Workers Solidarity had its second conference on Sunday 20 October. We sought to address the questions: Where are we at? What do we need? How do we build it? We welcomed disagreement, dissent and alternative proposals about Workers Solidarity’s strategy and direction, we believe only by discussing our differences can we move forward together.

In this edition of the Workers Solidarity Bulletin, we provide a summary of the opening plenary of the conference, and report on the new committee that was elected at the conference. In the coming weeks, we will publish all the resolutions on the website. As always, we appreciate feedback and comments about the publication so write to us at: we.are.workers.solidarity@gmail.com

Vline – RTBU

The RTBU has applied to launch industrial action for Vline operations staff. Vline workers are seeking a 6% pay rise, but the state owned rail authority is refusing to budge from 2%. It is thought if the application for industrial action is approved, the busy commuter lines to Ballarat, Bendigo and Geelong would be the first to be targeted. This comes on the back of disputes with both Metro Trains and Yarra Trams.

SA Nurses – ANMF

Nurses in South Australia will take industrial action in the last week of October if an agreement with the state government isn’t reached. The dispute centres on staffing levels and the demand for a 3.5 per cent pay increase. Enterprise bargaining negotiations have been ongoing since June, and the nurses’ agreement expired in September. The Government has yet to put forward a pay offer. Teachers and public transport workers in South Australia have also taken strike action this year as the conservative Marshall government refuses to negotiate around pay and conditions for public sector workers in the state.

Press Freedom Australia – MEAA & IFJ

A campaign has been launched by the MEAA and across all Australian media outlets, for reforms to protect media freedom, whistleblowers and the public’s right to know. The launch was signified by all newspapers across the country printing redacted front pages. The campaign comes in response to the AFPs raids on the ABC and on the home of News Corporation Australia journalist, Annika Smethurst. It also comes as the MEAA reaffirmed its support for whistleblower, Julian Assange saying that the charges against him are a threat to journalism and #pressfreedom everywhere, and “we [the MEAA] reiterate our call for the extradition to the US not be allowed”. The International Federation of Journalists has also...
joined the Australian #pressfreedom campaign. The IFJ’s affiliates worldwide know that where the rights of media workers are curtailed, and where information is suppressed, there is very little space for worker organising against repression.

**Victorian Public Sector EBA – CPSU SPSF**

The CPSU SPSF members are fighting back against the Victorian State Government’s pay cap of 2%, just after that same government accepted a 12% pay rise for itself. A research paper by the Centre for Future Work, commissioned by CPSU, found the wages cap and further departmental cuts would undermine wage growth recovery in Victoria’s broader labour market and hurt regional communities. You can find the report here:

https://www.futurework.org.au/needless_wage_cap_will_undermine_victoria_s_success

**Rockpool – HospoVoice, UWU**

Neil Perry’s Rockpool Dining Group is the latest hospitality firm to have been exposed as wage thieves. They’re being accused of doctoring timesheets to cover up underpayment – which is likely to be even bigger than the $7.8 million stolen by George Columbaris’ MAdE Establishment Group. In response, HospoVoice has organized a series of protests outside Rockpool venues.


**Port Workers Union – Chile**

In Chile, where President Sebastián Piñera has declared a State of Emergency and war against protesters, 6000 dock workers voted to join the national strike on Wednesday 24 October. Chileans took to the streets last week in protest against the increase in metro fares, amidst an ongoing campaign by the government to privatise schools and hospitals – in other words, austerity measures. Since this time, the military has killed at least 11 people and scores more injured, in scenes reminiscent of the September 11, 1973 military coup.

**Chicago Teachers Union – USA**

32,000 teachers across the Chicago district have been on strike for a week over pay and conditions, shutting down school for around 300,000 students. The teachers’ demands are for a wage increase of 15% across the board, hiring more staff so that class sizes of approximately 40 students can come down. Teachers’ aids in Chicago earn around $30,000 USD per year – a poverty wage.

Loukas Kakogiannis / RAFFWU – NSW, Organiser

How long have you been a union member? Since 2016.

