

Australian federal Labor government threatens to shut down NSW rail dispute

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New South Wales (NSW) Premier Chris Minns this morning threatened to ask the federal Labor government to shut down industrial action by rail workers, if the Fair Work Commission (FWC) does not do so in a case set to be heard tomorrow.

Under the anti-worker Fair Work Act, both the FWC and the federal workplace relations minister—currently Murray Watt—have the power to order an end to strikes or other industrial action, under the pretext that they pose a threat to safety or may cause “significant economic harm.”

Minns told 2GB Radio: “I’m not going to rule anything out, including going to the prime minister. That step has never been taken.”

Watt and Prime Minister Anthony Albanese played down the suggestion, insisting that the protracted dispute was a “state issue.” But they did not discount the possibility that the federal Labor government would take this draconian and unusual step if the FWC failed to shut down the action.

Albanese declared, “I support very much the efforts of the Minns government to bring this dispute to an end.”

Speaking to the Australian Broadcasting Corporation (ABC) yesterday, Watt said, “all of us will be keenly watching the outcome of the Fair Work Commission decision on Wednesday.”

In other words, while the federal Labor government would prefer not to invoke the ministerial intervention powers, it is ready to step in if the so-called “independent arbiter” does not order the suspension of industrial action.

The calls for federal intervention came after Sydney’s passenger rail network was hit with mass cancellations and delays on Friday, as a result of the New South Wales (NSW) Labor government telling workers they would not be paid if they took part in limited work bans.

Labor’s action, effectively a lockout, came in response to a “go-slow” measure called by the Rail, Tram and Bus Union (RTBU). Under this action, originally slated to begin last Wednesday, train drivers were to reduce their speed by 23 kilometres per hour in 80km/h and over zones.

Under Section 471 of the draconian Fair Work Act, employers can refuse to accept any work from (and therefore not pay) workers who plan to engage in “protected” industrial action, however limited. Section 471 also allows the employer

to reduce workers’ wages if they participate in partial work bans but are not sent home. In both cases, all an employer need do is notify workers in writing that such retaliatory action will be taken.

The RTBU bureaucracy responded by pausing the “go-slow” for 48 hours, in order to engage in further backroom negotiations with the Labor government, emphasising they were “excruciatingly close” to an in-principle agreement.

The backdown and continuation of cosy relations with Labor were not only aimed at heading off the train drivers’ action, but at undermining and isolating a strike rally on Wednesday by another section of Sydney Trains workers, who are under the same enterprise agreement, but covered by the Electrical Trades Union (ETU).

The union-government talks reportedly broke down when the union bureaucracy offered to trade off a \$4,500 one-off payment contained in the existing enterprise agreement for an additional 1 percent pay rise in the third year of the new deal.

This massive proposed concession would have saved the state (and thus cost workers) some \$40 million. But the Labor government objected, claiming that the \$4,500 payment clause, which has not previously been discussed in this dispute, was never intended by the previous Liberal-National government to be an ongoing measure when it was added to the last enterprise agreement.

After the 48 hours elapsed, the RTBU bureaucracy left it up to individual workers to decide for themselves whether or not to show up for work, under conditions where the government had threatened not to pay them.

Workers were told, “silence is golden ... You can simply not go to work ... You don’t have to tell anyone you are coming back the next day, you just have to turn up.”

The fact that several hundred workers did not report for work on Friday, with many calling in sick, despite the union’s vague and isolating communication, underscores the seething anger of rail workers and their determination to fight, despite the ongoing efforts of the union bureaucracy to tie their hands behind their backs.

As the government-media attack on the workers intensified, RTBU NSW Secretary Toby Warnes lamented, “It’s very hard to control an angry workforce, to be honest,” insisting there

was no union directive for members not to show up for shifts.

“We haven’t orchestrated any of this. Thousands upon thousands would do it if we did. The sense of anger we’re getting from members is palpable.”

