

# QUEENSLAND BRANCH NEWS

NEWSLETTER of the QLD Branch of the MARITIME UNION of AUSTRALIA

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To be truly radical is to make hope possible, rather than despair convincing - Raymond Williams No. 118 - 16 February 2018

**Industrial Hearing Loss Claims - Union Officials to Feel Sting of Penalties - 20<sup>th</sup> Anniversary Patrick's Dispute  
Woolworths Cleaners Paid Just \$7 An Hour - Construction of Heavy Lift Giant  
Decline in Trade Union Membership Continued**

## Industrial Hearing Loss Claims

By Bob Carnegie



IF MY LIFE in the working class movement has meant anything, it has been my devotion to the cause of injured workers. Since being your elected Branch Secretary, I

have been very concerned about the levels of preventable noise on the job, which no one seems to care much about.

For example, how many tool box meetings have been held where the levels of noise on a ship have ever really been discussed? To start trying to deal with this unspoken work caused/related injury, the Branch, under my leadership, will be sending a letter to all members concerning their rights to seek compensation under the Workers Compensation Act (if you are a wharfie, tug person or ferry person) or the Sea Care Act for Seafarers.

Both schemes have their strengths and weaknesses however, the Queensland Workers Compensation Act is, in my opinion, a far and overall, superior. For injured workers, particularly in relation to industrial related hearing loss.

This initiative, although driven by the Branch, will be fully supported by the Branch's personal injury lawyers, Turner Freeman and the MUA point of contact, Adam Taylor.

Members who choose to go down this route to investigate hearing loss will be up for a small, initial fee but after that there should be no more out of pocket expense.

Adam is highly experienced in this area. For members who wish to take this offer up, I would appreciate it if they contact me, Bob Carnegie, in the first instance on 0439 478 996 so we can have a yarn about your exposure and on a higher level, get something done about noise exposure on the job which equates to more than sticking a couple of pieces of foam in your ear as wearing ear phones.

This is an important issue. I want members to take this serious issue up.

## Union Officials to Feel Full "Sting" of Penalties After High Court Ruling

*I have received some criticism from good comrades over the Branch News publishing some controversial articles such as the one below. I want all members and supporters and readers of this newsletter to know that the Branch and myself, personally, strongly disagree with this decision of the High Court. However, it's very important, in my opinion, that members and supporters are made aware of these types of decisions that are an attempt to handcuff the workers struggle. Bob Carnegie*

A HIGH COURT ruling has cleared the way for courts to order that fines are personally paid by union officials rather than by their unions.

Today's ruling will have particular ramifications for the CFMEU and its officials, currently facing a stream of prosecutions from construction watchdog the ABCC.

The High Court decision flowed from an ABCC challenge to December 2016's full Federal Court decision (see Related Article) to set aside a ban (see Related Article) on the CFMEU paying official Joe Myles' \$18,000 penalty for unlawful conduct in 2013 (see Related Article).

The ABCC argued that the full Federal Court erred in quashing the elements of Justice Debra Mortimer's May ruling that prevented the CFMEU from reimbursing Myles' penalty, or paying it on his behalf. The CFMEU was fined \$60,000 under the original judgment.

### **Greater the burden, the more likely the deterrence**

Last year, the ABCC was granted special leave to appeal to the High Court on the question whether s545(1) of the Fair Work Act or s23 of the Federal Court of Australia Act 1976 (Cth) empowers a judge to make a non-indemnification order.

The High Court today unanimously held that neither s545(1) of the FW Act nor s23 of the Federal Court Act empowers a judge to make a non-indemnification order, because such an order is penal and is beyond the scope of those sections.

**Authorised by Bob Carnegie, Maritime Union of Australia (MUA) Queensland Branch Secretary**

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It also held unanimously that s546 could not support a non-indemnification order, with the majority holding that an order directed at someone other than the party subject to the pecuniary penalty is not authorised by that section.

However, the majority – Chief Justice Susan Kiefel and Justices Patrick Keane, Geoffrey Nettle and Michelle Gordon – held that a personal payment order could be made under s546.

