

# WORKERS SOLIDARITY

## BULLETIN · ISSUE 39

In this issue we look at the bitter fight between the MUA and Svitzer. After workers took protected action last year the multinational suddenly claimed it was leaving Geelong and made 18 of the local workers redundant. In an outrageous move Svitzer has now announced it is going to stay, bringing in FIFO labour-hire workers to take the place of the experienced local workforce they sacked.

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Portrait of Mr. J Wavehill, Mudburra elder, working class and First Nations hero who died August 25th. See page 4 for tribute. Art by Ben Juers.

### WORKERS IN STRUGGLE

#### TWU v Toll

7,000 Toll workers have voted to strike for 24 hours, as one of the largest trucking companies in Australia seeks to replace permanent workers with an Uber-style system of insecure, short-term contracts and external contractors on lower pay.

Toll's push for a substandard enterprise agreement is aimed at slashing pay and conditions in Toll yards to win work from wealthy retailers and manufacturers by offering low rates. The agreement threatens the job security and earning potential of workers by scrapping overtime entitlements, bringing in new workers on far worse pay and conditions, and attempting to remove job security protections which would allow good, reliable Toll jobs to be contracted out to the lowest common denominator.

Other attacks on conditions by Toll include:

- Outsourcing work and undermining clauses in the current agreement so that Toll employees will no longer be engaged before outside hire
- A refusal to ensure outsourced contractors are paying their drivers the same wages as Toll workers, despite this being a clause in successive Toll agreements
- Part-time workers to lose overtime entitlements with additional work up to 38 hours a week to be paid at ordinary rates, in violation of the award standards
- A refusal to sign a deed of transfer ensuring that workers'

pay and conditions will be guaranteed at Allegro, meaning that workers will be forced to negotiate again with worse outcomes.

The trucking industry is one of the most dangerous in Australia: In the five years to 2020, 885 people died in truck crashes, according to the Bureau of Infrastructure Transport and Regional Economics.

#### **MUA v Qube**

Stevedores are pushing back against the failure of Qube to accept any of the 42 claims in the latest EBA negotiations and its refusal to return to the table for talks.

Qube has failed to agree to a single bargaining claim regarding critical safety concerns raised by the Maritime Union of Australia (MUA) over the past 15 months. These include long-standing issues putting worker's lives at risk, from dangerous consecutive runs of excessive hours over extended periods resulting in worker fatigue, rostering workers who have hit the maximum run of shifts and untrained workers being coerced to undertake high-risk work.

The increased use of casualised workers and late calls with available shifts has meant that workers must forgo other work because the company refuses to negotiate a reasonable cut off times for daily work rosters.

The workers have decided to take a stand, by refusing work until the company comes back to the table. The dispute at this level has reached its 4th week.

#### **AWU v GrainCorp**

AWU members at Graincorp are on strike - they are fighting to win a pathway to permanent jobs for casual workers, some of whom have been in insecure work for more than 12 years, and a fair pay rise that recognises their hard work throughout the pandemic.

In their last agreement, GrainCorp pulled a bait-and-switch where the new permanent roles won by the Union were given to new hires, overlooking loyal, long-term experienced staff.

GrainCorp has refused to put a new offer on the table, even after 87% of workers voted NO to their previous offer! Now GrainCorp is using the pandemic to avoid offering workers a fair deal, thinking they can wait them out.

#### **WMWA v WA Mining**

The Western Mineworkers Alliance (WMWA) has demanded that an independent expert body, funded by the mining industry, be set up to oversee sexual harassment and abuse claims after a survey found almost one in four women in WA mining has experienced sexual assault at work.

Western Mineworkers Alliance (WMWA), headed by the Australian Workers' Union and the Construction, Forestry, Mining & Energy Union - Mining and Energy Division, plays a vital role campaigning to improve the working lives of workers employed in WA mining.

The WMWA says the new independent expert body is urgently needed so workers can raise complaints without fear of retaliation or blacklisting by site management.

The call comes after a WMWA survey revealed that not only have a majority of female workers on WA mine sites experienced sexual harassment, most are also wary of raising it with management because of a deeply embedded culture of cover-up that discourages reporting and accountability.

#### **APA NSW v NSW State Government**

NSW Paramedics have pleaded for help as patients are forced to sit in ambulances for up to six hours amid the state's escalating Covid crisis.

The state's paramedics union says frontline healthcare workers have been pushed to the edge and is demanding the NSW government for funding.

Australian Paramedics Association - NSW (APA NSW) - delegate Brett Simpson said paramedics were working obscene hours because of the Covid-19 outbreak.

Concerns are held for their wellbeing and Mr Simpson called on the NSW government to cough up money for reinforcements.

#### **CFMMEU ACT v ACCC**

The collapse of the Australian Competition and Consumer Commission's (ACCC) cartel case against the CFMEU ACT Secretary, Jason O'Mara raises serious questions about the ACCC's behaviour in the matter and is yet another failed prosecution emerging from the 2014 - 2015 Heydon Royal Commission.

"This case has been an abuse of power by

the ACCC and should never have proceeded to court", said Dave Noonan, CFMEU National Construction Secretary.

