Spanish air traffic controllers' union facilitates government persecution of its members

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The Spanish Socialist Workers Party (PSOE) government has stepped up its offensive against 2,200 air traffic controllers.

The controllers are currently under a State of Alert, imposed by the government by Royal Decree (1673/2010) on December 4. Under the order, the controllers have been forced to work under "military discipline" under the command of the Chief of Staff of the Air Force until the State of Alert ends. The order was imposed following a mass walkout by the controllers on December 3 to protest intolerable working conditions and attacks on their legal rights.

On December 29, Eduardo Esteban, the chief prosecutor of the Madrid Court, issued a letter demanding the prosecution of air traffic controllers on charges of sedition for stopping work on health and safety grounds over December 3-4. The government has now escalated the threat of prosecution to involve controllers "in general", according to an insider at the Public Prosecutions office reported in *El Pais*.

Attorney General Cándido Conde-Pumpido is demanding sentences of up to eight years under article 20 of the 1964 Air Navigation Laws. This is the second law carried over from the dictatorship of General Franco deployed against air traffic controllers. The government's declaration of a State of Alert was the first since the end of the Franco regime in 1975.

Conde-Pumpido, who has consistently demanded maximum sentences on charges of sedition, said, "We are not dealing with a labour problem because [the controllers] have not used legal avenues at any time, but staged a premeditated abandonment of airports causing grave damage to the citizens of Spain."

He added that he was considering instructing local courts to apply for the seizure of air traffic controllers' assets, in the event of payments to those individuals, companies and organisations demanding compensation for loss of profits incurred during the shutdown.

The attorney general's move is in preparation for the expected private compensation claims against the controllers that are being encouraged by the government's unrelenting campaign against the workers. According to *Time* magazine, a group of some 5,500 passengers, affected by the controllers' walkout in December, are planning to file a civil suit before the end of the year demanding €10,000 per passenger in "moral damages." The estimated total cost of such an action to the controllers would be around €55 million.

The persecution of the controllers is taking place with the aid of the trade union bureaucracy. Having collaborated with the government at every stage of the dispute, the air traffic controllers' union, the Unión Sindical de Controladores Aéreos (USCA), is now facilitating the prosecution and possible jailing of its own members.

At every stage in the air traffic controllers' struggle against the government attacks on working conditions, the USCA has sought to demobilise and derail a united offensive.

In February, the PSOE issued a Royal Decree (1/2010) cutting controllers' wages by 40 percent, increasing hours, cutting overtime and reducing rest periods. According to the International Federation of Air Traffic Controllers' Associations (IFATCA), "a controllers' net income dropped overnight by 30 to 50 percent depending on the amount of overtime he or she performed before."

In August, the USCA abandoned a 92 percent vote in favour of strike action against the controllers' employers, the state-run Aeropuertos Españoles y Navegación Aérea (AENA), and instead called for the government to mediate. Calling off strike action scheduled for the end of August, USCA head of communications Cesar Cap said, "The executive committee has decided not to exercise the right to strike during the month of August in order to demonstrate responsibility."

This allowed the PSOE to intensify its attacks, with the issuing of a Royal Decree (1001/2010). This included the stipulation that controllers work 1,670 hours per year, plus 80 hours mandatory overtime, to be decided by the AENA.

Many controllers were angry at the outcome of the union's collaboration with the government. Commenting on the August 19, 2010, "pre-agreement" reached between the USCA and AENA, the IFATCA noted it was accepted by the union's membership "though not with great enthusiasm."

Prior to the December walkout by the controllers, the union submitted a proposal to the AENA in which it accepted all the basic demands being made by the government. The USCA did not request any more money and fully accepted the terms presented by the Transport Ministry in February and signed as part of a draft agreement in August. Commenting on the USCA's capitulation, the IFATCA stated that the USCA had "made a proposal, which could resolve the current deadlock, which includes a freeze of the remuneration budget for the next three years." USCA spokesperson Daniel Zamit stated that on the basis of the unions' proposals, an agreement could be reached in "less than ten days" in order to end the dispute "as soon as possible".

On December 3, controllers refused to go to work, after making it clear they had worked more than their scheduled annual hours outlined in the previous Royal Decree. Controllers had also received

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an advance copy of a new Royal Decree, passed earlier that day by the Council of Ministers, drastically worsening their working conditions and expanding their hours of work. The USCA immediately disowned the action and set the stage for the government to mobilise the military against its members. The USCA demanded that the workers return to the air control towers and denounced the action as "spontaneous" and an "extreme" decision.

