

Australian tax department seeks to fast-track sackings

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According to media reports, the Turnbull government is demanding changes to the work agreement (EBA) covering 18,000 employees at the Australian Tax Office (ATO) to make it easier to arbitrarily dismiss workers for “under performance.”

Epitomising the corporate backing for the ongoing assault on public sector workers, the *Canberra Times*, a Fairfax Media publication, on October 4 reported the proposed changes under the provocative headline: “Public service prepares to sack the Tax Office slackers.”

Such scurrilous labelling, designed to portray public sector workers as lazy and overpaid, is routinely rolled out by the mainstream media in a bid to fashion public support for government assaults on jobs, basic services and working class conditions.

The changes are part of a sweeping overhaul of wages and conditions that the Liberal-National government is attempting to impose across the public service during protracted negotiations for new EBAs. Agreements covering 100,000 workers in 13 government departments expired almost three years ago.

During that period, workers at the ATO and elsewhere have overwhelmingly rejected regressive contract offers by departments that would have stripped away conditions while imposing the government’s 2 percent annual pay cap. Many “offers” have been far below even this figure.

The latest government offer to ATO employees contains a pay increase of 6 percent staggered over three years, but not backdated, resulting in an effective pay freeze for the past three years. In return, workers must deliver millions of dollars in savings each year. Similar ultimatums have been made in other departments.

The reported changes involve replacing the current

two-step performance counselling process with a fast-track one-step procedure for employees deemed by line managers to be “under-performing.”

Under the present rules, a manager must offer workers assistance to improve their performance, such as role clarification and training. Affected employees also can be offered alternative duties. They have a right of appeal if they believe they have been unfairly treated.

Under the proposed changes, a manager would be obliged only to hold a discussion with a worker and if the employee fails to improve in a time specified by the manager, “underperformance measures may commence,” leading inevitably to dismissal.

The dismissal plan is bound up with the government’s ongoing agenda to destroy thousands of jobs across the public sector in line with the demands of the financial and corporate establishment for drastic cuts to public spending.

Amid massive job cuts, resulting in ever-increasing workloads, thousands of public sector workers would be unable to keep up with the ramped-up demand and face being charged with “underperformance.”

There is evidence that line managers are already making increased allegations of poor performance to remove workers. According to the latest Australian Public Service Commission data, 76 employees were sacked for underperformance in the 2015-2016 financial year, with another 60 fired for misconduct. This was an increase on 2014-2015, when 64 workers were dismissed for “underperformance” and 57 were sacked for misconduct.

If the fast-track measures are pushed through at the ATO, they will become a benchmark for similar changes across the public sector to assist the government to impose job cuts.

The government has already foreshadowed winding up 250 public sector bodies and is conducting “reviews” into a host of other departments, with the view to closing them or reducing staff.

Job cuts are continuing, with a further 810 slated to go at the Department of Human Resources, 300 at the Immigration Department and 344 in Social Services. As of February, 3,000 jobs had been shed at the ATO, with another 1,700 to go by the end of year. This amounts to 20 percent of the department’s workforce. Over the past decade, under both Labor and Liberal-National governments, over 16,500 federal public sector jobs have been axed.

This ongoing assault has been possible only because the Community and Public Sector Union (CPSU) has worked overtime to restrict all opposition to limited stoppages and impotent protests, and to ensure that public sector workers remain divided on a department-by-department basis.

Throughout the long-stalled EBA negotiations, the union hoped that forcing workers to continuously vote on government “offers” would eventually wear down resistance, particularly in key departments, opening the floodgates to the imposition of regressive outcomes across the public sector.

In line with this agenda, at the end of last month the CPSU rushed to comply with a directive by the Fair Work Commission (FWC) to end limited rolling stoppages by Border Force employees, following an application to the industrial tribunal by the Department of Immigration and Border Protection (DIBP).

The suspension could clear the way for the FWC to enforce an arbitrated outcome in the DIBP dispute, along the lines sought by the government—a course supported by the CPSU.

A CPSU bulletin on September 30, ordering union members to immediately end industrial action, hailed the FWC ruling with the heading: “Member action wins Fair Work hearing.” It declared the CPSU will argue in the commission for a “termination of bargaining instead of simply suspending industrial action, as this means arbitration and a resolution.”

The CPSU, like every other union, insists that the FWC is an “independent umpire,” in which workers should place confidence. It is nothing of the sort. The FWC is part of the state apparatus, which includes the courts and the police, and is used to enforce corporate

demands.

Introduced by the Labor government in 2009, with the full support of the trade unions, the FWC is armed with a barrage of anti-strike provisions and the power to impose severe penalties on workers. The industrial laws also allow the FWC to impose a settlement in a dispute if the parties fail to reach an agreement.

Since its inception, the commission has intervened in dispute after dispute, from the airlines to the waterfront, to shut down industrial action and ensure outcomes in line with the employers’ requirements.

The unions support the industrial laws because they provide them with further means to contain disputes and enable them to convince employers that they are the most reliable means of policing the workforce.

If the government, with the aid of unions and the FWC, can foist its cost-cutting demands on the border protection workers, the same modus operandi—so-called arbitration—will be utilised throughout the public sector.



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