While the chief justice said that she agreed with the orders made by the majority, she made a distinction that s546(1) contained an express conferral of jurisdiction – rather than an implied one as found by the majority – on the making of a pecuniary penalty order.

Justices Keane, Nettle and Gordon found s546(1)'s express power conferred an implied power to make an order that a contravener pay a penalty personally and not seek or accept indemnity from a con-contravener, otherwise known as a "personal payment order".

The justices said the principal purpose of penalties imposed under s546 was specific deterrence of the contravener and, by example, general deterrence of other would-be contraveners.

"Other things being equal, it is assumed that the greater the sting or burden of the penalty, the more likely it will be that the contravener will seek to avoid the risk of subjection to further penalties and thus the more likely it will be that the contravener is deterred from further contraventions," said the justices.

"Conversely, the less the sting or burden that a penalty imposes on a contravener, the less likely it will be that the contravener is deterred from further contraventions and the less the general deterrent effect of the penalty.

"Ultimately, if a penalty is devoid of sting or burden, it may not have much, if any, specific or general deterrent effect, and so it will be unlikely, or at least less likely, to achieve the specific and general deterrent effects that are the *raison d'être* of its imposition."

#### **ABCC "jealous" to protect penalty orders**

On the question of enforcement, the majority said it would ordinarily be assumed that a contravener who was ordered to pay a penalty personally would abide by the order rather than risk detection and punishment for contempt.

The court had a "degree of confidence" the ABCC will be "jealous to protect the efficacy of any such orders and therefore astute to detect and institute contempt proceedings for their contravention".

"It is also to be remembered that discovery is available against an incorporated trade union in contempt proceedings."

The majority said that Rule 41.06 of the Federal Court Rules 2011 (Cth) meant a person who disobeyed an order would be liable to imprisonment, sequestration of property or punishment for contempt.

"If a personal payment order were made against Myles, it would require him not to seek or accept indemnity from

the CFMEU in respect of the pecuniary penalty imposed on him."

A judge could also order a notice to be served on the CFMEU as the entity from whom Myles would be prohibited from seeking or receiving indemnity.

"Service of the penal notice on the CFMEU would be sufficient to put the CFMEU on notice not only that the personal payment order had been made but also that the CFMEU was prohibited from knowingly interfering with its performance."

The majority issued orders that the case be returned to the full court of the Federal Court to impose penalties.

It said the full court was correct in holding the trial judge had no power to make a non-indemnification order.

The full court was also correct in holding the trial judge denied Myles and the CFMEU procedural fairness on whether the penalty was to be paid partially out of public funds.

#### **Full court to consider whether personal payment order "appropriate"**

But they found it was not correct for the full court to order to set aside the rest of the trial judge's order because the amount of the pecuniary penalty and the non-indemnification orders were a "distinct but interrelated element of the one single penalty".

They said the full court should keep in mind that it would have been open to the trial judge to make a personal payment order against Myles under s546 on the terms that he not seek or accept indemnity from the CFMEU.

"It is similarly open to the full court to make such an order as part of the re-imposition of penalty.

"Of course, whether it is considered appropriate to make such an order will be a matter for the full court to determine in the exercise of their Honours' discretion."

"It will be necessary, too, for the full court to hear and consider what Myles and the CFMEU wish to submit in relation to the question of payment of penalties out of public funds."

The majority ruling granted the ABCC leave to amend their notice of appeal and granted the costs of the CFMEU and Myles in responding to that application. But there was otherwise no order for costs.

In a minority decision, Justice Stephen Gageler said he would dismiss the appeal.

He agreed that neither s545(1) of the Fair Work Act 2009 (Cth) nor s23 of the Federal Court of Australia Act gave the power to prohibit one person from indemnifying another person who has been ordered to pay a pecuniary penalty under s546(1).

But he was "equally persuaded" that s546(1) was not a source of power to prohibit that other person from being indemnified.

Outside the court, ABC Commissioner Stephen McBurney said the High Court had made an important decision confirming that a personal payment order can be made against an individual.

"Such orders are designed to ensure that the person responsible for unlawful conduct cannot avoid paying the appropriate penalty," said McBurney, who began in his new role last week.

