



The negotiations are occurring against a backdrop of privatisation and are now focusing on key items:

- Protecting the jobs and conditions of workers who are facing privatisation;
- Protecting the health and safety of workers and commuters; and
- Ensuring South Australian rail workers are paid in line with workers doing the same jobs in other states.

#### MUA and Svitzer Australia

MUA tug crew members working for Svitzer Australia will vote on taking industrial action after negotiations for a new workplace agreement stalled in early September. MUA Assistant National Secretary Ian Bray said:

“Svitzer Australia has essentially been unwilling to enter into meaningful negotiations for a new EBA. The company put forward an offer that would have imposed wage freezes for the next two years... but at the same time has been pressing ahead with aggressive attacks on the Port Operating Procedures in several ports.”

Members will vote on 20 potential forms of industrial action, including stoppages of various lengths, bans on overtime, a requirement to return to the berth for breaks, and modifications to work practices such as a refusal to undertake online training or use certain work systems.

#### Julian Assange, MEAA and United States Government

On Monday 7 Sept in London’s Old Bailey, Wikileaks founder and MEAA member Julian Assange began his legal battle against extradition to the United States on espionage charges.

If successfully prosecuted in the US, he would face up to 175 years jail.

The case has grave implications not only for Assange, but for journalism and media freedom worldwide.

Free Julian Assange! No extradition!

#### MUNZ and Ports of Auckland

The Maritime Union of New Zealand is calling for an end to 12 hour graveyard shifts after a stevedore died at Ports of Auckland on 27 August.

The Maritime Union’s Auckland Local 13 secretary Russell Mayn said Ports of Auckland workers could be mandated to work up to 60 hours a week, on top of long hours and the physically demanding work.

Mayn said 12 hour overnight shifts were too long, given waterfront work could be dangerous if simple mistakes were made or if someone was

in the wrong place at the wrong time. He said night shifts should be reduced to a maximum of eight hours.

#### Fast food workers, USA

America surpassed the 1,000-strike count since March 1 after a series of fast-food worker strikes hit both Tampa and LA.

In Tampa, pro-worker forces attempted to raise support for Amendment 2, which would raise Florida’s minimum wage to \$15 an hour by 2026.

## BACKBONE OF OUR MOVEMENT



**Manolya Moustafa**  
Australian Education Union, Sub-branch President (delegate)

How long have you been a union member?

Since 2005.

Why did you join the union?

Workers are an exploited and oppressed class, the only way to fight for our rights and win gains is by working together and organising as a collective. A union is a basic starting point for workers work together and fight for our rights.

What’s your best memory/story about being in the union movement?

My highlight would be the mass strikes during the EBA campaigns that I have been involved in. In 2012 and 2013 there were 3 full day strikes, with the major demand being against the introduction of performance pay for teachers. I had the opportunity to speak in front of thousands of fellow teacher and education support staff unionists about the need to escalate the campaign.

What’s the most important issue facing the union movement today?

How to deal with covid 19. Too many bosses want to keep workplaces open despite the health risks and essential services whilst needing to remain open must be done so in a safe way for workers. Covid 19 has also exposed how casualised our workforce is and this is another issue that

needs to change. Workers need job security and safety. And those out of work need livable job seeker and job keeper payments.

Why should people join their union?

Workers always have to fight to not only win gains but to defeat attacks from bosses, under capitalism workers are always under attack. The best way to fight is collectively. With the present economic crisis, bosses and governments will try to make workers pay the price. Unions are a basic organising tool for workers to collectively stand up for themselves.



## OHS MATTERS

*COVID-19 – and the measures workplaces are having to take in seeking to minimise the risk of workers contracting the disease – is continuing to have consequences, sometimes unforeseen ones. The VTHC gets some interesting questions from workers – here’s one:*

“I’m a truck driver and make deliveries to, and pick up containers from, various companies and locations. Since the COVID-19 pandemic, I am constantly getting denied access to toilets. Previously there were no problems with me using their facilities. Is this legal? Can these companies deny me access to the toilets when I’m doing deliveries? On one occasion recently three clients in a row wouldn’t allow me to use their facilities, and this created a real problem for me.”

Hello,

This is a terrible situation – it seems that these companies are being extremely inflexible in how they are implementing government advice to limit the number of people who are not employees from entering the workplace.

Do you have set places you deliver to? Are you employed by a company/have an employer? Or do you work for a particular company? If so, then your employer has a duty of care to you under the Victorian Occupational Health and Safety Act.

This is what I recommend that you do:

- Contact your employer/the company you work for
- Let them know what the issue is and request that they contact their clients to get agreement that they allow their delivery drivers to use the facilities. This would need to be based on the drivers agreeing to follow the protocols and instructions as per the workplace COVIDSafe plan. This would possibly include:
  - Wearing masks
  - Washing/sanitising hands prior to entering and exiting the toilets/workplace
  - Signing in and providing contact details
- If you are a self-employed person you would still be getting instructions from someone/a company, and they have a duty to you as a contactor.