USCA officials then attended a secret emergency cabinet at the Ministry of Public Works, at the request of Prime Minister Jose Zapatero. Their next action was to go to a Madrid hotel, where controllers were meeting, and insist that their members had no option but to return to work on terms determined by the Ministry of Defence and accept being placed under military law.

In the face of the threat of dictatorial rule, the sole function of the USCA has been to suppress the growing discontent and opposition of air traffic controllers to the PSOE government. The union called on its members to sign a "letter of intent" dated December 15, which promised that they would not take any industrial action and would "ensure the continuity of the service". The letter said that its signatories would comply with the "terms established under the current legislation" and "with the previous agreements reached between the parties."

Despite the best efforts of the USCA, 15 percent of the controllers refused to sign the document.

The USCA presented this to the government as a pledge that they could be fully trusted to discipline and police their own members and, on this basis, requested the lifting of the State of Alert, up for congressional renewal on December 16. But the promise of a pact in which the union committed itself to preventing any future action by controllers was not enough for the government. Once again, the PSOE pressed ahead with its attacks on the controllers. As the government extended the State of Alert to January 15, Development Minister José Blanco stated, "To suggest that some signatures should determine the action of a government is to return to sabotage and blackmail."

Since the extension of the State of Alert, the USCA has continued to renounce any association with the December 3 action by the controllers and has deepened its collaboration with the government. Quoted in *Time*, the USCA's César Cabo said of the walkout, "It was a mistake…. They counted on us overreacting to cover up the problems with their own mismanagement. And we fell into it."

This is a lie. The workers did not "overreact" but sought to defend themselves under conditions whereby the USCA was working hand-in-glove with the government and the AENA, and was prepared to accept anything in terms of the destruction of its members' terms and conditions.

The PSOE is seeking to fast-track the tender process plans to sell off 49 percent of the AENA on behalf of international finance capital. The defeat of the air traffic controllers was a critical factor in its bid to privatise Spain's airports, the largest remaining state-run system in Europe. The proposed sale of the AENA was announced as the initial State of Alert was imposed.

Last month, Blanco said that the process to recruit a new air traffic control workforce had actually begun in July. Some 3,200 applications were being sifted, and "the training of new controllers will be designed to encourage the incorporation of new companies, rather than incorporation into a state-owned monopoly model," said Blanco.

This year, the government plans to sell off control towers, including those at Alicante, Valencia, Ibiza, La Palma de Mallorca, Lanzarote, Fuerteventura and Sevilla, The remainder will be privatised in 2012. The USCA has signalled no opposition to this, with one newspaper, *The Leader*, reporting on January 1, "Officials from AENA met with the air traffic controllers union USCA this week to inform them of their plans."

The report added, "Controllers will be offered new contracts with the new privatised companies, or will be offered a place at a non-privatised airport should they decline the first option. In the event of the controllers refusing both, then their contracts will be terminated and a severance package offered instead."

The isolation and demobilisation of the controllers by the USCA has been backed to the hilt by Spain's two main trade union federations, the General Workers Union (UGT), and the Workers Commissions (CC.OO). Also responsible is the IFATCA, which represents more than 50,000 air traffic control workers in its 134 members' associations. Despite declaring in response to the attacks on the Spanish workers that the "possibility of solidarity actions by air traffic controllers across Europe is a very real one" and that a "solidarity pact exists among several European Unions, which requires them to support each other in social conflicts," the federation has not lifted a finger.

The USCA is also affiliated to the Air Traffic Controllers European Union's Coordination (ATCEUC), representing 13,000 workers in 28 European countries. Apart from issuing a perfunctory press release on December 4, the ATCEUC has done nothing to assist the workers in Spain. Just one further statement on the Spanish controllers was issued by the ATCEUC on December 10. Noting that it is "shocked by the violence of the decisions taken by the Spanish Government against its air traffic controllers," it concluded, "We will therefore have no other choice than to refrain from participating in any European meeting involving the Spanish State or provider."

That the trade union bureaucracy has paved the way for the onset of mass state repression against workers, up to and including the use of the military to smash up strikes and protests, must serve as a warning to the working class in Europe and internationally. The unions have confirmed their role as the chief obstacle to a counteroffensive by workers against the destruction of their livelihoods and democratic rights. Working people must wage a political rebellion against the rotten bureaucratic apparatus of the trade unions and build new organisations of struggle, under the democratic control of the rank and file.

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