"The ABCC is committed to ensuring all industry participants, be they employers, employees or unions, comply with Australian workplace laws.

"Penalties cannot simply be treated as a cost of doing business."

Australian Building and Construction Commissioner v Construction, Forestry, Mining and Energy Union

[2018] HCA 3 (14 February 2018)

Sourced from:

[https://www.workplaceexpress.com.au/nl06\\_news\\_selected.php?act=2&nav=12&selkey=56485&utm\\_source=weekly+email&utm\\_medium=email&utm\\_campaign=subscriber+email&utm\\_content=article+headline&utm\\_term=Union%20officials%20to%20feel%20full%20of%22sting%22%20of%20penalties%20after%20High%20Court%20ruling](https://www.workplaceexpress.com.au/nl06_news_selected.php?act=2&nav=12&selkey=56485&utm_source=weekly+email&utm_medium=email&utm_campaign=subscriber+email&utm_content=article+headline&utm_term=Union%20officials%20to%20feel%20full%20of%22sting%22%20of%20penalties%20after%20High%20Court%20ruling)

## 'We had Marx, they had Pauline': Left Organising in Poor Communities

By Joanna Horton

*As part of our commitment to social unionism, our Branch is going to involve ourselves in assisting working class people who have fallen on tough times.*

Bob Carnegie

THE PAST FEW years have been full of lessons. Ever since the spread of what might broadly be termed right-populism (Trump, Brexit, Hanson: all those familiar symbols), what was initially horror-struck confusion in progressive circles has coalesced into general agreement around the terms of the problem: the left has burrowed too snugly into its comfort zone of urban cosmopolitanism, and has abandoned the material concerns of those disenfranchised by late-stage capitalism. The resulting vacuum has proved fruitful for the right wing of politics, which has eagerly vocalised – and, in many cases, racialised – these concerns.



Image: Eloise Fuss / ABC RN

The lesson for the left, then, is to reclaim some of this turf. Start listening to the so-called deplorables, and offer solutions that speak to their grievances. We have all read this opinion piece, over and over again. And yet for all the talk, there has been little discussion of what this mode of organising actually looks like on the ground. What are the nuances and challenges of left-wing organising in poor communities, and what are the lessons we can take from it in future?

It's a bright January Saturday morning and the Anti-Poverty Network Queensland is hosting its first official event, the Logan Community Day. Inside a small, low-ceilinged community centre, about a dozen stalls are set

up. The event is intended to provide a kind of one-stop shop for accessing housing, legal, employment, training and advocacy services. People mill around the stalls, stopping to talk with the service providers. They fill canvas tote bags at the food bank. A large group of parents and grandparents, most of whom don't speak English, wait patiently while their kids go for free dental checks. At midday, the organisers set up a BBQ around the side of the building and serve sausages for lunch.

The event is unremarkable in many ways: prosaic, even. There are no speeches or forums shot through with the glamour of jargon. There are no charismatic academics or candidates. But that's sort of the point. The APN is a welfare justice organisation – they provide advice and representation to people struggling with Centrelink, and campaign for a raise to the Newstart allowance and against the cashless welfare card. 'It's about creating this network of organisations that are actually capable of challenging the power of the state,' organiser Feargal McGovern tells me. 'And making people's lives better. Talking the good politics, but walking it as well.' Essentially, the APN wants to be 'a union for the unemployed; an organisation of people in poverty helping other people in poverty.'

What does poverty look like in the world's ninth wealthiest country in 2018? Helen,\* attending the Logan Community Day for legal advice, spent fifteen years in a state orphanage. Since the finalisation of her claim for recognition as a Forgotten Australian, she's had problems with Medicare. She waited two years for a healthcare concession card. Her disability claim has been stuck in limbo for a year and a half. 'Every time I'm on the phone I get angry, because I feel like I'm retraumatised all the time,' she tells me, tears sliding down her cheeks. 'I just feel like I'm still that little girl in the orphanage, and I'm a number.'