The Workplace Amenities and Work Environment Compliance Code, which provides advice to employers on what they need to do to ensure they are complying with their duty of care under the Act, states:

“108. Employers need to ensure that mobile and remote employees have reasonable access to amenities and facilities. For example, procedures need to be developed that provide mobile employees with access to dining facilities, hygienic storage of food and water, and toilets. This may include ensuring arrangements are made at customers’ or suppliers’ workplaces or the provision of information regarding publicly located facilities.”

Actually – what I would do before you do all the above is to speak to the most senior person at the site – point out that they previously allowed you to use the facilities and should keep doing so, as long as you comply with the workplace COVIDSafe measures – physical distancing, hygiene, mask wearing, and so on. This would not put anyone at risk, and it is unreasonable to prevent you from using the facilities – and if they do so they are putting your health and safety at risk. If they refuse, then let them know that this is not acceptable and that you will be following up with your employer/firm you work with, WorkSafe and with the company.

Good luck with this – it’s a shame you’re not in a union as the union would have been able to kick up a stink about it.

# Justice for Tanya Day

---

Published with permission of Apryl Louise Day, Tanya Day's daughter, and activist to Stop Aboriginal Deaths in Custody.

This piece was first published in @IndigenousX visit: [indigenoux.com.au](http://indigenoux.com.au)

---

Our mother was a proud, staunch Yorta Yorta woman. She was a doting mother, grandmother and Aunty. She was and will be remembered for her strength, resilience, beauty, kind heart and of course her smile, fashion sense, deadly feeds and her love of the colour pink.

We have spent close to three years fighting for justice for the death of our mum. On 27 August, we were told that the police officers involved in her death avoided prosecution. This is despite the coroner finding that mum's death was preventable and that the police officers failed to take proper care of mum's safety, security, health and welfare.

This is a story that is much too familiar for hundreds of Aboriginal families who've had a loved one die in police custody. In the last 30 years, at least 440 Aboriginal people like our mum have died in custody, yet no police officer has ever been held criminally responsible. The legal system is so entrenched with systemic racism that Aboriginal people are the most incarcerated people in the world, yet when one of our loved ones dies in the care of police officers, prison guards or medical officers, nobody is held accountable.

Our family has been left devastated, angry and hurt by a decision in a case that to us and the rest of the country seems so straightforward.

We spent 14 days in court hearing evidence outline the indifference of police and the mistreatment of our mum. While in custody, the coroner found that the checks conducted on our mother were inadequate. As a result, the coroner found that the police failed her and that if the checks had been conducted by the police in accordance with the relevant requirements, our mum's deterioration may well have been identified and treated

appropriately earlier. She found that mum was "not treated with humanity and respect for the inherent dignity of a human being".

The coroner said Leading Senior Constable Danny Wolters was not a credible witness in mum's coronial. Yet Wolters and Sergeant Edwina Neale – the two police officers who failed to properly check on our mum and instead left her dying on the cold concrete cell floor – have avoided accountability, leaving a piece missing of ourselves forever.

The Australian justice system was not designed to protect Aboriginal people. An illustration of this is the rising number of Aboriginal people dying in police custody. While this might look like a broken system, in reality it's being executed in the way it was designed, to tear down and oppress Aboriginal people while it upholds white supremacy.

In 1983 mob led a movement that took place after 16-year-old John Pat, a young Aboriginal boy, died in police custody in Western Australia. This movement put pressure on the government to address the grave injustices done to Aboriginal people inflicted by a violent policing system. The outcome was the royal commission into Aboriginal deaths in custody between 1980 and 1989.

The royal commission reviewed 99 black deaths in custody and made 339 recommendations. One of the cases was the death in police custody of our uncle Harrison Day. The heartbreaking irony is that my mum also was campaigning to end black deaths in custody.

Despite governments telling us otherwise, we know that few of those recommendations have been fully implemented. Most of the recommendations that have been actioned have subsequently been defunded, or remain extremely underresourced with limited Aboriginal governance. We have families today experiencing the same trauma that

**“While this might look like a broken system, in reality it's being executed in the way it was designed, to tear down and oppress Aboriginal people while it upholds white supremacy.”**

prompted the royal commission. The intergenerational trauma of deaths in custody is crippling for Aboriginal communities who continue to fight but are still receiving no justice for the deaths of their loved ones.

We had hoped that with the global Black Lives Matter movement there might be some care and accountability for our mother's needless death, but instead the Director of Public Prosecutions has chosen not to prosecute the police officers involved in mum's death. We have said all along that the police investigation was flawed. This goes to show how faulty this system is and speaks volumes about systemic racism and police impunity in this country.

Our mum's case highlights why it's wrong for police to be investigating the actions of their colleagues. We found the process untrustworthy and unable to provide the justice our mother deserved.

We hear far too many stories of families experiencing poorly led investigations with police ignoring important evidence and sidelining Aboriginal peoples' experiences while protecting their colleagues and hiding the truth from families. It's no surprise that in this country, more police officers involved in black deaths in custody have been promoted rather than convicted.

