

Australia: AWU forces workers back on the job at Qenos after company lockout, without a single concession

Martin Scott
12 October 2022

The Fair Work Commission (FWC) yesterday ordered a 30-day suspension of a lockout of 33 workers by plastics manufacturer Qenos. The workers had been locked out by the company since October 3 after they began protected strike action over negotiations for a new enterprise agreement.

The workers have now returned to the factory with none of their concerns resolved and have been told by the Australian Workers' Union (AWU) that the FWC decision means they cannot strike.

Having ordered the lockout, Qenos asked the FWC to terminate the company's own action under section 424 of the Fair Work Act, which gives the anti-worker tribunal the power to end industrial action that "has threatened, is threatening, or would threaten... to cause significant damage to the Australian economy or an important part of it."

In other words, the company was claiming that locking out its own workforce, and therefore shutting down an entire sector of industry due to its monopoly on high-density polyethylene (HDPE) production, would harm the country's economy.

The purpose of this manoeuvre was to convince the FWC to ban any further industrial action by all parties, and impose an enterprise agreement through arbitration, cutting workers out of the process entirely. Although only a temporary suspension, rather than complete termination, was ordered, the AWU is using the ruling as a pretext to deliver Qenos an orderly resumption of production and profit-making.

The ruling states "[f]or the avoidance of doubt" that it applies only to the "employer response action in the form of locking out all of the Employees," but, under the Fair Work Act, the order against the company also strips workers of their legal right to strike during the 30-day

period.

The AWU fully supports these draconian provisions, as demonstrated by its declaration that the FWC ruling was a "huge victory," because it allows the bureaucracy to retain its seat at the table and "spend the next 30 days negotiating." In other words, Qenos and the AWU will use the next month to cook up a rotten deal, free from any intervention by the workers themselves.

The union's claim that this is a "victory" for workers is a fraud. Qenos has achieved what it set out to, and retains the power to order another lockout in 30 days if workers do not accept the agreement it offers.

Qenos is offering pay "rises" of just 2 percent this year, followed by 4.5 percent in 2023 and 3 percent in 2024. The AWU is asking for wage increases of 7 percent per annum, barely above the official inflation rate, and far short of the rapidly rising cost of living.

Workers are also demanding the abolition of "bank-hours" (overtime for which workers receive no additional pay), a reversal of staffing cuts to improve safety and an end to a two-tier wage system at the factory.

Under a trainee program approved by the unions in the 2018 enterprise agreement, new workers face four years of cut-rate wages, although they are almost fully trained and doing the same work as first-tier employees after two years.

With the workers sidelined and production resumed, the union will now go back into backroom discussions with the company to put together what is sure to be one more in a long line of sell-out enterprise agreements.

For more than two decades, the AWU and other unions covering workers at the plant have enforced the company's continuous restructuring process. In one enterprise agreement after another, the unions have given Qenos carte blanche to slash jobs and wages in the

interests of “business competitiveness,” i.e., the company’s demand for ever-increasing profits. Under these provisions, workers can be forced to either move to a new role and accept a pay cut of up to 15 percent, or resign.

The AWU has sought to offset responsibility for these regressive conditions caused by previous enterprise agreements. It has claimed they were the result of majority decisions by a “single bargaining unit” involving other unions including the Australian Manufacturing Workers’ Union (AMWU) and the Communications, Electricians and Plumbers Union (CEPU).

The AWU, however, maintained the united front of the “single bargaining unit,” against workers, ensuring that these agreements passed. It is, moreover, notorious as a right-wing, Labor-aligned union, for enforcing blatant sell-outs against manufacturing and industrial workers across the country, no different to any other union.

This year, the AWU is negotiating a separate agreement. Far from being a break with the previous betrayals the AWU carried out with the other unions in the “single bargaining unit,” this change is aimed at dividing workers up, profession by profession and union by union, to prevent any common unified struggle, even in the face of provocative attacks such as lockouts.

While they are bargaining separately, the unions are still maintaining a unity in their hostility to any genuine fight against the lock-out and for improved pay and conditions.

Around 90 additional workers at the plant, covered by these other unions, the AMWU, the CEPU and the the United Workers Union (UWU), also voted to strike, but no industrial action was called, meaning workers were legally required to cross the picket line although there was no work for them to do. The AWU made no attempt whatsoever to appeal to these workers to walk off and begin unified action.

The union’s response to the FWC decision poses sharply the urgent need for workers to take matters into their own hands. What is required is a fight against not only the company, but the pro-business industrial courts and their architects and enforcers, Labor and the unions.

The FWC was established by the union-backed Rudd-Gillard Labor government in 2009 to deepen the assault on workers’ wages, conditions and democratic rights that was set in motion under the Hawke-Keating Labor governments of the 1980s and 1990s.

Under Australia’s draconian industrial relations laws, workers are only allowed to strike during short enterprise bargaining windows, and only after a period of behind-

closed-doors “good faith bargaining” between the union and management.

Successive Labor governments developed these harsh regulations in close collaboration with the unions, which suppress any attempt to challenge the laws and promote the fraudulent claim that the pro-business industrial courts are an “independent umpire.”

The Albanese Labor government, in lockstep with big business and the unions, is now seeking to increase the powers of the FWC to intervene earlier in disputes, before any dissent from workers can emerge. This is a critical component of Labor’s wage-slashing agenda and demand for workers to make “sacrifices.”

To defeat this offensive, workers at Qenos and throughout the working class need to build new organisations of struggle, rank-and-file committees completely independent of the unions, which function as a corporatised arm of management. Such committees can involve all workers, regardless of role or previous union coverage. They will provide the forum for workers to democratically prepare a set of demands based on the needs of all workers, not what the company or unions say is “reasonable,” and a fighting plan of action.

This will require a turn to workers around the country and internationally, including at the Sydney Qenos plant and more broadly. In particular, workers at Qenos should link up with workers who remain locked out by their employers, including around 70 at plasterboard manufacturer Knauf in nearby Port Melbourne, who have been shut out for four weeks.

This does not simply mean a drive-by visit, a photo on social media, or any of the other token “solidarity” gestures orchestrated by the unions. What must be built is a network of rank-and-file workers to organise and carry out a unified struggle for improved wages and conditions, and against big business and its trade union enforcers.

This is inseparable from the fight to establish workers’ governments, which would implement socialist policies, placing critical manufacturing facilities under democratic workers’ ownership and control, to enable the reorganisation of the economy to meet the needs of ordinary working people.



To contact the WSWs and the Socialist Equality Party visit:

[wsws.org/contact](https://www.wsws.org/contact)