Victoria, who volunteers with APN, is about to move suburbs to avoid the roll-out of the cashless welfare card in her area. Once she's on the card, it will follow her wherever she moves. 'I sort of worry about the future,' she tells me. 'Me being stuck on the card, and what impacts it will have on my future. I want a job, and I also want to do more study...' As a man filling a bag at the food bank says, 'We're wise enough to spend money. It's freedom-restricting, that's not part of democracy, is it?'

'We know what it's like to struggle,' another woman tells me. 'It's no good turning around and saying: all these people are a burden on society. Well, if that's the case I've been a burden most of my life. Because I got married, and I had a family, and I've just been a stay-at-home mum. And I'm a grandmother now. That's still work! That's unpaid work. So how about the government start paying and backdating all these stay-at-home mums? All politicians should take a cut on what they earn, on what they give themselves.'

A few weeks after the Logan Community Day, I accompany APN organisers to one of their weekly stalls

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outside the Woodridge Centrelink. We hand out flyers to people walking past: 'Stop the cashless welfare card!' A man with tattoos snaking up his arms and neck, accompanied by his pregnant partner and a small daughter in a pram, scans the flyer. 'Oh shit yeah,' he says. He and his partner stop to sign the petition against the card. Three kids, riding scooters down the footpath, ask us what we're doing and we explain. 'Oh,' says one. 'Yeah, we've got welfare on our backs.' A few minutes later they reappear and ask if they can help us hand out. We give them stacks of flyers and they're off down the street. One boy, who tells us he's been suspended from school for fighting, marches up to passersby and says in a clear, ringing voice, 'Stop the war on the poor!'

Those of us involved with political organising often harbour the belief that we are more politically aware than others; that the 'ordinary people' who exist outside our theoretical and organisational worlds are apathetic, or apolitical, or unenlightened. I have never found this to be particularly true. Like many people, those I met in Logan had lost faith in politics, but they were highly politicised. They had a keen awareness of their subjectivity in relation to the various institutions that structure their lives: Centrelink, the police, the state in all its variously indifferent and punitive manifestations. They were unashamed of being poor, because they understood poverty as the production of a brutal and unjust system.

When you know the system is stacked against you, any articulation against it sounds appealing. One Nation received thirty per cent of the primary vote in Logan at the 2017 Queensland State Election. APN organisers often meet people who profess their support for Hanson. 'But,' says Feargal, 'if you really listen to the reasons why they're going for Pauline Hanson, you see that they've come to the same realisation we did. It's just that they didn't have the same solution in front of them. We had Marx, they had Pauline. They'll tell you, I don't agree with everything she says. But she's real.'

Here it is, then: the challenge of all those opinion pieces. How do you win over the person who never had Marx, but does have Pauline? A shop owner in Woodridge called Feargal up after seeing an APN flyer about the cashless welfare card. She asked him to bring a petition to her shop, so she could collect signatures. 'I don't want this cashless card,' she told him, 'because it'll mean that all the Aboriginals are going to steal from my shop!'

It's the kind of racist statement that awakens, for many of us, the instinct to scold. But while 'calling out' someone's racism feels good (or at least righteous) in the moment, it's highly unlikely to change their mind. 'You need to create something people want to buy into,' says Feargal, 'and people don't want to buy into being made to feel like dirt. They're already made to feel like dirt because they're poor.' Instead, the APN emphasises common interests: 'You focus on the fact that it's about

welfare, and in the end, we're all connected. What hurts one, hurts all.' Starting from this position of commonality, they find, is a far more effective avenue for challenging people's views on race. When people complain to APN organisers about 'the Muslims', their tactic is to articulate a common enemy: 'Are the Muslims cutting your Centrelink payments? Malcolm Turnbull and Tony Abbott and all that lot – are they Muslims? No, and that's who's cutting your payments off!'

This is a strategy open to heavy criticism from a Left preoccupied with prejudice and privilege. The Woodridge shop owner, for instance, was not made to confront her own racism. She didn't consider the colonisation and dispossession that Aboriginal people have undergone for centuries, and still undergo today. But she was, crucially I think, prompted to recognise an instance in which her interests were aligned with theirs. In doing so, she took the first step toward what we might call solidarity with Aboriginal people, with migrants and asylum seekers, with all those dismissed as burdens on society. Everything else grows from there.

