractors, only because all the talk seems to be about the employees and the employees’ entitlements, superannuation, etcetera. I have to pay my own superannuation, but it’s obviously hard to do that when you don’t have a salary coming in. So basically what I’m fighting for now is all the subcontractors, including myself, who have nothing to live on. We’ve got mortgages to pay as well—I’ve got a \$400,000 mortgage and I’m a little behind the eight-ball at the moment. But there are a lot of people in a worse position than I am.”

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