"All of the charges against Jason O'Mara have been withdrawn at committal and the ACCC must explain how this case proceeded when they knew the charges were unsupported by the facts."

"It is another example of the appalling abuse of legal process and failed prosecutions stemming from the discredited Heydon Royal Commission."

"The ACCC has engaged in the blatant victimisation of Jason O'Mara. An honest, hardworking trade unionist has endured three years of trial by media and attack on his character."

"The ACCC has attempted to weaponise the Consumer and Competition Act to attack the right of trade unions to collectively bargain."

"The Federal Government sank significant funds into this case, continuing its endless war against the rights of working Australians and the trade unions that represent them."

Trade unionists must continue campaigning for the abolition of the draconian and anti-worker Australian Building and Construction Commission and the end of all discriminatory laws against construction workers and their unions.

## **BACKBONE OF OUR MOVEMENT**



**Michelle Reeves, rank and file member of the Community and Public Sector Union (CPSU)**

#### **How long have you been a union member?**

A long time! Joined at 16 at my first workplace with a union presence.

#### **Why did you join the union?**

When I was 16, I was lucky enough to be working in a unionised industry! Most of my team were in the union, had union stickers on their desks, and pamphlets about joining in the break room. Union presence was high, and most workplace matters were discussed through a unionist lens.

This was totally different from the hospo jobs I'd been working in until then, where the conditions were crap and union was a dirty word. Trying to organise around defending our basic rights in those shops was a nightmare. It was so easy to see the power of the union once moving to a unionised workplace, so I joined up right away.

#### **What's your best memory/story about being in the union movement?**

I was working on an IT project that got to a crisis point very late in the piece. It got to that point because the bosses weren't listening to the warnings we were giving them about the viability of the project. The bosses responded by installing new management who seemed to be solely tasked with cutting workers out of the decision making process. It wasn't long before things got drastically worse.

Then, we fought back. Our union delegate was instrumental in forming a core group of representative workers from each team, which took back control of our work and our project. Each morning, all the workers

would meet, determine the priorities for the day, and then get to work. A delegate would inform management what would be happening that day, and that was it. That workplace continued to be run by workers until it was no longer in crisis and the project was wrapped up. It was a very unusual, but very empowering thing to be a part of.

**What's the most important issue facing the union movement today?**

Visibility and representation! Working in IT, it's very rare to have a visible union presence in the workplace, and we are so highly casualised as an industry that it's difficult to build those relationships.

The IT industry and other highly casualised newer areas of employment operate under some really poor conditions, and are often misunderstood by the broader union movement. This industry is also really vulnerable to undermining of conditions through outsourcing.

I think a key priority for the union movement is to start to build real worker-led representation in these industries, and start making union membership visible in the workplace again. If we're ever going to have a real connected union movement that represents the working class, we need to really reach out and engage with all the workers and industries that have been left behind. Imagine what a rank and file unionist movement in IT industries could achieve!

**Why should people join their union?**

Joining is essential to building and growing the movement! If all my workmates joined up tomorrow, we would go from having almost zero presence and representation to practically having our own branch! We're the people who understand our workplace and our work best, so we need to join up and work together to have a real voice.

**Vale to Mr. J Wavehill**

On August 25th Mudburra elder and First Nations leader Mr. Wavehill passed away at the age of 85.

In 1966 Mr. Wavehill walked off Wave Hill Station with his fellow stockmen, including Vincent Lingiari, in protest of wages and conditions as well as the violent legacy of colonialism. This action and the protest which followed sparked a national movement for the return of Gurindji land, leading to Gough Whitlam's handback ceremony in 1975.

Mr. Wavehill was in attendance at Freedom Day celebrations on August 23rd to mark the 55th anniversary of the historic walk-off.



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**The Worker's Solidarity Bulletin** is a living document written to reflect what is happening within the labour movement, here in Australia and across the world. The producers of this publication, and participants in Workers Solidarity more broadly, don't necessarily endorse or agree with all of the views in this publication. This is a place for debate and discussion.

See something you disagree with? Not seeing something you think we should talk about?

Write to us with your thoughts at:  
**workers.solidarity@gmail.com**

## Maritime Union in Battle with Multinational Svitzer

### ANALYSIS

The Maritime Union and tug workers at ports across Australia are locked in battle with the country's largest towage operator, Svitzer, in industrial action to protect their hard-won working conditions in the face of Svitzer's sabotage of enterprise bargaining talks and in addition, their sacking of 18 tug workers at Geelong.

Svitzer Australia is owned by Maersk, a highly-profitable multinational shipping conglomerate which is the largest container ship and supply vessel operator in the world. Svitzer owns a fleet of more than 100 tugs at 28 ports in Australia, making it the largest towage company in the country. The Maritime Union of Australia has been in negotiations with Svitzer for a new Enterprise Agreement (EA) for 2 years now, as Svitzer persistently dragged out bargaining after the expiry of their workers' previous EA. In February last year, when EA talks were on the verge of completion and the MUA regarded the new draft EA to already be over 95 percent completed, Svitzer suddenly added an additional 30 claims to the draft EA. Each claim was nakedly designed to erode members' conditions. Svitzer had intentionally derailed the whole negotiating process and clearly made a provocative ambit claim to strip away their crews' basic working conditions and entitlements. This was despite Svitzer having previously had a fairly amicable relationship with the union.

