

# Labor government heavy-weights attack Australia's peak union body

Terry Cook  
16 June 2009

Some 500 delegates at the triennial congress of the Australian Council of Trade Unions unanimously passed a resolution earlier this month criticising the Rudd Labor government and demanding that it immediately abolish the former Howard government's construction industry police dog, the Australian Building and Construction Commission (ABCC).

Set up in 2005, the ABCC is armed with unprecedented coercive and punitive powers, including the right to drag union officials and building workers before compulsory hearings and compel them to give information under threat of heavy fines and jailing. It also has the power to initiate prosecutions with fines of up to \$110,000 against unions or \$22,000 against individuals for taking so-called "unlawful" industrial action.

The congress delegates also authorised the peak union body to "coordinate a campaign of protest and industrial action" to oppose the prosecution of the ABCC's latest victim, South Australian construction worker Ark Tribe. The case against Tribe, who faces a possible six-month jail sentence for failing to cooperate with an ABCC investigation, has since been suspended until August.

Despite the overwhelming opposition of working people to the ABCC, Labor will retain the body until 2010 and then transfer its functions to a "specialist division" in its newly created so-called Fair Work Australia agency.

Although it was well known in Labor circles that the ACTU congress resolutions were little more than an exercise in finger wagging, designed to placate hostility among building workers, the move provoked a sudden avalanche of vitriol from the Rudd government and sections of the capitalist media, denouncing the unions and publicly caning the ACTU.

Along with Prime Minister Kevin Rudd a virtual conga line of leading Labor head kickers, including former top union officials turned Labor government frontbenchers, openly backed the diatribe launched by Workplace Relations Minister Julia Gillard during her keynote address to the congress.

Gillard's speech provoked heckling from congress delegates, donned in yellow anti-ABCC t-shirts, when she declared that the unions would be better off "pounding the streets" in support of the government's new workplace laws rather than lobbying for changes.

Resorting to allegations that construction workers in Melbourne carried out violence during recent protests at the Westgate Bridge site in Melbourne, Gillard declared: "Like me, I am sure you were appalled to read of dangerous car chases across Melbourne involving carloads of balaclava-wearing people, criminal damages to vehicles resulting in

arrests...(this) must be unreservedly condemned..."

These unsubstantiated claims are part of a concerted campaign by the corporate and media establishment to whip up hysteria against the workers, who have faced attacks and arrests by hordes of police dispatched by the Victorian Labor state government to bust pickets and back the construction company's strike-breaking operations.

Gillard's reference to "balaclava-wearing people" is a particularly filthy attempt to equate building workers struggling to defend their conditions with the gangs of hooded thugs mustered by Patrick Stevedoring in a 1998 operation conducted, with the full support of the then Howard government, to sack its entire waterfront workforce, replace it with scab labour and smash up longstanding working conditions.

Today, any form of resistance by workers, including picketing, to employer attacks on jobs and working conditions, or to state violence, is immediately branded by the corporate and political powers-that-be as thuggery and lawlessness.

Former ACTU president and now Minister for Trade Simon Crean took time out from his "fact finding" junket in Indonesia to join Gillard on the battle lines, declaring: "The government has got to set the framework for fair transparent proceedings in the workplace. It cannot condone violence, and nor should it. It won't."

Crean made clear that the "basis on which we are proceeding" was the recommendations in the recent report by the Wilcox Commission, which proposed the new "specialist division" of Fair Work Australia retain powers similar to those of the ABCC for the next five years.

Minster for Resources and Energy Martin Ferguson, another former ACTU president, backed Gillard "unequivocally" declaring: "I appreciate the building industry is a tough industry, but there are expectations as to how trade unions conduct themselves," adding, "(I)n some disputes—there were acts that no decent Labor Party person or supporter can defend."

Greg Combet, appointed last week as Minister for Defence Personnel Materiel and Science—and ACTU secretary up to the 2007 federal election—demanded unions be "pragmatic", telling them that getting Labor's new industrial relations legislation "implemented" and "embedded" should be the unions' "first priority". Former AWU national secretary Bill Shorten, now a Labor MP, also joined the fray.

