

Australia: Labor and unions responsible for banning of NSW rail strike

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Last month, the Fair Work Commission (FWC), the country's pro-business federal industrial court, banned a scheduled January 29 strike by 9,000 rail workers across the state of New South Wales. It also banned any other industrial action by rail workers for six weeks. The commission's ruling highlights the battery of draconian mechanisms now on the books, aimed at suppressing workers' resistance to the ongoing assault on jobs, wages and conditions over the past three and a half decades.

Rail workers have expressed anger and disgust at the ruling, noting that the grounds for the decision—that the stoppage threatened the economy and public welfare—could be deployed to illegalise virtually any industrial action whatsoever.

Labor Party politicians and trade union officials are trying to distance themselves from the decision, cynically posturing as opponents. Sally McManus, the secretary of the Australian Council of Trade Unions (ACTU), the national umbrella union organisation, declared that the ruling showed that “The right to strike in Australia is close to being dead.” McManus' comments were echoed by officials from the Rail, Tram and Bus Union (RTBU), which covers train staff.

The statements by these hardened bureaucrats can only be described as an exercise in gross hypocrisy and lies.

In the first instance, the laws that McManus has denounced were introduced in 2009 by the federal Labor government of Kevin Rudd, with the full support of the ACTU and the trade unions. The ACTU packaged the Fair Work Australia legislation as a welcome “reform,” which would supposedly improve workers' rights. In reality, Labor's laws banned virtually all strike activity, providing governments and big business with provisions to illegalise industrial action, victimise workers, and attack their rights and conditions.

The introduction of Fair Work Australia was a continuation of a decades-long collaboration between the unions and successive Labor governments, aimed at stepping up the exploitation of the working class in order to lift the profits of the banks, finance houses and major corporations. Above all, this required the erection of a political and legal

framework to suppress all working class opposition.

A report on strike activity over the past four decades by the Australia Institute's Centre for Future Work, released last month, showed that a precipitous collapse in industrial action began in 1983, the year the Bob Hawke and Paul Keating Labor government took office. During the 1970s, a wave of working class struggles had erupted, averaging over 500 workdays per thousand workers per year, in strike activity. In 1980, the figure was closer to 600 per thousand per year. From 1983, days lost fell to around 200 per thousand per year, the beginning of a three-decade-long collapse in industrial action.

The fall in 1983 was a direct product of the Prices and Incomes Accord struck by the newly elected Labor government with big business and the unions.

Aimed at reversing wages growth over the previous decade, the Accord provided for fixed pay increases, determined by government-union arbitration. In exchange, the unions agreed to suppress any struggles that fell outside the framework of arbitration. This was a conscious attempt to prevent the reemergence of the explosive social and political upheavals that had erupted in the previous decade.

The effective wage freeze was part of a broader pro-business agenda, enshrined in a series of further accords. These provided for the deregulation of the economy and the destruction of whole sections of industry, considered insufficiently profitable by the corporate elite, leading to hundreds of thousands of job cuts across steel, mining, auto and other sectors of manufacturing.

Large-scale workplaces, which had been centres of political and industrial militancy, were smashed up, with the crucial assistance of the unions. Workers' struggles were repressed while shop committees and other forms of workers' organisations were dismantled.

In the early 1990s, the Labor government of Paul Keating deepened this offensive, introducing “enterprise bargaining” with the support of the unions. Its purpose was to end industry-wide negotiations, and replace them with individual workplace agreements, signed by the unions and employers.

It led to the atomisation and isolation of workers within the same industries, subordinating them to the immediate profit demands of individual companies, and preventing any unified political and industrial action.

The assault carried out by Hawke, Keating and the unions resulted in an historic transfer of wealth from the working class to the corporate elite. From 1986–96, during Labor’s terms in office, real income for the bottom 40 percent of households fell by almost \$100 per week. By 1995, real wages were between 30 and 50 percent lower than they would have been, had wages growth continued at the 1975 rate. And by 1996, when Labor suffered a massive electoral loss, fewer than 100 days per 1,000 employees per year were lost to strike activity.

The Liberal-National government of John Howard, in office from 1996 to 2007, continued Labor’s attacks. Through most of its terms, the Howard government retained virtually all of the pro-business mechanisms put in place by Labor and the unions, including enterprise bargaining.

In 2005, the Howard government introduced “Work Choices,” an overhaul of industrial relations legislation aimed at forcing employees to sign individual contracts with their employers. The move provoked mass opposition in the working class.

But the hostility of the unions to the new legislation was motivated by very different concerns. The ACTU and its affiliated unions viewed the turn to individual contracts as a mortal threat to their position at the negotiating table, where they bargained away the wages and conditions of the workers in order to advance their own privileges.

In 2006–07, the unions launched “Your rights at work,” a major campaign claiming that a Labor government would end Work Choices and improve workers’ rights. In a signal to the employers that the campaign was no threat to their interests, the unions ensured that 2007 witnessed the lowest strike levels in the post-World War II period. Having backed the election of the Labor government of Kevin Rudd, the unions promoted its Fair Work Australia industrial legislation.

The new laws prohibited all strikes, outside a narrow “bargaining” period for new enterprise agreements. Even in these instances, workers must prove to Fair Work authorities that they have participated in “good faith bargaining.”

The legislation included provisions for “protected” industrial action to be banned, on the sweeping pretexts that it could “cause economic harm to the employer,” “significant harm to a third party,” endanger safety and welfare, or “cause significant damage to the Australian economy or part of it.” It was the last two provisions that were marshalled to prevent last month’s rail strike.

At the same time, Labor created the Fair Work

Commission (FWC), a pro-business industrial court with sweeping powers, to enforce the draconian legislation. The Rudd government invested the FWC with the power to ban industrial action, impose massive fines and enforce sweeping cuts to conditions, through the termination of existing agreements and enforced arbitration.

Union claims that Fair Work laws have been “misused” by Liberal-National governments since their introduction, are a sham. In a major test case of the industrial relations regime in 2011, the Gillard Labor government backed a FWC ruling, enabling Qantas to lock-out 4,000 workers, just before they were set to begin strike action. The attack, enabled by the unions, was followed by sweeping job and wage cuts by the airline company.

In countless disputes since, Labor and the unions have invoked the authority of the FWC to prevent workers from engaging in political and industrial struggles. They have promoted the fraud that the FWC is an “independent umpire,” and that in “arbitration” it will deliver “fair” judgements. On the contrary: it is a pro-business industrial relations court, aimed at defending the profit interests of the ruling elites, and its legislation was set in place by Labor and the unions.

Rail workers, along with every other section of the working class, can only advance their independent interests by mounting a rebellion against the unions, and by making a conscious political break with Labor. New forms of organisation, including independent rank and file committees, tasked with prosecuting a genuine political and industrial fightback, to combat the attacks of the corporations, Labor, the Liberal-Nationals, and the unions, need to be established.

Most critical, however is the adoption of a new political perspective, which rejects the subordination of every aspect of social life, including wages, jobs, conditions, education, transport, health, aged care and housing, to the profit demands of the corporate elite. This means the fight for a workers’ government, to implement socialist policies, including placing the major banks, transport and big business under public ownership and democratic workers control.

We urge all rail workers who agree with this perspective to write to the *World Socialist Web Site* and apply to join the Socialist Equality Party.



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