Kenyan union calls off pilot strike after reactionary court ruling

Kipchumba Ochieng
10 November 2022

The Kenya Airline Pilots Association (KALPA) has called off its strike at Kenya Airways (KQ), one of Africa's largest carriers, after the Employment and Labour Relations Court ordered the pilots to end their four-day strike.

The strike began last Saturday, involving 400 pilots demanding immediate payment of salary deferred due to Covid-19, the ousting of the company board and executives and an end to victimisation of KALPA members. Their main demand was the reinstatement of the pension provident fund, equivalent to 10 percent of workers' pay. KQ unilaterally stopped both the employees' and the employers' contribution in March 2020 claiming financial losses and failed to resume the retirement benefits scheme.

KALPA and other unions have done everything possible to sabotage the strike from day one, as their members defied the joint efforts of KQ management, the government and the media, which hysterically denounced them as "heedless teenagers", "privileged", and a "labour aristocracy", carrying out "economic sabotage."

Action was called in late October after two years of mounting anger during the pandemic, when the trade unions worked with KQ management to impose layoffs, wage cuts and worsening conditions. KQ filed a petition in court to ban the strike.

KALPA, representing 10 percent of the KQ workforce, refused to oppose the criminalisation of its members. It did not appeal to the other 3,000 workers within KQ, let alone other airline workers. It also refused to make an appeal to the 1.5 million workers of the Central Organization of Trade Unions (COTU), Kenya' national trade union centre, despite KALPA being an affiliate.

On October 31, the Kenyan Labor Court granted an injunction against the strike. KQ pilots refused to stop. On Saturday November 5, they defied the ban, even after KQ CEO Allan Kilavuka threatened to sack all striking pilots and the airline started to advertise job vacancies.

The strike showed the strength of a small but strategic section of workers. KQ was forced to cancel 300 flights, affecting 12,000 passengers. The airline put the total losses at $2.4 million a day. The horticulture sector alone, one of Kenya's main exports, said it was losing at half a million dollars a day. Unified and coordinated across national borders and different job designations, the strike could have rapidly shut down airspace and brought the region's economy to its knees.

Such a fight was necessary to defeat their opponents. KQ pilots faced a political struggle against the majority shareholder of KQ, the government of millionaires led by William Ruto, collectively worth Sh15.25 billion ($125 million) and multinationals like minority shareholders Air France-KLM.

Instead, KALPA made clear it did not want to confront the government and its corporate backers. Secretary-General Captain Murithi Nyagah said, "There could be a notion out there that we're striking to test the limits of the new government, whose reign began just the other day. That is not the case. We have grievances that have been unaddressed for far too long."

The government reacted by doubling down on its attacks. Millionaire Transport Cabinet Secretary Kipchumba Murkomen, with a net worth is Ksh550 million ($4.5 million), threatened "pilots to be mindful of the consequences of defying a court order and to urgently return to work because impunity cannot be an option."

Kenya's main opposition party backed the government. Former Vice President Kalonzo Musyoka, spokesperson for the Azimio la Umoja One Kenya coalition, led by millionaire Raila Odinga, said Murkomen "is trying his best, and if they need us we will help him because on the other hand pilots cannot be saying dismiss this, dismiss that one."

© World Socialist Web Site

The two factions of the ruling class feared the strike would have a galvanizing effect on workers internationally, amid a global wave of strikes and protests in which strikes by airline workers have played a central role.

But KALPA ensured the strike was isolated. It made no international appeal, under conditions where pilots globally were joining similar airline struggles and strikes in the US, Chile, Spain, UK, Germany, France and the Scandinavian countries.

KALPA was assisted by the Kenya Aviation Workers Union (KAWU). On Saturday, KAWU announced that ground staff would strike with the KQ pilots in a separate, long-running dispute with the Kenya Airports Authority (KAA) over salary increases. KAA is yet to honour a 2016-2019 Collective Bargaining Agreement pledging a 13 percent increment on the workers' gross salaries. KAA had also agreed to review the workers' salaries upwards every year.

Barely had the strike started when KAWU called it off, preventing ground staff and pilots joining forces against the government. KAWU Secretary General Moss Ndiema said, 'We backtracked on our decision because it was being construed as KAWU joining KALPA, yet they are striking against KQ but our action is directed towards Kenya Airports Authority (KAA). So that distinction was not coming out very clearly."

He added, "If we had gone ahead and downed tools then this airport would have been closed because all departments would have been grounded."

COTU refused to support the pilots of its affiliate union and oppose their criminalisation, which sets a precedent for all workers. In a press briefing Monday November 7, Ernest Nadome, National Secretary General at the Kenya Electrical Trades and Allied Workers Union, speaking on behalf of COTU, called on the government and workers to enter discussions to end the strike. "Instead of issuing ultimatums to the pilots, we should have a return to work formula drafted and get that normal operation at the Airways to resume," he said.

On Tuesday night, KALPA accepted the court order without a fight. In a letter to its members, secretary general Nyagah regretted the disruption and inconvenience of the strike and appealed to pilots to "do our best to restore normalcy to operations in the same unified manner that you have displayed in the last few days."

The filthy betrayal by KALPA and the rest of the unions is not unique. There is not a country in the world where the unions are not playing a similar role, controlled by a highly privileged bureaucracy on behalf of big business.

The criminalization of strikes is also a global phenomenon. Spanish Ryanair and EasyJet workers have been subjected to Minimum Service orders this summer by Spain's Socialist Party (PSOE)-Podemos government, preventing many from legally stopping work. In the UK, the new government of Rishi Sunak is aiming to impose Minimum Service Levels (MSLs) during transport strikes, which would cripple industrial action in the sector.

Pilots can only oppose anti-strike injunctions, the Ruto government and the union bureaucracy by fighting to mobilise a mass movement of the working class. Such a campaign would win wide support, especially as the Kenyan ruling class and its international counterparts seek to impose the full burden of the economic crisis—deepened by the pandemic and NATO war against Russia—on working people.

The KQ struggle is not over. Kenya is set to receive US$433 million from the IMF as part of the US$2.34 billion approved in April last year. Among the conditions—which include tax hikes, spending cuts and the slashing of fuel and maize subsidies—is the demand that Kenya privatise KQ.

The working class must prepare to defeat this offensive by building rank-and-file committees to take the power out of the hands of the bureaucracy and begin coordinating struggles across companies and national borders, reaching out to airline workers internationally.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site