

Australia: NSW Labor government wins injunction banning rail strike

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Late Sunday, the Federal Court of Australia granted an injunction, sought by the New South Wales (NSW) Labor government, banning industrial action by the state's passenger rail workers in an ongoing dispute over wages and conditions.

On Monday, workers had been set to resume a ban on working more than a set number of kilometres, the limit of which was to decline each day. This would have primarily impacted service on intercity routes, while also creating increasing rostering complexities throughout the Sydney suburban network.

The action had been paused since November 21, when the Rail Tram and Bus Union (RTBU) also called off a two-day strike set to begin the following day and be repeated on the next two weekends.

Downplaying the significance of the Labor government's attack, the union told members on Tuesday there was a "clear path for continued action." The union described as a "great outcome" the court's decision to hear the government's case next Monday, but did not explain what the implications of this would be for workers.

Comments from the union on social media indicate that the Labor government will argue that, because it has agreed to negotiate a single enterprise agreement covering both Sydney Trains and NSW TrainLink, workers' original strike votes, which relate to the two separate existing agreements, are invalid.

The RTBU claims that because the case is based on a "technicality," the strike ban can be overcome through a new protected action ballot, which opens today.

The union employed a similar mechanism of forcing workers to undertake a second strike vote in late 2022, after the then Liberal-National state government took Federal Court action over planned industrial bans against fare-collecting machines. The union then ensured that no further substantive action was taken by workers and a sell-out deal, virtually identical to the government's previous offer, was rammed through several months later.

This parallel is only one of many strong indications that

another betrayal is being prepared by the RTBU bureaucracy.

The strikes last month were called off, not because the Labor government had met a single one of workers' demands, but because the union leadership never intended for them to proceed. In calling the actions, the bureaucracy provided the Labor government with an easy out—if trains were scheduled to run 24-hours-a-day from Thursday night to Sunday morning, the stoppage would be cancelled.

Although the "reducing kilometres" action did not have this proviso attached, the bureaucracy shut it down anyway as a sign of "good faith" prior to two weeks of "intensive bargaining."

In fact, it was clear even on November 21 that this "intensive bargaining" would be a joint union-management-government conspiracy to ensure that any meagre increase to Labor's pay offer will be extracted from workers through attacks on jobs and conditions.

In a letter to members that has since been removed from its website, the union claimed it had "achieved a mechanism where we can increase the percentage pay rise in the new EA [Enterprise Agreement] through identifying and abolishing waste throughout the rail agencies and within the Transport bureaucracy."

On November 25, workers were told: "The meeting with Treasury was overwhelmingly positive, with the Government showing real and substantive engagement with us on achieving the pay increase we all deserve."

These illusions promoted by the RTBU, that Labor is somehow amenable to workers' demands, now stand exposed as a fraud by the government's legal action.

The injunction, coming just two days after the Fair Work Commission (FWC) made an unprecedented ruling to ban pickets by 1,500 striking Woolworths workers, highlights the complete intolerance of the ruling class for any form of opposition by workers to the deepening assault on their standard of living.

The growing list of attacks on workers' basic democratic rights in recent months also includes the federal Labor

government's placement of the Construction, Forestry and Maritime Employees Union (CFMEU) construction division under quasi-dictatorial administration in a bid to drive down wages and conditions in the building industry.

The stepped-up hostility to industrial action is because the political establishment recognises that it sits atop a powder keg of social opposition to the austerity agenda of Labor governments at the state and federal level.

Along with most of the NSW public sector—with the notable exception of the police—rail workers have been offered a real-wage slashing pay “rise” of 9.5 percent over three years by the state Labor government.

This is scarcely higher than the official inflation rate of 2.8 percent and far below the real cost-of-living rise confronted by the working class. Moreover, rail workers, like the rest of the public sector, are already far behind in real terms as a result of previous union-brokered deals.

The RTBU has advanced a demand for 8 percent per annum pay increases over a four-year agreement. Even taken at face value, this would not be enough to keep up with inflation and recoup past losses. The reality is that the 8 percent figure, now conspicuously absent from the union's communications, was never anything more than a smokescreen.

Its purpose is to hide the fact that yet another betrayal is being prepared by the bureaucracy, which has ensured that industrial action in the dispute has been kept to a minimum.

So limited was the campaign undertaken by the union in the two months following workers' protected action vote in August, that it was compelled by the Fair Work Act to call a strike in October. Under the laws, any action not taken within 60 days of being approved by workers and the FWC ceases to be legally protected.

Faced with the consequences of its own suppression, the RTBU bureaucracy came up with what it cynically hailed as a “world first”—a five-minute strike at three o'clock in the morning. By the union's own admission, this stoppage was designed to be “a non-event,” causing minimal disruption to the network and presenting no challenge to the Labor government.

A month earlier, the RTBU leadership called off work bans ostensibly protesting the closure of the Bankstown line (for at least 12 months) to transform it into the privatised, driverless, South West Metro. As with the November strikes, the union leadership never intended for this token action to proceed, promising the Labor government that it would be abandoned if train travel was made free for a weekend.

The fact is that the RTBU and other rail unions have never seriously opposed the Bankstown line conversion. Other than occasional blustering statements by union officials and high-voltage switching bans briefly imposed in 2022,

nothing has been done to mobilise workers against the job-cutting privatisation.

The actions of the RTBU bureaucracy over recent months follow a pattern established by the union in a series of betrayals. One industrial action after another is abandoned as the union insists that everything can be resolved through backroom negotiations with a government that is meanwhile busy slandering and attacking workers from every direction.

To avoid yet another sell-out, in which workers are forced to trade away conditions in “exchange” for a totally inadequate nominal pay rise, this pattern needs to be broken. Workers need to take matters into their own hands, out of the control of the union bureaucracy.

Rank-and-file committees must be built in every rail depot. They must insist that a real industrial fight is carried out, not stunts in which the government decides when and if strikes proceed, without even granting a single concession.

But more than this, a political struggle is required. The anti-strike injunction underscores that workers are up against a NSW Labor government that will deploy every organ of the capitalist state against their fight for decent jobs, wages and conditions. This intense hostility to the working class is not confined to a single state, but common to Labor governments around the country at state, territory and federal level.

Such a fight is impossible within the framework of the RTBU or any other union, which are integral components of the Labor Party and its governments, tasked with enforcing this pro-business agenda and which have presided over decades of cuts and privatisation.

Rail workers cannot defeat this alone. Through rank-and-file committees, they will need to link up their struggle with the hundreds of thousands of public sector workers, including teachers, nurses, other health workers and more broadly, who are either in the process of fighting the Labor government's real wage cuts, or have recently had them imposed in sell-out union deals.

Above all, what is required is an alternative socialist perspective and a fight to place all public transport, along with other vital social assets, as well as the banks and major corporations, under public ownership and democratic workers' control, so that they can be run to serve the interests of the entire working class, not the wealthy few.



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