

# Maritime Union of Australia calls off strikes at Patrick Terminals

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The Maritime Union of Australia (MUA) on Wednesday called off a month of protected industrial action by Patrick Terminals workers at the Port of Melbourne. The dock workers had planned to stop work for 12 hours every Monday, Wednesday and Friday in October, as part of a 19-month dispute over a new enterprise agreement (EA).

The MUA abandoned the Melbourne stoppages “in an act of good faith” after around one third of Patrick’s Melbourne workers were forced into 14-day isolation due to COVID-19 exposure.

The cancellation came in response to a request by Patrick CEO Michael Jovicic that the union withdraw the industrial action because of “the extenuating circumstances that all terminal operators are experiencing in Melbourne.”

With Victoria currently facing the worst COVID-19 outbreak seen in any Australian state since the start of the pandemic, Patrick’s competitors have also been hit by the virus. The Victorian International Container Terminal (VICT) was forced to close for several days late last month, after positive cases were found, and around 18 workers at DP World’s Melbourne have had to self-isolate in recent weeks.

The fact is the current delays at Australia’s ports are not the product of the limited industrial action called by the MUA, which has negotiated sell-out deals with several of Patrick’s competitors in recent months. The MUA agreed at the highly automated VICT to enforce a ten-year strike ban, in exchange for a minimal pay increase.

The union has ensured that workers have been isolated. Any industrial action it has allowed has been organised to ensure minimal disruption to port operations. The MUA’s swift cancellation of the Melbourne strike is a continuation of this, and a strong indication that a similar sell-out is being prepared for Patrick workers.

Disruption from COVID-19 and limited industrial action has also not hurt Patrick’s bottom line, with the stevedore recording an annual net profit of \$25.6 million in the year to June 30.

In reality, the congestion at Australia’s ports is part of a

global supply chain crisis, stemming from the inability of global capitalism to deal with the COVID-19 pandemic.

Throughout the pandemic, the MUA, along with Australia’s other unions, has demonstrated that its concern is not for the health and safety of workers but with ensuring the continued operations and profitability of big business.

Late last month, the International Transport Workers Federation (ITF), headed by MUA National Secretary Paddy Crumlin, joined forces with transport employer groups to issue an open letter, demanding that: “Seafarers, air crew and drivers must be able to continue to do their jobs, and cross borders, to keep supply chains moving.”

In other words, the ITF is entirely on board with the capitalist attitude to the pandemic: “Let it rip” and ensure corporate profit-making activities continue, whatever the health consequences.

While workers at Patrick’s Melbourne and Brisbane ports have already reached “in-principle agreement,” they are striking in solidarity with workers in Sydney and Fremantle, where negotiations are ongoing.

Limited industrial action will continue at the company’s other ports, throughout October:

- Patrick workers in Brisbane will carry out two four-hour stoppages today, a 24-hour strike next Thursday and a 24-hour ban on overtime, shift extensions, upgrades and “off/avail” work next Friday.

- At Patrick’s Fremantle port, upgrade bans are in place over the next two weekends, and workers will down tools for one hour per shift every weekday from October 11 to October 23. This follows a 48-hour strike held over the last weekend in September.

- No further action is planned in Sydney, after a 48-hour strike held last weekend.

The company is offering annual pay “rises” of 2.5 percent, well below the recently announced official CPI increase of 3.8 percent. The union has agreed to enforce this figure, which amounts to a pay cut in real terms, having abandoned its initial demand for a 6 percent increase.

In October 2020, Patrick asked the Fair Work Commission

(FWC) to order the termination of strike action, on the grounds that it would negatively impact the economy. Before the hearings were complete, the MUA offered Patrick a “peace deal,” pledging to halt all industrial action for two years, in exchange for a 2.5 percent pay “rise” and the retention of existing EA conditions.

Although the company refused to accept this deal, the union nevertheless called off the planned strikes and did not carry out any further industrial action at Patrick ports until May this year.

Patrick wants to remove clauses in the current EA, requiring consultation with workers and the union over “significant change,” and the hiring of “supplementary,” i.e., casual, workers. The company claims these measures have resulted in lengthy delays in hiring new workers.

MUA Assistant National Secretary Jamie Newlyn stated: “This agreement is about protecting permanent jobs on the waterfront, so we leave the job in a better position than when we found it.”

In reality, the previous EA, brokered by the MUA in 2016, made it easier for the company to hire new casual workers, as long as the union agreed to it.

Two sub-clauses were removed from the 2012 EA, which stated: “9.2 It is the intent to minimise or eliminate use of supplementary employees in all areas covered by this Agreement; 9.3 It is not the intent to employ supplementary employees in the terminals.”

Robert Gottliebsen, writing in the Murdoch-owned *Australian* newspaper, claimed late last month that Patrick workers, in an effort to become “lords of the waterfront,” are seeking new provisions in the EA guaranteeing jobs to friends and family.

The claim is based on a recent deal struck by the MUA at Hutchison Ports, under which, “around 40 percent of new hires will be sourced from families and friends of employees, 30 percent through names offered by the union and the remaining 30 percent determined by management.”

In reality, this arrangement has nothing to do with protecting secure well-paid jobs, but is bound up with increasing the union’s control over the workforce. The MUA has denied that such a provision is being demanded in the Patrick dispute.

Gottliebsen continued: “[I]f the Patrick directors cave in, then autocracy will sweep through the waterfront and productivity gains will be lost for a century or more. The nation has a lot of [sic] stake.”

Gottliebsen’s is just one of a series of hysterical denunciations of the industrial action to have recently appeared in the Australian corporate media. The tone of these articles demonstrates just how sensitive the ruling class is to any disruption to the country’s supply chain.

An editorial column in *Financial* (AFR) entitled “Time to scrape the MUA barnacle off the waterfront,” characterised dock workers as “privileged labour aristocrats” out to “cripple” Christmas.

Claiming that the MUA was exploiting a “legalised labour monopoly chokehold on a critical supply point, to extract economic rents for its members,” the AFR called for Patrick or the federal government to “have the Fair Work Commission issue stop orders to keep Australia’s vital ports operating.”

In other words, any attempt by workers to defend their pay and conditions must be stopped, in order to protect the profit interests of shipping companies, exporters, retailers and other major corporations.

The AFR claimed the current round of industrial action meant it was time to deal with the “unfinished business” of the 1998 waterfront dispute. The article lauded the actions of then Patrick CEO, Chris Corrigan, when “the union’s labour monopoly was temporarily broken.” On that occasion, more than 1,400 workers were sacked, herded from the waterfront by armed guards and attack dogs, and replaced with scabs.

Despite mass opposition to the actions of Patrick, and a compelling legal case of “illegal conspiracy” against both the company and the federal Liberal government, the MUA betrayed the struggle and enforced the destruction of 625 permanent jobs.

This followed on from “waterfront reform,” carried out by the Hawke and Keating Labor governments between 1987 and 1991, with the full support of the maritime unions, in which more than half the country’s waterfront jobs were destroyed.

This record of betrayal, along with the MUA’s recent sell-out deals and its cancellation of the Melbourne strikes, must stand as a warning to Australia’s maritime workers.

The present dispute cannot be left in the hands of the MUA. Workers must fight for the formation of independent rank-and-file committees to organise a genuine industrial and political struggle, as part of developing a counter-offensive to company-union attacks across the entire waterfront.



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