There is no doubt that the public dressing-down stunned the union bureaucracy. Right-wing Australian Workers Union secretary Paul Howe, a front rank cheer-leader for Rudd and Gillard, accused the government of "sending in the storm troopers" to quash "perfectly reasonable

**debate” declaring:** “I don’t understand why Canberra is coming down on us like a tonne of bricks...”

Howe’s shock is genuine. Over the last months he, along with his fellow manufacturing union bureaucrats, have been working to assist employers to slash costs and inventories through the imposition of short-time working and by vigorously imposing Rudd’s demand for wage restraint—to the point of pushing workers in some key industries to forego previously agreed pay increases.

What, then, provoked the gang up? Ruled out is any fear in government and corporate circles that the ACTU or any of its affiliates, including the so-called “left” construction industry unions, are about to launch a campaign against the Rudd government’s workplace laws or to force the abolition of the ABCC.

The unions allowed Howard to introduce the ABCC in 2005 without a fight, and have never mounted any serious industrial or political campaign to demand it be abolished. On the contrary, when construction workers have defied the ABCC and won support for their stand, the unions have moved in to dissipate their struggle into puerile protest stunts.

At the Labor Party’s annual conference in April 2007, held before the federal elections, every union representative, including the building union bureaucrats, voted for the party’s industrial relations platform *Forward with Fairness*—which retained all of the Howard government’s anti-strike laws.

For its part, the union apparatus sought, in its congress vote, to do what it regularly does: come to the head of mounting anger and opposition within its membership to Labor’s anti-worker assault on jobs, wages and conditions, in order to maintain its “militant” credentials, while, at the same time, leveraging itself with Rudd’s government as its key police agency in the working class. But within ruling circles there is considerable concern that, in the present volatile climate, militant posturing and populist denunciations of Labor and the profit system could ignite an explosion among ordinary working people that could rapidly spiral out of the control of the unions and come into direct collision with the government.

What is now required of the unions was spelt out in a June 9 editorial in Rupert Murdoch’s *Australian* newspaper, which backed Rudd in the 2007 elections and is now demanding further pro-market “reforms”.

Headed, “The ACTU needs to rethink its strategy after WorkChoices” the editorial derides the ACTU for not showing “the restraint that hard economic times demand” and for supposedly making the “ABCC conflict the centre piece of the congress”.

The editorial goes on to slam the “hostility from the floor as Ms Gillard noted serious allegations of violence” and demanded the unions embrace the “new direction” outlined “when she spoke of the need for ‘responsibility and discipline’ in every sector, a ‘partnership’ between unions and the government to keep Australians working and sustainable growth”.

In this relation, the editorial alludes to the role the ACTU played under the prices and income accords with the Hawke-Keating Labor government and employers, noting: “In the mid 1980s, for the greater good of workers, the union movement and the economy, the ACTU co-operated with the Hawke and Cain (Labor) governments over the deregistration of the militant Builders Labourers Federation (BLF).”

The smashing of the BLF, made possible by the active participation of the Building Workers Industrial Union (forerunner of the CFMEU) was part of the violent disciplining of the most militant sections of the working class. This process cleared the way for the full implementation of the Hawke government’s pro-market agenda, aimed at ensuring the profitability and global competitiveness of Australian companies and facilitating the greatest re-distribution of wealth away from workers to the rich in history.

Real wages were cut, hundreds of thousands of jobs eliminated and longstanding working conditions dismantled. This contributed, amongst other things, to the notoriously unsafe working conditions currently existing in the construction industry.

Just as the ruling elite relied on the Hawke Labor government in the 1980s, it has now turned to Rudd Labor to deliver another major offensive against the working class.

The attack on the ACTU was both a directive to the unions to unreservedly commit to Rudd’s agenda, and a message to working people that Labor will not hesitate to use all the means at its disposal—strike breaking, fines, prosecutions and jailing—to back the employers and impose their dictates.

The ACTU’s response was not long in coming.

Before the week was out, the peak body rushed into print to swear the unions’ fidelity to the needs of the corporate elite. In a grovelling statement on June 11, ACTU secretary Jeff Lawrence declared “any suggestion that the congress last week claimed there was a need for a further comprehensive rewrite of Australia’s industrial laws is simply false”.

While offering mouse-like complaints about the ABCC, the statement went on to declare that “the union movement is absolutely opposed to any form of intimidation or bullying by any side in an industrial dispute” and to herald the passage of Labor’s Fair Work Act as “a landmark labour reform and a victory for unions and working people”.



To contact the WSWS and the Socialist Equality Party visit:

**[wsws.org/contact](http://wsws.org/contact)**