

# German court declares pilots strike illegal, forcing return to work

Dietmar Henning  
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A German labour court in the state of Hesse ruled Wednesday that an on-going strike by 5,400 Lufthansa pilots is unlawful, issuing a preliminary injunction against the two-day walkout. Pilots will be forced to return to work today.

Overtaking a judgement by the labour court in Frankfurt the day before, Judge Michael Horcher declared that because the pilots were attempting to stop the expansion of the low-wage subsidiary of Lufthansa, and were not striking only over wages for the workers themselves, it was illegal.

The court action, which entirely follows the arguments of Lufthansa, is a deeply undemocratic decision with far-reaching consequences. It effectively abolishes the right to strike. Although workers may supposedly strike for better collective agreements, they cannot oppose corporate restructuring aimed at enforcing low wages and implementing massive cuts.

Both Lufthansa and the state intend to make an example of the pilots in order to undermine working conditions for employees across the entire company and beyond.

Pilots in the union Vereinigung Cockpit began the strike early Tuesday morning, the thirteenth strike of the current bargaining round. Some 1,000 flights were grounded by the strike, affecting over 140,000 passengers. However, the company's subsidiaries—the low-cost Eurowings, Swiss, Austrian Airlines and Brussels Airlines—continued to operate flights.

The strike followed the collapse of negotiations between Lufthansa and Cockpit on September 2, even though Cockpit accepted virtually all of the airline's demands at the end of July. According to its own figures, the savings contained in the proposal from Cockpit amount to €500 million. The concessions included increasing the retirement age and massive cuts

to pilots' wages. Lower wages in Lufthansa's subsidiary companies are to be consolidated.

In exchange for these drastic cuts, Cockpit sought to prevent the outsourcing of current Cockpit jobs. This refers to Lufthansa's strategy of gradually replacing pilots with those employed by Eurowings.

The conflict, which has now been on-going for 18 months, first developed as a dispute over retirement and employment for older workers, but was escalated by Lufthansa head Carsten Spohr in line with the company's strategy.

The major concessions agreed to by the trade union have only emboldened the company to push forward with its attack. Less than two weeks after Cockpit's offer of €500 million in cuts, Lufthansa founded Eurowings Europe with its headquarters in Vienna. A press release stated that the new company would "be the starting point for further growth and have at its disposal various bases throughout Europe." The company will allow Lufthansa to compete with low-wage airlines like Ryanair, Easyjet and Vueling.

Spohr said that Eurowings was essential for the future of Europe's largest airline. Over the coming year, the company is looking for 120 pilots and co-pilots for the new firm, which is to start operating on long-distance flights in November. The Vienna-based subsidiary currently has no contract bargaining framework, meaning that pilots at Eurowings will be paid 40 percent lower wages and will work more days than their Lufthansa colleagues.

According to Cockpit, Spohr opposed ruling out the outsourcing of aircraft and jobs abroad for the period of the agreement. But this was one of the fundamental reasons for taking up negotiations, as well as retirement conditions for the more than 5,000 pilots at Lufthansa and Germanwings.

Lufthansa subsequently declared that the entire Cockpit offer had not been rejected. A spokeswoman stated that the individual issues should be discussed in working groups, appointments for which had been suggested.

Spohr offered to negotiate with the pilots about all measures that “concern the interests of employees and also lead to the necessary cost reductions.” The airline stated on Friday that it was also ready to negotiate over the newly established Eurowings Europe.

But it is clear that Spohr and Lufthansa are determined to press ahead with a corporate restructuring aimed at the expansion of low-wage labour. The company has been supported in this for the past year-and-a-half by the media and politicians.

As the *Süddeutsche Zeitung* commented, Cockpit had “strayed from its appropriate area of action.” The trade union was fighting for a “state of affairs which could no longer be afforded.” To divide workers, alleged fears among flight attendants were raised, that “due to the demands of the flight captains they may lose jobs.”

All of this is aimed at compelling the pilots to accept huge wage and pension cuts, despite the fact that the company is expecting to exceed its profit goal of €1.5 billion this year. Eurowings is also expecting a multimillion-euro profit.

The company has insisted that these results cannot be maintained if costs are not reduced, particularly those for elderly workers. Pension costs for Lufthansa last year alone would have reduced its profit by €475 million. The airline has the largest pension obligation on the German stock market. The company executive referred to this development as “threatening.”

The profit interests of Lufthansa’s shareholders and management are incompatible with the interests of pilots and all other workers. Nonetheless, Cockpit promotes the lie that the interests of workers and the corporate executives are not antagonistic. The union is striving for “a result for the future and to benefit all of the interests of airline passengers, employees and shareholders,” Cockpit spokesman Markus Wahl said at the end of June. Cockpit’s perspective, based on defending the profits of Lufthansa, is incapable of resisting the attacks by the company. Step by step, Cockpit will offer management ever-greater concessions.

The court order banning the strike makes clear that

pilots confront not only Lufthansa management, but the state, which is operating in the interests of the entire German ruling class. As with the rest of the unions, Cockpit is opposed to the mobilization of the working class in a political struggle against the capitalist system as a whole.

At the beginning of the previous strike in early March, the WSWs wrote, “Instead of mobilising employees at all the European and international airlines in a common struggle, Cockpit is trying to push the Lufthansa management into closer cooperation and a ‘contract bargaining partnership’ through limited pinprick tactics and selective strikes.”

We warned that the pilots’ trade union was prepared to make ever-greater concessions. A year and a half after the beginning of the dispute, and after twelve strikes, it is time to take stock. Cockpit’s nationally restricted perspective of “social partnership” and the acceptance of the capitalist system prevents the necessary Europe-wide and international struggle by pilots in alliance with all airline workers.



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