Contemporary left politics, it sometimes seems, is capable of interrogating every kind of disadvantage except that of class. We are afraid of fetishising, or of saying or doing something that would deem us 'problematic' (the word itself a death-knell in left-wing circles). The SBS documentary *Struggle Street*, one of the only mainstream media efforts to showcase the realities of poverty in Australia, was widely vilified as 'poverty porn'. As Mark Fisher wrote, 'the petit bourgeoisie which dominates the academy and the culture industry has all kinds of subtle deflections and pre-emptions which prevent the topic [of class] even coming up, and then, if it does come up, they make one think it is a terrible impertinence, a breach of etiquette, to raise it.'

This disproportionate squeamishness does, I think, conceal fear, although not of stigmatisation. Perhaps it's the fear of confronting our own weakness: how helpless the left has become in the face of poverty, and how far we have drifted from the people who confront it as their reality every day. Somewhere along the line, they found Pauline instead. Meanwhile (and perhaps not coincidentally) we became woke, and the spectre of decidedly un-woke attitudes, especially on race, now looms large. But political organising doesn't have to be (in fact, arguably shouldn't be) based on attitudes. It's in the material conditions of people's lives – the things they're already experts on, things they don't need to be persuaded to care about – where there is common ground for an ideological left turn. The challenge, in executing this turn, is to build an organising model based on mutual interests, on building solidarity, and on politicising poverty without fear.

\*Names have been changed.

## Commemoration of Patrick's Dispute

THE QUEENSLAND BRANCH is holding a function on 6 April 2018 commemorating the 20<sup>th</sup> anniversary of the Patrick's dispute. If any members have photographs they would like shared at the event could you please email them to [kerri.bird@mua.org.au](mailto:kerri.bird@mua.org.au) – thank you.



*Branch Secretary Bob Carnegie t the Accademia Gallery with the masterpiece of Renaissance sculpture created in marble between 1501 and 1504 by Michelangelo - David*

## Woolworths Cleaners Paid Just \$7 An Hour

By Ewin Hannan

Sourced from: <https://www.theaustralian.com.au/news/nation/woolworths-cleaners-paid-just-7-an-hour/news-story/9e3c2000e237198f39b6e0eb5ada5399>

POOR GOVERNANCE BY Woolworths contributed to the “serious exploitation” of contract cleaners, with vulnerable workers paid well below the legal minimum, and cleaning contractors at 90 per cent of Tasmanian supermarkets not complying with the law.

A scathing report by the federal workplace regulator, the Fair Work Ombudsman, uncovered “rampant exploitation” of cleaners at Woolworths, with contractors paying Tasmanian cleaners as little as \$7 an hour for training and \$14 an hour for work.

The investigation identified more than \$64,000 in under-payments but “abysmal” record keeping by contractors, the use of false records, cash payments and a lack of co-operation from workers impeded the probe so the amount underpaid was estimated to be “much greater”.

Ombudsman Natalie James called on Woolworths to back-pay the \$43,000 owed to the underpaid cleaners, saying the report showed how “alarming levels of exploitation can occur when supply chains involving vulnerable workers were not adequately monitored”.

“Our inquiry found deficiencies in Woolworths’ governance arrangements with regards to its procurement and oversight of cleaning contracts, resulting in -serious exploitation occurring at multiple levels of its cleaning -supply chain,” she said.

The findings are based on -audits by Fair Work inspectors in 2014 and 2016. The regulator does not intend to take legal action against Woolworths after the inquiry failed to find evidence the company was an accessory to the breaches committed by contractors in the supply chain.

It has taken legal action against a cleaning company formerly contracted to Woolworths for allegedly being involved in the underpayment of four Tasmanian workers, including three Korean nationals, by \$21,000. Three contractors have been referred to the Australian Taxation Office.

Ms James said while Woolworths had taken steps to improve compliance within its labour supply “at the time of the inquiry, a culture of non-compliance was prevalent amongst contractors on its sites”.