The NSW Labor government appealed to the FWC to rule that this constituted “unprotected” industrial action. The industrial tribunal disagreed, determining on Sunday afternoon that no “sick-out” had occurred. However, FWC President Adam Hatcher recommended that the “go-slow” be dropped to facilitate further union-government negotiations.

The RTBU bureaucracy, despite declaring the ruling a “significant win,” eagerly complied with the “recommendation,” calling on workers to report for work and perform their duties as usual on Monday.

Warnes told 7NEWS yesterday, “We wanted to see things run as smoothly as possible this morning so that we could get back into the negotiation room and try and get the last little bit of the deal done.”

The repeated insistence by Warnes and other RTBU officials of how close they are to a deal, without any mention of concrete wage figures or the status of job security and safety clauses that the Labor government has sought to abolish, should be a stark warning to rail workers.

The last reported offer from the government was for a 14 percent nominal pay rise over four years, of which 1 percent would come from “cost savings.” This “revised” proposal was effectively unchanged from the original offer, made throughout the NSW public sector, of a 9.5 percent increase over three years.

While what is currently being discussed behind closed doors is opaque to the workers it concerns, they can be sure of one thing—what is being prepared is a sell-out. Their demand for a 32-percent pay increase over four years, itself far short of what is needed to make up for previous real-wage cuts enforced by the unions, was long ago abandoned by the bureaucracy.

Moreover, every attack by the NSW Labor government, including multiple FWC and Federal Court cases aimed at denying rail workers any right to take industrial action, as well as a vicious media-backed propaganda campaign, has been met with conciliation and backdowns from the RTBU bureaucracy.

In the face of this outright hostility, the bureaucrats, whether from the RTBU, ETU, or other “combined rail unions,” have insisted that the only way forward for workers is through plaintive appeals to the very Labor government that is attacking them.

This underscores that rail workers need to take matters into their own hands. Rank-and-file committees, must be built in every rail depot and workplace as the means through which workers, not union officials, can democratically plan and lead a struggle for real improvements to their wages and conditions.

This is not just an industrial fight but a political one, in which workers are not only up against the NSW government, but the federal Labor government, which is equally hostile to the

interests of the working class.

The spectre of direct federal intervention in the rail dispute is only the latest example of Labor’s intolerance of any opposition by workers to attacks on their wages and conditions.

It follows the close involvement of the Albanese government in ensuring that the November-December strike by more than 1,500 Woolworths warehouse employees was shut down, with workers receiving none of their demands.

Even more starkly, in August, the federal government placed the construction division of the Construction, Forestry and Maritime Employees Union (CFMEU) under quasi-dictatorial administration, in the most blatant attack on workplace democratic rights in decades.

Labor’s increasingly hard-line stance on any fight by workers against attacks on their wages and conditions is especially notable in the context of the upcoming federal election, which must be held within the next three months. Amid a global crisis of capitalism and with opinion polls showing plummeting support for the already unpopular Albanese government, Labor is pitching itself to big business as the party best placed to contain the social explosion that is bubbling under the surface.

To fight for real improvements to their pay and conditions, rail workers must link up with the growing current of opposition among the working class to Labor’s attacks on wages and living standards. In NSW alone, this includes the 50,000 public sector nurses and midwives, whose determined efforts to defeat yet another real wage cut with no improvements to conditions have been suppressed at every turn by the NSW Nurses and Midwives’ Association, along with tens of thousands of other public sector workers who have been pushed into sell-out deals by the union bureaucrats.

Only through the fight to build rank-and-file committees, independent of the union bureaucracies, can a unified struggle be built, involving the broadest layers of the working class, against the Labor government, the industrial courts and the capitalist system itself.

The alternative is a socialist perspective, in which transport and other vital public infrastructure, as well as the major corporations and banks, are placed under democratic workers’ control and ownership, to serve the needs of the entire working class, not further enrich the wealthy few.



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