

Australia: Victorian Labor government uses Howard's WorkChoices against nurses

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25 October 2007

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Up to 30,000 nurses in the Victorian public health system are maintaining a series of work bans in defiance of legal threats by the state Labor government under the new WorkChoices industrial relations laws. The industrial action, which has closed around 1,000 hospital beds and cancelled elective surgery, has powerfully exposed Labor's claims to oppose the Howard government's WorkChoices legislation.

Nurses are demanding a 6 percent annual pay increase over three years and improved nurse/patient staffing ratios to defend public health services. But Victorian Labor Premier John Brumby has directed hospital management to dock their pay and taken the dispute to the Federal Court to initiate punitive fines against the Australian Nursing Federation (ANF) and individual union members.

The nurses decided to impose the bans and close 1 in 4 beds in non-acute areas of hospitals on October 16, at a mass meeting of 4,000 from public hospitals and aged care centres, psychiatric services, district (mobile) nursing services and blood banks across the state. The large turnout and widespread community support for the campaign clearly reflects the determination of public sector nurses to defend their wages and working conditions in the grossly underfunded public health system.

While Victorian nurses are amongst the lowest paid in Australia, the state government is offering a 3.25 percent increase annually for five years, far below cost of living increases. Division 1 nurses in Victoria with seven years experience currently only receive \$52,000 per year, compared to their New South Wales counterparts on \$61,000. These differentials are even wider in other employment categories.

The state Labor government is also proposing deep-going cuts in working conditions in line with a two-decade bipartisan assault on the public health system. Its miserable pay offer is combined with a demand for the introduction of split shifts and short shifts, abolition of nurse-patient ratios (currently one nurse to four or five patients) at the discretion

of hospital management, and the removal of penalty rates for certain nursing categories.

Moreover, nursing expertise is being attacked through the elimination of the requirement for a Director of Nursing at each campus and the use of non-trained assistants to replace nurses in acute-care areas.

In other words, the government is engaged in a public health service wrecking operation.

On Monday, the Australian Industrial Relations Commission (AIRC), on the urging of the state government, ordered the nurses to their lift work bans under Section 496 of the WorkChoices laws.

When the ANF refused, pointing out that a vote would have to be taken at a mass meeting of the union membership, the Victorian Hospitals Industrial Association (VHIA) initiated Federal Court action. VHIA director Alex Djoneff arrogantly declared that nurses were "on another planet" and "trying to turn the clock back".

Thousands of nurses, who are due to meet today to discuss their campaign, are already having their pay docked for every day they maintain the bans. Nurses have also reported more than 2,000 cases of management harassment over the bans and could face penalties of more than \$6,000 each. The union faces a fine of \$32,000 if the Federal Court case succeeds.

In the state election last November, Labor postured as an opponent of WorkChoices, claiming that if reelected it would protect workers' rights. Likewise, during the current federal election campaign, Labor leader Kevin Rudd claims to oppose WorkChoices, even as he assures Australian big business that he will retain all its essential features.

Victorian Health Minister Daniel Andrews has categorically defended his government's actions, claiming that the nurses' bans are "unlawful" while Labor's federal deputy leader Julia Gillard declared: "Workers will only be able, under our system, to take protected industrial action when bargaining for an enterprise agreement applied by a mandatory secret ballot..."

This means that the nurses' overwhelming mass meeting

vote for industrial action would be illegal under any incoming federal Labor government. And as Labor's industrial policy—the so-called “Forward with Fairness” statement—makes clear: “The existing ban on secondary boycotts will remain under Federal Labor.... [which] will not allow industrial action to be taken in pursuit of pattern bargaining.” In other words, any coordinated statewide action will be ruled unlawful.

State Labor Premier John Brumby emphasised this further on Wednesday stating that nurses deserved to be fined because they were harming the community and failing to obey the industrial umpire: “My job is to put the public interest first, and that's always the test, the public interest test. At the moment we've got hundreds of beds closed in hospitals that are threatening patient care and there's no need for them to be closed.”

Brumby's hypocrisy is breathtaking. The nurses have imposed industrial bans precisely because the state Labor government has stone-walled negotiations on their demands for the past eight months, claiming the nurses are “unrealistic”, while demanding they should accept the abolition of mandated patient-nurse ratios and other basic conditions.

As thousands of nurses recognise, public health is being consciously starved of funds. Its most profitable sections are being opened up to corporate investment, while more than \$3 billion in government funds is being channelled each year into private health insurance subsidies. If the state Labor government has its way, public health and the standard of patient care will continue to decline, forcing more ordinary people into the “user pays” private health system.

ANF state secretary Lisa Fitzpatrick has said the union will not be intimidated by the Federal Court action, declaring: We won't respond to threats, and want a viable workforce and agreement that allows them [nurses] to care for patient safety and remunerates them in a fair way.”

Nurses, however, should treat these comments with caution. Nurses' wages are low because the ANF leadership, like the rest of the trade union bureaucracy, has consistently accommodated itself to government and employer demands, imposing agreements that have undermined basic conditions and living standards.

Fitzpatrick is desperately appealing to Brumby to give the union something it can offer its members to shut down the dispute. Despite widespread support for the nurses' action, the ANF has made no appeal to other sections of workers to join the nurses and defeat the joint Labor-Liberal WorkChoices assault. Like other unions, the ANF's response to a decade of bipartisan attacks on workers rights has been to campaign for the return of a federal Labor government, which will simply implement Gillard's threats.

The Socialist Equality Party (SEP) fully backs the nurses claims. We warn, however, that if the dispute remains in the hands of the union leadership it will be defeated. Nurses must organise to expand their action and appeal for industrial support and solidarity from other sections of the working class.

At the most fundamental level, the defence of wages, conditions and the public health system as a whole is a political task, requiring a decisive political break from Labor and its apologists in the trade unions and the adoption of an alternative political perspective—one that challenges the very basis of the current social and economic order.

We urge nurses and all health workers to seriously study the SEP's federal election statement, outlining the need for a socialist program. The SEP calls for billions of dollars to be poured into the public health system, to finance a huge expansion in staffing, training, and the most advanced technology and equipment.

The SEP insists on the highest quality public health system, available freely to all, and funded to provide timely, first-class treatment for all medical conditions. We call for a massive injection of funds into public mental health facilities, including residential, and into public dental hospitals and clinics, which must also be free and available to all. The fight for these policies requires the development of an independent political movement of the working class that aims for the reorganisation of society on the basis of human need, not corporate profit.

We invite all those nurses and health workers who agree with this perspective to support the SEP's candidates and participate in our election campaign.

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