Australian workers call for strikes at highest rate in five years

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In recent weeks, the number of Australian workplaces where workers are voting on whether to take industrial action has surged to more than 150 percent of the long-term average. But the growing numbers of workers determined to fight the assault on their wages and conditions are up against Labor's increasingly harsh industrial relations laws, as well as a union apparatus that is actively seeking to suppress their struggles.

The ballots are distributed across a wide range of industries, including those, such as retail and offshore fuel drilling operations, where strike action has been virtually non-existent for decades.

Around 180 workers at three Woodside liquefied natural gas facilities off the coast of Western Australia this week voted almost unanimously to strike, after more than three decades without industrial action. Workers are opposing an attempt by the company, which just recorded an annual profit of $US5.23 billion, up 223 percent year over year, to cut base wages by up to 20 percent.

Since the start of June, industrial action has been approved in disputes involving almost 20,000 workers. This includes almost 4,000 teachers in the Queensland Catholic school system, at least 2,000 university educators, more than 1,000 each in manufacturing and transport and around 700 in the mining and energy sector.

The largest group, almost 10,000 public servants employed by the federal government, began industrial action this week—albeit limited by the union bureaucracy to minor work bans—in opposition to a real wage slashing 10.5 percent nominal pay rise over three years.

The wide range of occupations in this list reflects a growing mood of opposition among broad sections of the working class to deepening real wage cuts amid soaring inflation and successive interest rate rises.

In the six weeks starting 6 June, 85 protected action ballot orders were issued by the Fair Work Commission (FWC), compared with the five-year average of 55 in the comparable period. This surge is part of a longer-term process. In each month this year, there have been more votes to strike than the monthly long-term average.

In the second quarter of 2022, strike activity reached the highest level in almost two decades, with more than 128,000 working days lost to industrial action. While the number of workers involved in strikes has since declined, it is not because any of the issues behind the unrest have been resolved.

Over the 12 months to June 16, the average nominal annual wage increase in union-brokered enterprise agreements was just 3.8 percent, less than half the peak inflation figure of 7.8 percent recorded in December. Over the same period, the Reserve Bank of Australia lifted interest rates ten times, increasing average mortgage repayments by more than $1,000 per month.

The 2022 strike wave was largely driven by multiple mass walkouts by public sector health workers and teachers in New South Wales (NSW). Their struggles were diverted by the union bureaucracy into a campaign to elect a Labor government in Australia's most populous state.

The unions promoted Labor as the solution to deepening real wage cuts and worsening conditions. But with Labor now holding office federally and in every state and territory, except Tasmania, and promises of "a better future" having long since been replaced with demands for workers to make "sacrifices" in the name of "productivity gains," these lies are starkly exposed.

Conscious that they sit atop a powder keg, Labor, the unions and the industrial courts are employing increasingly anti-democratic measures to contain workplace disputes and prevent the development of broader unrest.

New industrial relations legislation, rushed through parliament late last year by Labor with the full support of the unions, has granted the FWC greater powers to shut down industrial action and impose the demands of big business.

Under the new laws, when a strike vote is called, a union-management conciliation conference, run by the FWC, must be held before the ballot closes. Even as workers are voting to take action, their supposed representatives must be engaged in legal proceedings aimed at invalidating the vote

and wrapping up the dispute without any disruption to company profits. The law requires that these conferences are "conducted in private," i.e., behind the backs of workers.

In an August 2 address to the Australian Industry Group, FWC president Adam Hatcher reported that, in the six weeks following the new rules coming into effect on 6 June, 29 such conferences had been held. "In at least three cases," Hatcher declared, "the conferences resulted in complete resolution as to the terms of a new enterprise agreement [EA]."

That is, in more than 10 percent of cases where workers' opposition to management was sufficient to compel the union to call a ballot, the new rules provided a mechanism to deny the right to strike. Hatcher said this was "encouraging," but there was "more work to do to change expectations about the way enterprise bargaining proceeds under the new legislation."

The conciliation requirements add an additional hurdle to the already anti-democratic and time-consuming process of applying for protected industrial action.

Under the pre-existing laws, rooted in the introduction of enterprise bargaining by the Keating Labor government in the early 1990s and sharpened by the Rudd-Gillard Fair Work Act of 2009, workers were already required to "bargain in good faith" and "genuinely try to reach agreement," before voting to strike.

No matter what harsh cuts to jobs, pay and conditions management demands in a proposed agreement, workers must demonstrate their willingness to give concessions and negotiate on friendly terms, before they have any legal right to take industrial action.

According to a Queensland University of Technology study of industrial disputes occurring in 2015–16, for the majority of those involving a strike vote, the protected action ballot application was made after three to nine months of negotiation.

The addition of further impediment and delay to this process is of particular significance because of another measure that has just come into effect: intractable bargaining declarations.

The FWC can now declare a dispute "intractable" after nine months of bargaining, if it determines that parties have "reached an impasse." When such a declaration is made, no further industrial action can be taken, and the FWC can impose the demands of management through arbitration.

The implications of this were made clear by Commissioner Bernie Riordan in May, when he warned Svitzer tugboat workers facing a likely intractable bargaining declaration that "having the FWC arbitrate the EA" would "deliver what I believe will be an inferior result," compared with the company's wage-slashing offer.

While the intractable bargaining laws are yet to be tested in action, they are already serving their purpose for the ruling class.

The Svitzer dispute, in which workers had already been hit last year with the full weight of Australia's existing anti-strike laws, is one of several recent struggles in which the union bureaucracy has used the threat of an intractable bargaining declaration to overcome workers' opposition and force through a sell-out deal.

These include Virgin Australia Regional Airlines, where the Australian Licensed Aircraft Engineers Association (ALAEA) agreed "in principle" to a wage-slashing deal, just days before a scheduled FWC hearing to decide if the dispute was "intractable."

In recent and ongoing disputes at several universities, National Tertiary Education Union (NTEU) officials have echoed Riordan's warning to workers that voting down a rotten management offer will only lead to a worse deal being imposed by the industrial tribunal.

The increasing number of strike ballots being conducted reflects the growing determination of workers to fight deepening attacks on their wages, jobs and workplace rights, as the cost of living soars and social conditions become more intolerable.

But the will to fight is not enough. As long as workers remain within the stranglehold of the union apparatus, which is working hand-in-hand with Labor and the industrial courts to further restrict their already limited workplace democratic rights and impose the demands of the corporate and financial elite, their struggles will only end in betrayal.

This poses the need for workers to take matters into their own hands, and form rank-and-file committees, democratically led by workers themselves. Through these committees, workers can link up across industries and take up a political struggle against Labor, the unions, the industrial courts and the assault on their jobs, wages and conditions.