On 12 November last year, MUA members working on Svitzer tugs took protected industrial action across Australia to oppose these unilateral attacks on their conditions. A month later, on 23 December, eighteen Svitzer tug workers at the Port of Geelong were suddenly made redundant by the company. Svitzer told these sacked workers it had done so because it planned to depart the

Port of Geelong for good as it was no longer a "viable" port - but only 6 months later this June, the company contracted a labour hire outfit, Strategic Workplace Solutions (SWS), to bring in a dozen fly-in-fly-out (FIFO) workers from interstate to replace the sacked 18.

Svitzer and SWS' scabbing on the sacked 18 is clearly part & parcel of Svitzer's war to **remove its unionised workforce and slash & burn its workers' conditions**. As MUA Victorian deputy secretary David Ball said, "It appears Svitzer never really intended to leave Geelong. It just manufactured this arrangement where it could terminate its entire local workforce and use a sham contracting arrangement with a labour hire company that has no experience in maritime towage to slash costs."

The sacked 18 tug workers at Geelong were everything from deck hands to tug masters and skippers, some with more than 30 years' experience of the job and a wealth of local knowledge of sea and maritime conditions which is simply irreplaceable in the maritime industry. Aside from the kick in the guts to the Geelong community and tug workers' families, the MUA has rightly raised safety concerns around fatigue and the new FIFO workers' ability to adhere to other safety requirements, as without a sound knowledge of the waters the safety and integrity of the port is easily compromised. MUA organisers have tried to do safety inspections at the Port, but have been hindered or obstructed by Svitzer from speaking to the workforce operating the tugs to see if they are being affected by fatigue or the altered working conditions.

On Monday 28 June more than 100 maritime workers and other unions' supporters rallied in Geelong to protest the sacked Geelong workers' replacement by the FIFO scabs. Then on Friday 9 July, Svitzer tug workers took 12 hours industrial action as part of their EA campaign. Hundreds of unionists and supporters joined the rally at the Port of Melbourne to support the striking Svitzer workers, where a combative and determined mood was evident to stand shoulder to shoulder with the workers and beat off these attacks.

The MUA and Svitzer workers' campaign for a fair EA continues, as does the Union's parallel campaign to reinstate all 18 sacked Geelong workers. The MUA is still in negotiations with Svitzer around the EA, and other maritime unions including the

Australian Maritime Officers' Union (AMOU) and Australian Institute of Marine and Power Engineers (AIMPE) are also involved in the campaign. AIMPE have now also applied for protected action.

The MUA has advised supporters to stay tuned for more rallies and ways to support their members at Svitzer. Svitzer workers and the MUA must be able to continue to count on the solidarity and support of all unionists and activists until their campaign to beat off this criminal attack on their dignity as workers has been won. One placard at the 9 July Port of Melbourne rally, which read 'Patricks 2.0' captured well the mood and appreciation of what is at stake in this fight. Workers Solidarity will continue to update comrades to any developments in the campaign and alert you to any needs to support Svitzer's workers.

**Touch One, Touch All - MUA, Here to Stay!**

## WHAT'S ON

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

Second Thursday of every month  
Next meeting 9 September, 6PM  
[workerssolidarity.org.au](http://workerssolidarity.org.au)

### **Online forum: How 9/11 Launched 20 Years of American Terror**

Hosted by Socialist Alternative  
Sat 11 Sep 3pm  
[Check facebook for more information](#)

### **40th Anniversary of the Hunger Strikes of 1981**

Hosted by Cairde Sinn Fein  
Sat 11 Sep 3:30pm  
61 Townshend Rd  
Subiaco WA 6008  
[Check facebook for more information](#)

### **Socialism 2021 Conference**

Hosted by Socialist Alternative  
Fri 17 - Sun 19 Sep  
Sydney, Melbourne, Brisbane and Perth  
[www.socialismsydney.com/info](http://www.socialismsydney.com/info)

### **Rally: Boycott Puma Walk**

Hosted by Justice for Palestine  
Sat 18 Sep 12:30pm  
King George Square, Brisbane  
[Check facebook for more information](#)

### **CCWA Annual Conference**

Hosted by Conservation Council WA  
Fri 24 Sept 8:30am  
Bendat Parent and Community Centre  
36 Dodd St Wembley WA 6014  
Email [sara.boranga@ccwa.org.au](mailto:sara.boranga@ccwa.org.au)

### **Hobart Climate Strike**

Hosted by SS4C nipaluna/Hobart  
Fr 15 Oct 12pm  
Royal Hobart Regatta Grounds  
[Check facebook for more information](#)

### **Ecosocialism 2021 Conference**

Hosted by Socialist Alliance  
Sat 23 Oct - Sun 24 Oct  
Sydney, Melbourne, Brisbane, Perth,  
Geelong  
[ecosocialism.org.au](http://ecosocialism.org.au)