Maritime Union of Australia rams through sell-out deal at Qube Ports

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Workers at Qube Ports terminals in Fremantle, Western Australia (WA) voted Tuesday on a new enterprise agreement, brokered by the Maritime Union of Australia (MUA) and the company in closed-door conciliation talks ordered by the Fair Work Commission (FWC).

While the MUA trumpeted the fact that "all but one member" voted in favour of the deal, the workers did so in circumstances where the union had already abandoned any pretence of either a struggle against the company, or an objection to the government-ordered intervention of the anti-worker industrial tribunal.

The MUA signed off on the "in-principle" agreement at the end of last month, after abruptly ending close to three months of industrial action and pushing workers back onto the job without a single gain. Qube Ports director Michael Sousa hailed the deal, declaring "we are pleased that we have reached agreement with the MUA and we welcome the return to normal operating conditions."

The workers had voted overwhelmingly for industrial action to push for changes to so-called "normal operating conditions." These included a demand that Qube notify permanent employees by 2 p.m. (instead of 4 p.m.) what shift they would be assigned to on the following day. The company is still refusing to implement this change, although it has promised to issue draft rosters by 2 p.m., with final allocation at 4 p.m., a meagre concession that the union has claimed as a victory.

Under the new union-management agreement, Qube workers will still be forced to work without a roster, ready to satisfy the company's demands at a moment's notice. The cost of schedule changes and delayed arrival of cargo—inevitable in the shipping industry—is therefore borne not by the multi-billion dollar stevedore, but by the workers, in the form of the complete subordination of their lives outside of work to the profit interests of the company.

According to a union highlights document sent to workers in preparation for Tuesday's vote, the new agreement contains an immediate 5.1 percent pay rise, followed by 2.5 percent in each of the next two years. With inflation in Australia now at 3 percent and in view of the fact that Qube workers have not had a pay rise since July 2019, this amounts to a pay cut in real terms.

The return to work last month was obtained through a joint operation of Qube, the federal Liberal-National government, the WA state Labor government, and the MUA, which played the crucial role.

Throughout the protracted dispute, the MUA did everything possible to isolate and wear down the workers, refusing to call any industrial action by its 16,000 members at other companies, even when Qube began using managerial staff as a scab force at the Fremantle terminals. The MUA also allowed ships diverted from Fremantle to other terminals in Melbourne to be unloaded by union labour.

The MUA stepped up its efforts to sabotage the workers' struggle early last month after federal Attorney-General Michaelia Cash, acting on a request from the WA government, announced that she would call on the FWC to terminate all industrial action at Qube and impose compulsory arbitration.

The FWC is Australia's pro-business industrial tribunal tasked with enforcing the draconian Fair Work Act, including its highly restrictive anti-strike provisions, introduced in 2009 by the Rudd Labor government with the full support of the unions.

The Act also provides the FWC with extensive powers to ban or terminate industrial action on a raft of pretexts including the possibility of "significant economic harm to the employer" or "significant damage to the Australian economy or part of it." Cash claimed the dispute at Qube was "causing financial harm to the Western Australian economy" and "damaging the reputation of Fremantle Port."

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The union did not oppose Cash's move but immediately made its own application for the dispute to be arbitrated by the FWC. The purpose of this was to ensure the MUA played a central role in the process, so as to demonstrate to Qube and other waterfront employers that the union could still be relied upon to suppress workers' opposition and deliver the demands of management.

The Qube workers, in sharp contrast to the toadying MUA officialdom, clearly demonstrated a willingness to fight with their unanimous April vote for industrial action and their determined stand in the face of the company's continuous provocations and scabbing operations.

That determination continued to be expressed even after the workers were forced back onto the job by the MUA. According to a report in the *West Australian*, more than 50 percent of Qube workers allocated to work the first shift back called in sick.

The sell-out at Qube follows a series of rotten waterfront deals rammed through by the MUA in recent months. Throughout these disputes, the union has relentlessly suppressed any industry-wide action or the involvement of broader sections of the working class.

Early last month the MUA called off strikes at Patrick Terminals (part-owned by Qube) facilities in Melbourne that were to take place through October as part of a national campaign for new enterprise agreements covering over 1,000 workers. The MUA abandoned the planned sporadic work stoppages to minimise disruption at the port after more than 100 Patrick workers were required to isolate because of COVID-19 exposures.

When the union announced on October 25 that the industrial action would resume, the company immediately responded by calling on the FWC to tear up the existing enterprise agreement, which would potentially cut workers' pay by more than 50 percent and destroy a whole swathe of other conditions.

The company subsequently demanded a FWC hearing to suspend the strikes, which the MUA once again preempted by shutting down all industrial action at Patrick until at least December 10.

The MUA also called off indefinite bans set to begin this month on mooring and unmooring ships operated by Japanese-owned Ocean Network Express (ONE) at the state government-owned Fremantle Port Authority (FPA). The bans, part of a protracted dispute over a new enterprise agreement, were hurriedly ditched following a call by the state's construction industry for the state and federal governments to intervene and stop the industrial action.

Across the waterfront, companies are demanding complete flexibility of labour arrangements in order to deal with fluctuations in shipping schedules and volumes without having to pay workers for any downtime in the event of delays.

The sell-out deal foisted upon Qube workers by the MUA must be seen not as the end of struggle, but the beginning. Sharp lessons must be drawn, and the crucial question asked: "How is the fight to be taken forward?"

Two issues are starkly posed. The lives and livelihoods of workers cannot be left in the hands of the MUA, whose central concern is to maintain its position as an arm of management, which will therefore work to isolate and sabotage any struggle. Nor can the workers be left to face the well-resourced stevedoring corporations, which are backed by the federal and state governments and the capitalist courts, on their own.

What is required is a unified counter-offensive to fight for the wages, jobs, and working conditions of workers across the entire waterfront. This must be linked up with the struggles of workers in the whole logistics sector, all of whom are experiencing a similar assault.

To carry out this perspective, workers must begin building new organisations of struggle, including rank-and-file committees at every work site, to unite across the country and internationally. Such committees will be posed with the necessity of taking up a socialist program aimed at placing the ports, shipping, logistics and other essential industries, along with the banks, under public ownership and democratic workers' control.

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