

# Germany: Further strike action imminent at Deutsche Bahn

**Dietmar Henning**  
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The German train drivers' union (GDL) announced on Tuesday that talks had failed with Deutsche Bahn (DB) and declared it would call on its members once again to strike. It will be the seventh strike in the ongoing contract dispute. Since July last year, GDL members have been on strike six times for a total of 165 hours.

DB management and the media have sought to cast the conflict as an irrational struggle between the GDL and the railway and transport union (EVG), fought out at the expense of passengers and employees purely over issues of power and prestige. In fact, it concerns the the right to strike, the right of workers to struggle for decent wages and working conditions and against job cuts, as well as the constitutionally protected right of coalition, the right to freely make alliances in defence of one's interests.

DB has sought repeatedly to provoke the GDL and deliberately delay the union until the so-called collective bargaining law comes into force, which will make their strike virtually illegal.

The German government adopted the collective bargaining law two months ago, which was drafted by the department of labour minister Andrea Nahles (Social Democrats, SPD). It is aimed at undermining the basis for smaller unions like the GDL, Cockpit (pilots), UFO (air traffic controllers) and Marburger Bund (doctors), which have repeatedly sought to break out of the straitjacket of the main unions controlled by the German confederation of trade unions (DGB) to organise strikes.

The law is now being rushed through parliament at high speed. According to the timetable, the Bundesrat (Germany's upper house of parliament) should take its final vote on the bill on July 10, its last sitting before the summer break. Subsequently, only the largest trade

union at each company will be permitted to reach collective bargaining agreements. At DB, this is the EVG trade union.

The GDL documented the delaying tactics by DB in its press releases. Management continues to refuse to discuss the GDL's demands (a 5 percent wage increase and a cutting of weekly working hours by two hours). The only exception to this has been a one-off payment of €510 for the second half of 2014.

Only on December 17, after six strikes and a ruling by the state labour court in Hesse, did DB concede to the GDL the right to negotiate on behalf of all train employees. Until now, the GDL has only concluded agreements for train drivers, not conductors, catering staff and other train staff members who have joined the GDL due to the close collaboration between management and the EVG.

Then on January 21, DB suddenly insisted, according to the GDL statement, on a "compatible collective agreement without contradictions." In this case, the GDL would not have been able to negotiate a different agreement to the recognised union EVG and would have had to withdraw most of its demands.

Later, DB presented a comprehensive collective agreement containing different provisions on remuneration, working hours and bonuses for train drivers, conductors, catering staff, signallers and switchyard engineers. But the GDL insisted on equal working conditions for all members of train staff.

Another disputed issue is the scope of the collective agreement. The GDL intends to enforce the same working conditions at smaller rail companies as at DB, so that if drivers and other staff switch to another company, their pay rates will be guaranteed. Since regional transport is generally awarded through public contracts, companies often come forward offering to

cut costs with lower wages than DB. Train drivers, who are then compelled to change companies, often suffer a major loss of income.

The GDL finally declared the talks had failed when DB stated in a policy paper February 11 that an agreement with the GDL was dependent upon a deal with the EVG.

The GDL offered to continue with negotiations on February 26 if DB fulfilled nine points. In essence, the GDL was demanding nothing more than what was called for at the beginning of talks last July, according to the trade union's accompanying letter: "DB must, without preconditions, expand the current collective agreement, which applies to 97 percent of train drivers in Germany, to the conductor, catering, trainer and signaller professional groups. Yard engineers must be integrated into the collective agreement as train drivers."

DB immediately opposed negotiations with the justification that talks could not be conducted "according to the principle of holding a gun to the head." In a press release, they claimed that the GDL's demands had been fulfilled in a number of areas. "The GDL can establish collective agreements for all professional groups, there are no preconditions, and DB has agreed to a solution outline for a comprehensive collective agreement that the GDL itself outlined in negotiations."

In reality, DB sabotaged the talks to delay the GDL and to mobilise the public against them. For this, it can rely on the support of a broad front.

The media is again agitating against the train drivers and conductors. The majority owner behind the rail company is the state, meaning, thereby, the German government. And the EVG, which is also currently in talks with DB, has slavishly backed the firm in its actions against the competitor trade union.

DB human resources chief Ulrich Weber felt able to comment in a Spiegel Online interview that the EVG wanted "like us, no competing comprehensive agreements for a professional group." The EVG, which is continuing talks with DB, reported progress on Wednesday. Further rounds of talks are planned for March 5 and 25.

The trade union confederation to which the GDL belongs, the German Professionals Confederation (DBB), is now also criticising the strike threat. DBB

deputy chairman Klaus Dauderstädt told *Tagespiegel*, "Two proposals are currently on the table and must be unified. That's why now isn't the time for escalation, but rather for intensive negotiations." Since the DBB is currently deciding on assistance to the GDL in its strike, such a comment is more than simply a piece of friendly advice.



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