While Woolworths’ agreements with its contractors only allowed for one level of subcontracting, the inquiry found evidence of multiple levels. Woolworths only passed on 90 per cent of annual wage increases to principal contractors, meaning contractors had to meet additional wages each year without extra payments from the company.

Contraventions included non-payment of minimum wages, with flat hourly rates ranging from \$14 to \$21. At most sites, there were no rosters and communications between cleaners and employers were often only by text message.

Many contractors were unable to provide records to inspectors and pay slips were not given to employees. Cleaners did not follow company policy to sign visitor books contributing to the “sense of an invisible workforce” because the accuracy of contractors’ records could not be verified.

None of the cleaning contractors identified in the report is now engaged by Woolworths, and the company said it was committed to rectifying underpayments.

From this year, audits will be increased and contractors will be required to utilise a third party payroll system.

## Construction of Allseas Heavy-Lift Giant Could Start in 4 Years

Sourced from:

<https://worldmaritimeneeds.com/archives/243623/construction-of-allseas-heavy-lift-giant-could-start-in-4-years/>

ALLSEAS, SWISS-BASED offshore contractor specialising in pipelaying, heavy lift and subsea construction, has confirmed to World Maritime News

that it is working on a new heavy-lift vessel which will outshine Pioneering Spirit, the world's largest crane vessel.

"Allseas is currently working on the design of Amazing Grace in-house," the company spokesperson told WMN. "If all goes well the building of Amazing Grace could commence in three to four years."

The new heavy-lift vessel will be 160 meters wide and have a topsides lift capacity of 72,000 tons, topping Pioneering Spirit's capacity.



The DSME-built Pioneering Spirit has a width of 124 meters and can lift topsides of up to 48,000 tons in a single lift using eight sets of horizontal lifting beams.

Allseas plans to use the new vessel for worldwide installation and decommissioning of very large topsides.

Details on the potential builder of the vessel are yet to be revealed.

Pioneering Spirit was built by South Korean shipbuilder Daewoo Shipbuilding and Marine Engineering (DSME) in 2014.

*World Maritime News Staff; Image Courtesy: Allseas*

## **Decline in Trade Union Membership Unity Bank News – Final Instalment**

*By Bob Carnegie and Martin Thomas*

MISSING FROM CROSBY'S vision is the idea of unions organising sustained, militant cross-industry campaigns for positive demands, responsive to and accountable to rank-and-file workers. But that is the core of what's needed now. Such a strategy would include unions employing full-time organisers, but in very different terms.

Historically, the most active trade unionists have generally supported union mergers, especially mergers which bring all grades of workers in a particular industry into one union. The Australian union movement even at one point, briefly, voted to merge its whole organisation into "One Big Union".

However, many of the mergers of recent decades lack industrial logic. They are driven by "business" calculations. Small unions seek a bigger one to merge into, so as to save their officials' jobs; big unions seek small unions to annex, so they can offset membership

decline without having to go out and organise new areas. The result, as the US labour writer Kim Moody has pointed out, is organisations with large hierarchies of officials and memberships scattered over many different industries. Each particular industrial group within the membership has much less weight relative to the bureaucracy than it would have in an industrial union, and when it has a grievance against the bureaucracy will find it difficult to gain support from members in other industries, for whom the first industry's issues are distant or even incomprehensible.

Dan Gallin puts it well: in the trade union movement, the problem of bureaucracy is more hurtful than elsewhere because the movement's "administration, its own civil service if you wish, must represent people who have no other source of power than their organisation. If this organisation ceases to be responsive to their needs, they lose everything...

"Democracy is not a state of being, it is an activity, it is in fact hard work, and it is a constant work in progress... That is why it is the responsibility of every progressive and democratic trade union leadership to maintain constitutional and practical conditions in which membership participation and control is ensured and welcomed, without making conditions of participation too onerous for ordinary members".

Union leaders need "politics based on the values that were at the origins of the labour movement and that made it great: solidarity, selflessness, respect for people, a sense of honour, and the modesty that comes with the awareness of being a soldier in the service of a great cause, a contempt for self-promotion".