Governments across Australia must put an end to police brutality and racism and commit to independent investigations of deaths in custody. When someone dies at the hands of the police, the law should require a transparent, independent investigation, so that there can be truth and accountability.

If the police remain untouchable, then Aboriginal people will continue to die in custody and the police will continue to inflict colonial violence on grieving families. For my family, there can't be justice without accountability.

---

I'd like to finish by sharing our family's final submission, written from our mum's perspective:

“I need you to see, and to acknowledge, that my death was caused by the same system that killed my uncle, Harrison Day, the same system that dispossessed and killed so many of my ancestors and so many other Aboriginal people; that fractured our communities and culture, and caused deep intergenerational trauma. I need you to see that this is not past history, this is the ongoing story of our country.

I need you to tell the truth about this.

I also need you to hold those involved accountable, and to refer the people involved for a proper criminal investigation and trial.

You are a part of the same system, but you have the opportunity to transform it, by speaking the truth, and holding the system itself accountable.

It is not enough to change the law on public drunkenness. I need you to tell the truth about why the law was applied to me differently from the way it would have been applied to a white Australian grandmother, drunk and asleep on a train, on her way to Melbourne to visit her daughter; about why the police took me into a cell, rather than to hospital or home; about why the police treated me like a criminal and completely failed to care for me, even though they said they were imprisoning me for my own safety.

If you don't do that, nothing will change.”

Remember her name, Tanya Louise Day.

**Workers Solidarity General Meeting (Online via Zoom)**

Third Thursday of every month  
 Next meeting TBA  
[workerssolidarity.org.au](http://workerssolidarity.org.au)

**Climate Solutions Forum: The transport sector**

Online panel discussion hosted by the Rail Tram and Bus Union (RTBU) and Friends of the Earth  
 Thursday, 17th September from 18:00-19:30  
 Search facebook for more details

**Know Your Rights - Law Week Panel Webinar #3: Protest, Repression and the Law**

Hosted by Melbourne Activist Legal Support  
 Saturday 19th September from 13:00-15:00  
 Search facebook for more details

**Will the US Alliance drag Australia into another war?**

Online forum hosted by the Independent Peaceful Australia Network  
 Saturday 19 September at 2pm  
 Register at [ipan.vic1@gmail.com](mailto:ipan.vic1@gmail.com)

**Raising Peace: 100 Years of Peacemaking (Sydney)**

'International Volunteers for Peace' and 'The Women's International League for Peace and Freedom' both celebrate their centenaries this year. They have joined Independent and Peaceful Australia Network to celebrate.

More info at [ivp.org.au/raising-peace](http://ivp.org.au/raising-peace)

**Sunday 20 Sept:** 'Peace Fair' 2pm to 8pm, 107 Redfern Street, Redfern

**Monday 21 Sept:** Celebration of United Nations International Day of Peace

**20 Sept to 4 Oct:** Peace Exhibition at 107 Project.

**Between War and Peace - Australias past and Future. A conversation we need to have**

Online event for International Day of Peace  
 Monday 21 September from 19:30 - 21.15  
 Register by emailing [j.camilleri@latrobe.edu.au](mailto:j.camilleri@latrobe.edu.au)

**Media Spokesperson Training**

Four-day training program combining theory and practical media interview simulations  
 Organised by 'Australian Progress'  
 21-22 September  
 more info at [australianprogress.org](http://australianprogress.org)

**US Fall 2020 Online Labor Film Series**

12 leftist films screening at set times  
 Free entry. Organized and sponsored by the DC LaborFest  
 Regular sessions until 27th October

**Body Count: How climate change is killing us**

Author Paddy Manning talks about his new book, live over Zoom. Hosted by the New International Bookstore  
 Wednesday, September 23  
 Search facebook for more details

**Whose Narratives? Gender, Justice, & Resistance: A conversation with Leila Khaled**

Roundtable discussion with Palestinian feminist, militant, and leader Leila Khaled, followed by Q&A discussion.  
 Wednesday 23rd September from 15:30-17:30 EDT (NOTE: EDT not AEST)  
 Register online

**Build Our Future: Climate Justice & Jobs National Day of Action.**

First Nations communities, School Strikers and young people, workers and unions are coming together to demand that our Government funds our future not gas. Over 100 Actions across the country.  
 25 September - Nation wide  
 More info at [schoolstrike4climate.com](http://schoolstrike4climate.com)

**Upholding the Right to Protest during the Pandemic**

An event co-hosted by Refugee Action Collective, Justice for David Dungay campaign, and Melbourne Activist Legal Support (MALS)  
 Saturday 26th Sept 14:00 - 15:00

**Online Rally: Defend the Right to Protest, Free the Refugees**

Timed to coincide with landmark court case's contest mention  
 Refugee Action Collective (Victoria)  
 Tuesday 29th September 08:30am  
 Search facebook for more details

**#Phones are a Life Life #Freetherefugees**

Socially distanced (two-at-a-time relay protest) protest hosted by Refugee Action Collective  
 10:00 - 16:00 3rd and 4th October  
 Mantra Bell City, 215 Bell st Preston  
 Hologram projected protest option available  
 Call 0404728104 for more information