

# Svitzer Australia moves to lock out 582 workers

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Tugboat operator Svitzer Australia announced Monday that it would indefinitely lock out 582 workers across the country from midday Friday. This is the first nationwide lockout of workers since Qantas, Australia's main airline, grounded its entire fleet in 2011, in order to impose a wide-ranging assault on the conditions and wages of airline workers.

The Albanese Labor government intervened, urging the Fair Work Commission (FWC) to stop the lockout and ban all action by workers, under Australia's anti-strike enterprise bargaining laws. The fact that this lockout by the company came in response to legally authorised action by workers under the legislation means that all industrial action of any nature is being made illegal.

The provocation is intended to create a turning point in the attempts to suppress rising opposition by workers against wage cuts being demanded by corporations and the Labor government. This is aimed not just at Svitzer workers but the entire working class.

This action has followed almost four years of an enterprise bargaining process after the expiry of the agreement in 2019. Workers have not received a pay rise since January 1, 2019 and have rejected Svitzer's offer of a miserable 1.5 percent rise per annum. This is far below the official inflation rate of 7.3 percent, itself an understatement of the rapidly rising cost of living.

The company is also demanding sweeping changes to conditions, including reductions to manning levels, increased workplace flexibility through greater use of casual labour and the slashing of full-day minimum shift lengths for casuals.

The call for a lockout follows the company's ongoing threat to terminate the previous agreement covering workers, slashing their pay by almost 50 percent and destroying hard-won conditions, which has so far failed to shatter the determination of workers to fight. The anger and frustration of workers has been diverted into multiple isolated and limited actions by the maritime union bureaucracy. These actions have been cited by Svitzer as the basis for the

lockout.

Should it proceed, the lockout would have a massive impact on Australia's maritime industry, preventing vessels from being towed in or out of 17 ports in five states and disrupting around 40 percent of containerised freight.

Nicole Noes, managing director of Svitzer Australia, claimed the lockout was a necessary product of the company's "obligation" to ensure "our nation's trade and supply chains run without disruption."

While this claim appears at first glance to be utterly absurd, it in fact reveals the real motivation behind the lockout. Instead, the lockout call was a calculated manoeuvre, designed to provoke an intervention into the dispute by the government or the industrial courts, and a ban on any further strikes initiated by workers.

The ruling class is closely observing this dispute. While the corporate media generally maintains a steely silence on movements in the working class, Svitzer's lockout call has been featured prominently by all the major news outlets.

The manoeuvre is seen as a test case for how big business will impose sharp attacks on workers in the coming period, despite mounting opposition.

In an indication that this provocation is likely to give the company exactly what it wants, the Fair Work Commission (FWC) announced last night that it would hold a hearing today to consider ordering that the lockout be cancelled.

Adam Hatcher, vice-president of the FWC told the hearing, "I think everyone agrees this lockout should not go ahead."

Svitzer refused to withdraw the lockout as it is seeking a ruling from the FWC to shut down any possibility of industrial action over the dispute.

Under section 424 of the Fair Work Act, the pro-business industrial tribunal has the power to terminate industrial action on the basis that it "has threatened, is threatening, or would threaten to cause significant damage to the Australian economy or an important part of it."

Such a ruling would not only stop the company-ordered lockout, but prevent workers from striking or taking any

other industrial action over this dispute. This would allow management and the union to cook up an agreement behind closed doors, to be forcefully imposed upon workers by the FWC.

Indicating that the unions agree with the call for industrial action to be shut down, lawyers for the Maritime Union of Australia (MUA) argued that the action should be suspended until next year.

The full bench of the FWC will hold a further hearing tomorrow.

Workplace Relations Minister Tony Burke revealed in an address to the National Press Club today that the federal government had also intervened, telling the FWC “the lockout must stop.”

Previously, Burke used the Svitzer lockout to promote the new industrial relations legislation the federal Labor government is attempting to rush through parliament, which he said would allow “the umpire [FWC] to be able to make decisions on protracted disputes.”

A central aim of the “Secure Jobs, Better Pay” bill is to “de-escalate disputes before industrial action is taken and after industrial action has been authorised,” in other words, to prevent strikes after workers demand them. In order to achieve this, the FWC will be granted increased powers to intervene in “intractable” disputes, without even the need to claim the possibility of “significant damage” to the economy.

Labor is seeking to put in place the structures necessary to contain opposition of workers to its pro-business agenda of real wage cuts and harsh austerity measures targeting the working class, amid rising inflation and interest rates and a renewed surge of the COVID-19 pandemic.

But no amount of legal manoeuvring and courtroom arbitration can crush a movement of the working class without the services of the industrial police force, the trade union bureaucracy.

The unions have given every indication that they are prepared to carry out this offensive against workers. The Australian Council of Trade Unions (ACTU) has enthusiastically backed the proposed legislation and the stepping up of the FWC’s powers to intervene in disputes and shut down strikes.

In a statement issued after today’s hearing, MUA Secretary Paddy Crumlin demanded “an inquiry into how a multinational Danish-owned company can be allowed to hold an entire country to ransom.”

Since the lockout was called, Crumlin has framed the issue entirely from the standpoint of the “national interest.” But the working class is an international class. Workers have no more interest in furthering the profits and wealth of the bourgeoisie in their “own” country than in any other.

Crumlin’s nationalist rhetoric serves no purpose other than to divide workers along national lines and promote the interests of Australian capitalism.

A media statement issued by the MUA yesterday made clear that Crumlin’s primary concern was not the wages and conditions of workers, but the “damage to ports and port users, and the flow on effects that will have on Australian businesses.”

A similar manoeuvre was carried out last month at the Melbourne factory of plastics manufacturer Qenos. Following industrial action by 33 workers, Qenos ordered a lockout, before successfully asking the FWC to order it be suspended, on the basis that the company’s own action would harm the country’s economy.

The Australian Workers’ Union bureaucracy fraudulently claimed the ruling as a “victory” for workers. In fact, the workers were herded back into work with none of their issues resolved, and stripped of any right to take action against the company’s wage- and condition-slashing proposed agreement.

This is an expression of the complete agreement of the unions with Australia’s draconian industrial relations laws, which already prohibit strikes over pay and conditions, except during bargaining for a new enterprise agreement. Even during those periods, strikes are only allowed subject to the approval of the FWC.

The union bureaucracy was central to the drafting of the Fair Work Act, working closely with the Rudd-Gillard government to impose tight constraints on workers’ rights, and have enforced the harsh laws ever since.

Australia’s union leaders, fearing mounting unrest in the working class and concerned that neither they, nor the FWC will be able to contain it, are now spearheading the push for the latest industrial relations legislation.



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