

Australian unions endorse Labor's draconian industrial relations laws

Terry Cook
4 August 2009

Union delegates to the Australian Labor Party (ALP) national conference last week lined up completely behind the Rudd government's draconian "Fair Work" industrial relations regime, which includes the retention of punitive powers against construction workers.

In return for their public embrace of the government's legislation, the unions have been rewarded with promises of an even closer partnership with the government and big business. Despite its promises at the 2007 election, Labor has continued all the essential features of the former Howard government's hated "Work Choices" laws, including the banning of nearly all strikes.

A threat by unions at last month's Australian Council of Trade Unions (ACTU) congress to move a resolution on the floor of the ALP conference against the extension of Howard's Australian Building and Construction Commission (ABCC) proved to be hot air. There was no repeat of even the timid protest at the ACTU congress when delegates donned yellow anti-ABCC tee shirts during the address by Workplace Relations Minister Julia Gillard.

Labor will retain the ABCC until 2010 when its powers to crack down on industrial action and penalise building workers will be handed to a specialist division of its new Fair Work Australia (FWA) agency. There was no resolution calling for the dropping of charges against construction workers currently being prosecuted, including South Australian building worker Ark Tribe who faces two years' jail for refusing to cooperate with the ABCC.

In fact there was no challenge to any aspect of the Rudd government's laws. Instead, the building unions sponsored a resolution, drafted after closed-door discussions with Gillard and the ACTU. It was moved by "left" Construction Forestry Mining and Energy Union (CFMEU) official Dave Noonan and seconded by the right-wing Australian Workers Union national secretary

Paul Howes.

Having acknowledged that the ABCC's "coercive investigation powers impinge upon people's civil rights," the resolution declares "their use should be limited to circumstances where there is an overwhelming public interest" and "enforcement activities should be conducted even handedly".

When the ABCC was set up in 2005, the Howard government declared the outlawing of strikes in the building industry was required "in the public interest"—a claim upheld by Gillard who assured big business that Labor would maintain "a tough cop on the beat". Any suggestion of the powers being applied "even handedly" is a gross deception. The vast majority of the ABCC's prosecutions have been against workers for taking industrial action, including on safety.

The unions are aware that the punitive powers are essential to drive through sweeping attacks on jobs and conditions. As the ALP conference began, an Access Economics report commissioned by the CFMEU estimated that around 80,000 building sector jobs would be eliminated during the next three years, on top of the 35,000 lost in the 12 months to June.

Moving the resolution, Noonan fraudulently claimed that Labor had "curbed" some of the ABCC's powers. The watchdog can still drag workers in for closed-door interrogations where they are forced to give information under the threat of jailing. Intact also is its ability to prosecute workers for taking "illegal industrial action". Some penalties will be eased but individual workers still face fines of \$6,600 and unions \$33,000.

To loud applause Noonan declared that because of the unions, "the Australian construction industry is one of the most productive in the world". The statement was a reminder of the pivotal role played by the unions in suppressing opposition to the union-busting and destruction of jobs, working conditions and wages under

the Hawke-Keating Labor government of 1983 to 1996.

CFMEU national secretary John Sutton revealed the content of the horse-trading with Gillard when he said a deal had been brokered for union officials to sit alongside business representatives on government boards and advisory committees dealing with key social, political and economic issues such as tax reform, investment funds and infrastructure. The new party platform says the government will aim to include unions on “consultation bodies that provide advice to government”.

Sutton declared: “Let’s not have any more superannuation inquiries with economists and the big end of town and no unions. We, the unions, did have a bit to do with the establishment of one of the world’s most successful superannuation systems. We should be at that table.” He was referring to the union-employer superannuation funds, like the CFMEU’s CBus fund, which have multi-million dollar investments in infrastructure projects, thereby giving the unions a direct material incentive to help suppress strikes and drive up productivity.

Sutton’s comments highlight the transformation of the unions into business entities whose central preoccupation is with having a seat at the corporate “table” as the industrial police force of the Labor government’s policies.

Last Friday, the unions wasted no time in demonstrating their anxiety to prevent any struggle by workers against the Rudd government. A promised rally of building workers outside the ALP conference was cancelled. Instead a march by hundreds of workers was shepherded into an auditorium away from the venue.

Having headed off any confrontation with the government, union officials felt safe to make some empty criticisms. ACTU president Sharan Burrow described the building industry laws as “appalling” and “offensive”. ACTU secretary Jeff Lawrence declared that Labor’s Fair Work Act was “not enough” and the unions “would not rest until coercive laws were abolished”.

Their nervousness was apparent as workers booed when former ACTU secretary, and now Labor minister, Greg Combet appeared in a video screened on the unions’ Your Rights at Work campaign against Work Choices. One worker prominently displayed a placard bearing a portrait of former British Prime Minister Margaret Thatcher and bearing the single word “Thatchard,” directly comparing Gillard to the union-busting Tory leader.

The performance of the unions at the ALP conference is a sharp warning of the role they will play on behalf of the

Rudd government in seeking to impose the burden of the economic crisis onto the backs of workers and enforce a sweeping restructuring of wages and conditions to shore up corporate profits.

Labor’s new platform calls for employers, unions and employees “to work together to find creative and flexible ways of supporting jobs and keeping employees in work during the global crisis”. In the guise of protecting jobs, the unions have already joined with employers and the government to pressure workers into taking unprecedented cuts to hours and wages in order to prop up businesses.

A number of workers who attended the union rally gave comments to the WSWS that reflected deep hostility to the Rudd government’s industrial relations (IR) laws.

Glen, a young worker, said he was disappointed that conditions ripped away under Howard, such as site allowances, had not been restored. “I thought the original idea was that the Rudd government was supposed to get rid of the ABCC and Howard’s IR laws; that’s why we voted for it. Rudd seems to be acting only for the bosses.

“As far as I’m concerned, everyone should have the right to strike to defend their conditions or over any other matters like environmental issues and safety. It seems though that Rudd has kept Howard’s laws on this and in particular in the building industry.” Glen said the unions should lead a campaign to challenge Rudd’s laws and force the abolition of the ABCC but union leaders “lacked the backbone to do so”.

Another construction worker said he believed the unions had worked to ensure that the march was “limited to a selected few” so it could be more easily controlled. He said union officials had not visited most building sites to tell workers that a demonstration was planned. “I am not surprised that the rally outside the conference was cancelled—the issue of the ABCC is so explosive.”



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact