

# Australia: Striking construction workers defy Rudd government's laws

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29 January 2010

Construction workers in north-western Australia's multi-billion dollar mineral and resources sector are defying court orders, the Rudd government and its anti-strike Fair Work laws, and their trade unions, by continuing a strike over basic living and working conditions.

Workplace Relations Minister and Deputy Prime Minister Julia Gillard has joined employers in denouncing the strikers and threatening severe penalties, which could include damages of up to \$500,000 a day and jail sentences. Having unsuccessfully urged the strikers to return to work, the unions are fully complicit in these efforts to break the strike.

The workers, employed by various contractors on Woodside Petroleum's \$12 billion Pluto project in Western Australia's Pilbara region, walked off the job on January 22, resuming a 48-hour strike that broke out on December 1. They then defied a return to work order by the government's Fair Work Australia (FWA) industrial relations tribunal, issued on January 23.

The strike reignited when primary contractor Foster Wheeler Worley served eviction letters, demanding that workers accept a new accommodation system known as motelling, which they had previously rejected, or vacate the Gap Ridge housing village in Karratha. "Motelling" is a cost-cutting measure to end the present system of assigning the fly-in, fly out workers their own individual huts or "dongas" for the duration of their employment contracts.

On January 25, a mass meeting rejected union calls to return to work and about 2,000 strikers staged a protest march through the town of Karratha. A further mass meeting on January 27 affirmed their stand, despite a mounting campaign of employer and government intimidation. The strikers are reportedly due to meet again tomorrow.

After the January 27 vote, Gillard publicly encouraged employers to take punitive legal action. She issued a statement warning that the "workers involved face steep penalties under Australia's workplace relations laws", and declared: "The only responsible and lawful course is for this industrial action to cease immediately. The Rudd government's position on unprotected industrial action is clear. The taking of such action is completely unacceptable."

This was Gillard's second intervention against the Pluto workers. In response to December's stoppage, she stated that "anyone who engages in disruptive and unlawful conduct in any workplace will feel the full force of the law" (see: "Australian government threatens Pluto construction workers").

Immediately following Gillard's latest attack, the Chamber of Commerce and Industry Western Australia (CCIWA), acting on behalf of several Pluto subcontractors, utilised Labor's legislation to obtain a Federal Court injunction to end the strike. For defying the injunction, workers could be jailed for contempt of court and face damages of up to \$500,000 a day—the amount that the 13 contractors claim the strike is costing them. Today, Woodside has applied for millions of dollars in damages.

These penalties highlight the fact that the Fair Work laws go far beyond the former Howard government's Work Choices legislation in prohibiting and punishing any industrial action, except by FWA-approved secret ballots conducted during bargaining periods for new enterprise agreements.

For refusing to comply with the earlier FWA directive, the Pluto workers could also be fined up to \$6,600 each. In addition, the government has called in the construction industry policing agency, the Australian Building and Construction Commission (ABCC), to investigate the strike. The Rudd government has retained the powers of the ABCC, originally created by the Howard government, to impose fines of up to \$22,000 on individual workers.

Underlining the bipartisan line-up against the strikers, Western Australia's Liberal state premier Colin Barnett joined the fray this week, trivialising the workers' legitimate concerns over accommodation as "nonsensical" and "unAustralian". Barnett called on Gillard "to use all the powers at her disposal to make sure these workers return to work and if they don't and they don't do so immediately, to institute legal proceedings against them and against any union official involved."

The unions covering the strikers—the Construction Forestry Mining and Energy Union, Australian Manufacturing Workers Union and Communications Electrical and Plumbers Union—have

opposed the strike action from the outset. In line with their complete support for Labor's laws, they gave an undertaking to a FWA hearing on December 9 to "make every endeavour to prevent further industrial action at the project regarding motelling".

Motelling is a serious issue for the workers, who are employed on five weeks-on, one week-off rosters to work in a remote location under harsh conditions with few comforts. Although small and very basic, their accommodation huts allow them to have some personal items.

At the same time, the strike reflects deep-seated discontent over a range of issues, and a growing disenchantment with the Rudd government. "Motelling is only one issue of many," a Pluto worker told the WSWs. He said the workforce continued to be employed under a 2005 "greenfield site" agreement that was "negotiated by the principal employers and a small group of workers".

Despite there being no further negotiations, the worker said, everyone applying for employment on the project since 2005 had been forced to accept the conditions, which included tradesmen being paid only \$37 an hour plus a \$5 an hour site allowance—well below rates paid on other projects in the region. "We are made to feel like we are being imprisoned at work, with retribution at every avenue when speaking out on issues," he said. Management had refused to discuss any problems with workers, instead meeting all complaints with threats of dismissal and a "window seat" on a plane home.

A worker told the Australian Broadcasting Corporation (ABC): "Most of us are spending 12 hours a day on the job and we're only getting paid for 10. The pay rate in oil and gas is usually higher than most other industries—it's just the hours that we're doing, that we're not getting paid for." He continued: "We've been losing conditions over the last couple of years due to John Howard's industrial relation laws and Kevin 07 (Prime Minister Kevin Rudd) doesn't seem to be helping much, so it's just come to a head where we've just got to either stand up or just lie down."

Another worker told the ABC that the workers were aware they could face jail and hefty fines over the strike. Referring to the legal threats, he said: "They are very real and quite scary I suppose, but a lot of the boys are very passionate about the issue because I believe it is a major issue. It's a major step back in conditions."

Apart from motelling, the workers' immediate demands include representation on the job, the reinstatement of workers sacked over the present industrial action, improved site and travel bonuses and Saturday lunch allowances.

These basic demands have immediately placed the Pluto workers on a collision course not only with the employers, but with the legal system, the pro-business program of the Rudd government and its industrial relations regime. They are also in a struggle

against the trade unions, all of which voted for the Fair Work laws as a means of cementing their place as enforcement agencies of the requirements of big business and the government.

That is why, throughout the Pluto dispute, the unions have not issued a single criticism of Gillard's attacks or the FWA and Federal Court legal actions. As well as publicly distancing themselves from the Pluto strike in the media, the unions are working to keep the workers isolated. They have mobilised no industrial support—not even among their members across the resources sector, although these workers face similar attacks.

In fact, the unions have already signed off on similar motelling arrangements on the nearby new \$43 billion Chevron Gorgon LNG project. Undoubtedly they are working to broker agreements to satisfy employer demands on the dozen or more LNG projects, worth an estimated \$100 billion, now being proposed in Western Australia.

Together with the Rudd government, the unions are particularly alarmed about the Pluto dispute because it could trigger resistance among workers in the highly lucrative and strategic resources industry, and broader opposition to the restructuring of basic working conditions.

Significantly, concerns have been expressed in the international corporate media, with the *Wall Street Journal*, for instance, noting that the Pluto dispute "could damage the reputation of Australia's liquefied natural gas industry". The *Journal* cited Woodside's general manager for employee relations, Ian Masson, who warned against "a return to the (industrial relations) days of the 70s and 80s and early 90s".

In those years, the Pilbara mining region was a centre of working class militancy, before the Hawke-Keating Labor government, working in close partnership with the unions, assisted the major employers to carry through major strike-breaking operations.

If the Pluto workers are to defend their conditions against the unholy alliance now ranged against them, they must make a decisive break with the unions, elect their own rank and file committee, and turn out to other sections of workers in a direct political struggle against the Rudd government and its anti-working class industrial laws.



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