It is probable that, in the current phase of capitalism, union densities will never be pushed back up to their rates in the era of 1950s and 1960s social consensus. It is certain that union strength can be rebuilt.

To regain strength, the unions need, not Crosby's "organising agenda", but a "democracy and solidarity" agenda.

One model for us is the Industrial Workers of the World (IWW) of its heyday, before 1914. The IWW organised thousands of workers disdained by the main union leaders of the time as "unorganisable", by this approach:

- industrial unionism (as against craft unionism)
- energetic and colourful class-struggle education, propaganda, and agitation, in "civil society" as well as in workplaces, through IWW newspapers, songbooks, free-speech fights, and so on
- low membership fees
- low or no initiation fees
- concentrated, high-intensity waves of organising
- addressing workers in new areas with a set of demands to be won by the union once organised (developed after a lot of preliminary discussion with workers in those areas) rather than with general agitation about the advantages of having a union in the abstract; following up the recruiting drive with immediate preparation for action on those

demands

- organising areas by getting volunteers to go in and take jobs in those areas, then talk union on the job
- helping new recruits to elect their own job delegates and committees of delegates, and to take control of their own organisation
- trying always to make industrial action short, sharp, and decisive. If a dispute dragged on regardless - constantly and imaginatively trying new active tactics. Never leaving the workers passive
- an open, democratic approach, with disputes always run by strike committees elected from the workers and regularly reporting back.

In terms of trade-union tactics, the IWW's decisive mistake was its "principle" of never signing agreements with the bosses. You could join the IWW to be a revolutionary activist, or to organise a more-or-less immediate strike in your workplace - but not for routine trade-union activity. Thus the IWW found it hard to consolidate a mass membership and a permanent on-the-job organisation anywhere (except on the Philadelphia waterfront, where it did sign agreements). That false principle can be rejected while still adopting the IWW's positive methods.

One of the best models from more recent history is Unite, in New Zealand, the only union outside Scandinavia which has succeeded in widely organising fast-food workers in its country. It is impossible to say exactly what its wider impact has been through inducting into unionism young workers who then move on to other jobs, but it is a fact that union density in New Zealand, after crashing dramatically over the 1980s and early 90s, has stabilised since the early years of the 21st century. Unite was started in 2003 by activists from a left-wing political party, the Alliance (in its present form, that is: they took over a small union, with no officials, which had existed since 1998).

The Alliance was collapsing. Key activists decided to take their vision, their commitment, and their skills, into going back to basics. With most of them working as unpaid volunteers, and necessary expenses carried on their personal credit cards and by remortgaging their houses, they set out to build a union, first unionising some hotels and cinemas, then a casino, then fast food. They kept entry union dues low or even free, and minimum dues at \$2 a week until a first collective agreement was signed and then 1% of wages up to a maximum (initially \$4.50). Like the IWW, they preferred short, sharp industrial action: "Usually, strikes lasted for an hour or two [sometimes only 15 minutes], and only at the busiest times of the day".

Unite's national director, Mike Treen, sums up some of the lessons like this:

"Unions need new approaches to succeed in the kinds of industries we're talking about. The traditional approach of recruiting union members one by one over a prolonged

period can't work in these industries because the boss can find out where that's going on and bully people out of it... "You need public, political campaigns that provide protection for workers and gives workers confidence you mean business. The union has to be a framework for workers to find their voice and lead struggles. It has to be all-or-nothing. 'Supersize My Pay' [the campaign through which Unite organised first casino workers, then fast-food workers] was a public, political campaign against the fast food companies which exposed them as exploiters in any way we could. We went after their 'brand' which they value above all else. We brought the community in to give public support and prevent victimisation.

"When those approaches gained momentum, workers started to gain confidence that maybe the risk of standing up for themselves is worth it. That's the key question – how do you build that confidence?

"The campaign needs ambitious goals to make the fight worthwhile. It also needs to combine an industrial campaign with a political campaign around issues like lifting the minimum wage and getting rid of youth rates.

"Our modern, industrial unions emerged decades ago out of new models of industry-wide organising which broke away from the narrow craft unions of the day...