Why did you join the union? I’d worked at Woolworths since I was 15 years old. I’d been a member of the SDA because it’s what my parents told me to do, but never quite understood why or what unions were for. Then I heard murmurs among fellow gays about the SDA’s positions on the rights of women and LGBTQI+ people. One night I googled it, was appalled, discovered RAFFWU, and joined. The very next morning the Melbourne organizer Michael Johnstone called me. I was surprised. He asked me about my workplace. It was my first experience of a union conversation. He sat on the other end of the line as I vented out 7 years of pent-up frustrations about working at Woolworths: racist managers, sexist division of duties, bullying. It was an incredibly cathartic experience to be listened to and have my anger validated. A couple days later we met up for a coffee. He spent hours patiently answering my noob questions, and then articulated RAFFWU’s vision to see workers grow powerful and break our chains. I was in.

What’s your best memory/story about being in the union movement? At my Woolworths store we ran a big campaign about safety in the workplace. One aspect of it was that a lot of workers at our store were being instructed to check the bags of customers that our managers had profiled as ‘dodgy’. This cornered staff into dangerous situations at the same time as subjecting marginalised members of the community to humiliation and harassment. We hated being forced to do this. When I recruited my co-workers in the service area to RAFFWU we raised this issue with the bosses. After a long tug-of-war we extracted the obvious from them: that no worker should have to check a bag where they perceive a risk to their safety. So, we began to refuse to check bags in every situation where we “perceive[ed] a risk to [our] safety”. It was a small win but a good one.

I also applied to terminate the Woolworths
Workers Solidarity held its second conference last weekend. The following are the abridged addresses from the opening plenary.

Where Are We At?
Gwynnyth Evans (AMIEU)

Less than two decades into the twenty-first century, it is evident that capitalism has failed as a social system. The world is mired in economic stagnation, extreme inequality, mass unemployment and underemployment, precariousness, poverty, hunger, wasted output and lives, and what can be called a planetary ecological “death spiral.”

The digital revolution, the greatest technological advance of our time, has rapidly mutated from a promise of free communication and liberated production into new means of surveillance, control, and displacement of workers.

The institutions of liberal democracy are at the point of collapse, while fascism, the rear guard of the capitalist system, is again on the march, alongside patriarchy, racism, imperialism, and war.

The conditions for an all-out war in the Middle East are riper than at any time in recent memory. Because any development anywhere in the region can have ripple effects everywhere, narrowly containing a crisis is fast becoming an exercise in futility. The US could be near the brink of war with Iran again after months of rising tensions. A war with Iran would be disastrous while further destabilizing a region that has been consumed by conflict for years.

In a stunning announcement, the Trump administration gave the nod to a Turkish military incursion into north eastern Syria. Turkey launched the cross-border operation on October 9 with offence against the Kurds. On 18 October a ‘cease fire’ was announced. The deal requires Kurdish militias to withdraw from a “safe zone,” but that zone hasn’t been defined.

Populist governments from the US and UK to India, Brazil, Hungary, Poland and the Philippines are growing more extreme in power. Populist topics such as immigration, Islamophobia and anti-elitism come to dominate political debate. Populism in power emboldens the previously, marginal ex-
How Did We Get Here?
Ken McAlpine (NTEU)

Poverty, wars, racism and global warming lead to desperate movements of workers as refugees and migrants. All of these impact disproportionately on women. Governments close borders, expelling refugees and using short term visa systems to divide and conquer workers. In this the Australian governments have led the way.

In the workers’ movement here: unions are already tightly regulated and have been increasingly so since the election of the Coalition Government in 2013. Although the Howard Government’s WorkChoices was supposed to be wound back by the ALP after its election in 2007, only cosmetic changes were made, paving the way for the current Government to ramp up its union-busting agenda.

Currently it is difficult for unions to initiate industrial action; having to jump through numerous complex regulatory hoops; and the right to strike is non-existent. The ability to organise in workplaces is also highly regulated. Failure to follow these regulations to the letter can result in hefty fines for individual workers and union officials as well as for the union itself. The Ensuring Integrity Bill goes beyond “holding to account” so-called “rogue” union officials.

A trade union movement weakened further will leave wages and working conditions at the mercy of employers, putting workers in greater physical danger, particularly those who work in hazardous industries where worksite safety is paramount and where unions ensure safe workplaces.

I suggest that we, the workers, need to band together and coordinate the biggest industrial campaign to restore the right to strike, abolish the ABCC and the ROC, raise the minimum wage to a living wage, reinstate penalty rates and retrospectively reverse all anti-union legislation. Not to mention the need to refuse to be war fodder; to fight against racism, sexism and fascism and reverse the ecological death spiral.