"A large call centre in New Zealand might have 500 workers or more — which in New Zealand terms is a pretty big workplace. McDonald's employs almost 10,000 workers – it's one of the biggest private-sector employers in the country. Those workers are young workers, migrant workers, semi-casualised workers. Those are the people producing profit for the capitalist class in New Zealand today. That's the working class! "The bottom line is that organising in these industries, where more and more of the working class, and particularly the young working class, in western countries is now employed, has to be done - by any means necessary.

"One of the principal achievements of the Unite effort over the past decade has been maintaining an ongoing, organised presence in industries that suffer a huge turnover of staff. Annual turnover of staff in the industries we represent was, until recently, 100%. It dropped somewhat due to the 2008-10 recession. Our membership turnover is similar. We have to recruit 5000 members a year to maintain our current size of 7000... We have succeeded in doing it year in and year out in industries like fast food for almost a decade.

"A rejuvenated labour movement with the unions at its heart is vital for the future of the working class. To be successful, we need to become a social movement that has a radical critique of the system we live under, a strong social justice program, and inspiring methods to challenge and change the unequal and exploitative society we are forced to live under today".

## Unity Bank News



**Unity  
Bank**  
*your bank at work*

All existing members and any new members can now have their family join Unity

Bank. As well as the usual suite of banking products we are able to offer a full range of insurances. We also offer travel needs such as foreign cash and travel cards. **For further details visit us or call our office (M-F 8.30-3.30) on 38994755 or 38994500 or simply check out our website [www.unitybank.com.au](http://www.unitybank.com.au) where you can find the complete range of products & services on offer.**

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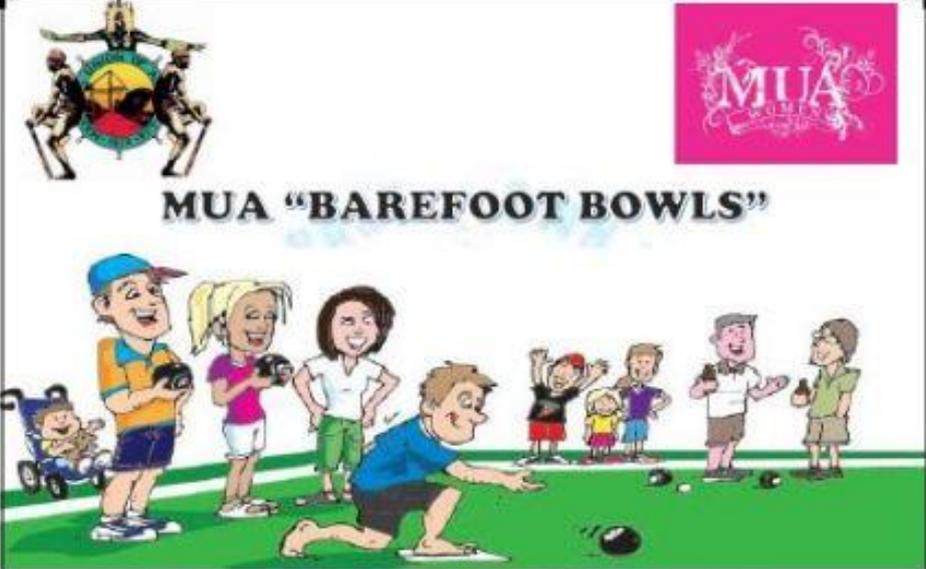
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**MUA "BAREFOOT BOWLS"**

**WHERE?? - CANNON HILL BOWLS CLUB**  
18 Lang Street, Cannon Hill, QLD

**WHEN???** Thursday 22 February, 2018  
1600 - 2000

**WHAT???** Limited Bar Tab, Food and Entertainment  
Partners and Kids welcome  
The first of many social events for 2018.

**WHY???** Have a fun afternoon and a yarn with like-minded people.

RSVP: QLD MUA Office: 07 33957215 or [muaqld@mua.org.au](mailto:muaqld@mua.org.au)

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Phil Hansen QLD Youth: 0401 799 934