The right to take action in pursuit of an enterprise agreement is still significant, but it is a pale shadow of previous rights.

Anyone who looks at the trade union density figures in Australia over the past forty years could be forgiven for thinking that the union movement is in crisis, if not terminal decline. Density is not everything, but it is a reasonable proxy for union power. In 40 years, it has declined from around 50% of the workforce to around 15%.

It is also clear that across nearly all the advanced capitalist world, to varying degrees, unions have had declining membership and influence, which suggests that the problems go deeper than the choices made by particular unions, or by the labour movements in particular countries.

Sympathetic analysts have identified and debated the relative importance of the ‘external’ factors in the decline of union membership. These include:

- Fundamental changes in product and labour markets, with firms subject to greater competition, including global competition, limiting unions’ capacity to increase labour’s share at the level of the firm.

- The loss of union ‘bastions’ – large employers with stable unionised workforces, such as the post office, the vehicle, steel, rail and power industries, and many large manufacturing plants.

- Chronic high unemployment and under-employment since 1975, with its consequent effect on the bargaining power of employees as individuals and collectively.

These changes have occurred alongside, and have been compounded by, radical changes in the legal rights of trade unions since 1977.

Perhaps the most obvious of these changes has been in relation to industrial action. During most of the twentieth century, with important
exceptions, unions were in practice able to take industrial action. Industrial action underwrote ‘organising’ by demonstrating actual or potential union power on-the-job.

In several steps, the union movement has lost nearly all of its previous de facto rights:


- Protected industrial action, and its implied converse – from 1993 (Section 170PG Industrial Relations Reform Act 1993).

- Orders against unprotected industrial action – from 1997 (Section 127 Workplace Relations Act 1996).


- All unprotected action specifically unlawful and injunctible – from 2005 (Section 494 Workplace Relations Act 1996, re-enacted in the Fair Work Act 2009).

- Mandatory restrictions on industrial action which harms or threatens to harm the ‘welfare’ of ‘part of the population’, making effective industrial action difficult in many industries – from 2005 (Section 430 of the Workplace Relations Act, re-enacted in Section 424 of The Fair Work Act).

The right to take action in pursuit of an enterprise agreement is still significant, but it is a pale shadow of previous rights, and can rarely confer the right to use industrial action to resolve an acute workplace dispute. Until the 1980s, much union strength was built around the union’s capacity to resolve a specific workplace issue through the use, or the threat of the use, of industrial action.

The second significant change has been the loss of access to merit-based arbitration. Although not as effective as direct workers power, it was nevertheless an important way in which many unions exercised and demonstrated power, especially at the industry level.
A third factor has been the collapse of union security arrangements, which Peetz has suggested accounted for a large part of the collapse of union density. These ranged from tribunal-ordered or tribunal-sanctioned arrangements which provided for compulsory union membership or varying degrees of preference in hiring or retention to union members, to de facto arrangements won by unions at workplaces.

In addition, the emphasis on bargaining at the enterprise level has removed a key element of union power – the capacity to intervene at the industry level to take wages out of competition.

Moreover, the extension of a range of rights to all employees since the 1970s, irrespective of their union membership, has tended to undermine unions. These rights have included those created under various state and federal unfair dismissal jurisdictions, anti-discrimination laws, paid ‘parental leave’, the Modern Awards and the National Employment Standards, and the right to vote on enterprise agreements. While some of which have been lobbied for by the union movement, much less of the package of rights held by employees has any tangible connection to union action, and the state has established a bureaucratic enforcement infrastructure, for example, the Fair Work Ombudsman, anti-discrimination bodies which acts as a substitute for unions.

To these legal factors should be added the strategic and tactical errors of the union movement. While I don’t believe these are the central causes of our problems, it is easy to see in retrospect that at some stage the movement needed to directly challenge the legal changes which have occurred.

All this leads to a few conclusions:

1. The law is critically important and must be a focus of the unions’ work, but the emphasis has to be towards increasing workers collective power, and the creation of workers “rights” should be treated warily. The ACTU should not become “ACOSS for Workers”.

2. Workplace militancy is not a strategy. The union movement needs to find a way, despite the existing laws to establish movement wide industrial and political strategies at the industry level. These probably require the strategic and selective use of civil disobedience.

3. Someone Should Do Something

Colin Long (ASU)

The challenges we face as a union movement are really serious. They are at a level that require fundamental change to the way that unions operate, and to the industrial relations system, and the socio-economic system more broadly. The challenges that unions are facing include globalisation; extended supply chains; sophistication of corporate structures; the decline of the fiscal and monetary sovereignty of states; automation which is faced by all aspects of the economy.

Whilst workplace militancy is a good thing for giving workers a direct experience of collective action, it is no substitute for industry wide union power. Enterprise level bargaining does not take wages out of competition, in fact it can exacerbate competition between firms around wages. Many workplaces are too small for any meaningful enterprise bargaining or militancy. Driving up wages in one firm but not others in that industry puts pressure on that business and will often lead it to collapse.

This leads to the conclusion that union rights are more important than legislated worker rights, but unfortunately in Australia we have been heading down the path of fighting for legislated worker rights, largely in response to the weakening of trade unions. Legislated worker rights accrue to workers as individuals, not as part of the collective of workers that won those rights through collective action. Legislated rights apply to all workers whether they are members of a union or not, and this undermines the whole purpose of unions – the same could be said for enterprise bargaining agreements – all workers benefit from unions having negotiated them without necessarily having to be a member.

And legislated rights are easily broken or ignored by the employer if there aren’t powerful unions to enforce them and we only have to look at the rampant scale of wage theft in the hospitality industry in Australia.
Relatively small actions to enforce the law against some firms does not change the fundamental nature of the theft going on in that industry.

The legislative demands required to strengthen the rights of unions include improved right of entry provisions, a proper right to strike, reduction or eradication of the red tape around secret ballots and notice periods. We must abolish the ABCC, the ROC and similar organisations, we need to have a proper and honest discussion about anti-free-rider rules so that people don’t get the benefits of unions without having to join them, we need to get rid of industrial torts which still exist in Australia and which is the means by which the MUA is being sued for $100 million by VICT.

All of this would give us a greater ability to conduct bargaining at an industry level so that wages are taken out of competition, technological changes and productivity improvements can be harnessed for broad worker benefits and unions can be proactive in shaping industry wide developments not reactive to threats against individuals or groups of workers in individual firms. We also need a greater international focus and a focus on supply chain organising because that is the scale on which the global economy operates.

Importantly, we need to develop the strategic and long term thinking that we have lost in the movement. We have a very strong anti-intellectual streak in the Australian union movement that prevents the kind of thinking that is backed up by theory and practice.

This kind of strategic thinking and planning would give us the capacity to make some big economy wide claims that the whole union movement could get behind like a claim for a 30 hour week which would enable unions to collaborate across industries and transform the discourse around work itself. It would also have the benefit of changing the discourse around the unemployed and if we thought about it a bit it would go some way to stopping the punitive approach to the unemployed and I think that would be very important in helping to build a way forward for our movement.

At the end of the conference elections were held. Both pre-nominated and on-the-spot nominees were elected to the following positions:

**Convenors (2)**
- Jiselle Hanna (CPSU)
- Manrico Moro (NTEU)

**Editorial Committee (3)**
- Gwynnyth Evans (AMIEU)
- Ken McAlpine (NTEU)
- Aarin Moon (MUA)

**General Member (5)**
- Colin Long (ASU)
- Lisbeth Latham (NTEU)
- Joe Montero (MBAA)
- Sam Horsfield (NTEU)
- Kieran Bennett (AEU)

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**WHAT’S ON**

**OI Glass Dispute Weekly Community Breakfast**
Every Friday from 7am to 11am
OI Glass, 20-40 Booker St, Spotswood

**BP: Papuans Blood on Your Hands**
(West Papua Melbourne / IMARC event)
10:00-11:00am
Wednesday 30th October
Melbourne Convention and Exhibition Centre (MCEC)

**No to Mining in Latin America!**
(LASNET / IMARC event)
18:00-21:00 Thursday, 31 October
PWC, Level 21, 2 Riverside Quay, Southbank

**Rally: Save Medevac – Save Refugee Lives**
14:00-17:00 Saturday 9th November
State Library of Victoria

**WIMDOI Conference (Women in Male Dominated Occupations & Industries)**
12th – 14th November
Devonport, Tasmania

**165th Eureka Rebellion Anniversary**
18:00-21:30 Thursday 28th November
MUA Hall, 46 Ireland Street, West Melbourne
Book tickets through ‘Eventbrite’

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Workers Solidarity acknowledges that our activities take place on Aboriginal Land. We recognise that sovereignty was never ceded.