

Dismissals without warning, no right of access, spies and police courts

Meet Australia's new labour laws

Last year *Labour Bulletin* carried an article on government attacks on Australia's hard won labour laws. A year later **Ken Davis** describes a country where poverty is on the increase and harsh new legislation governs labour and its trade unions. There is hope however as elections for a new government draw near.

Australia will hold elections [in the second half of 2007] that will determine the future of the trade union movement.

If the reactionary government of Prime Minister John Howard is re-elected for a fifth term, his racist, imperialist and anti-worker agenda will be implemented without restraint. His objective is permanent shift of power and wealth from workers to capitalists, by abolishing collective bargaining and destroying the unions, as the bedrock of the social movements and the base of the Australian Labor Party.

Current opinion polls show the opposition Labor Party could win, with support of the left-wing Greens. But between now and the election, the ruling class will do all it can to ensure its offensive cuts deeper against democratic and workers' rights. They are also pressuring the Labor leaders to back down on their pledge to reverse Howard's tough anti-union laws.

The Labor Party, created in 1891 by the unions to represent the working class, still has half its congress delegates from the unions, though some unions, such as nurses and teachers are not affiliated. Some unionists also chose to support the Greens because they have clearer

policies in support of workers' rights. Electorally, Labor retains the support of almost all working class areas and Labor is in government in all of the eight provinces. However in the last four national elections, the better paid sectors of the working class have voted with the middle class to elect the conservatives.

Australia now has a boom economy, but not for everyone. The ratio of profit share against wages has risen dramatically in the last ten years in favour of the Australian capitalists. The high profits are from the sale of minerals, energy and agricultural products to China and Japan.

WORKERS IN AUSTRALIA

The average standard of living for workers in Australia is very high, one of the best in the world. But averages hide big discrepancies between the rich and the poor. With a workforce of 10.4 million women and men, a minority get very good salaries, while many are unemployed or get low wages for casual and part-time work.

Unemployment officially is under 5%, but just one hour per week means you are counted as working, and many people who have given up looking for work are excluded from the unemployment statistics.

Although a minority of Australian

workers are doing very well, most workers pay 50% of their income on their rent or on their home loans. Most Australians have big loans or credit card debts for purchases, and personal indebtedness has risen dramatically. Also, most families have only one or two children, and most families have both parents working. Retirement ages for women and men are being extended. These trends obscure the increasing exploitation of workers.

Of the ten million workers in Australia, three million can only get part-time work. Casual and part-time work particularly affects young and women workers. A third of women workers are only employed as casuals or temporary workers, who can be sacked without notice. On the other hand, five million of the ten million workers work more than the legal work week of 38 hours, and average working times for full-time workers are now around 48 hours per week, some of the longest in the advanced capitalist countries. The worst aspect is that much of the additional time is unpaid overtime.

As in the USA, Australian incomes are increasingly polarised, with a minority of working people getting richer, most struggling, and several



Marchers in Melbourne in June 2005 rallying around Victorian Trades Hall to protest Prime Minister Howard's "Work Choices" anti-union legislation

million living in poverty. About 15% of the total population and 20% of children are living in poverty. Most vulnerable are indigenous people, recent migrants/refugees, people with disabilities or chronic illnesses, the elderly, single mothers and their children, and those who are long-term unemployed.

Poverty in imperialist countries such as Australia is a different phenomenon from Africa, south Asia or the Pacific. In Australia, schooling and hospital care, theoretically, are free, and social security allowances and pensions are supposed to be enough to live on. But many people in indigenous communities, particularly those in remote areas, live in absolute poverty. And when poverty intersects with addictions or chronic illness, households and individuals become dependent on charities for food or rent or clothes at the end of each fortnight.

Australian workers were relatively high-skilled, although most manufacturing has now closed, with increased cheap imports from countries like China, with very low wages. The Australian government and employers no longer invest in skills training, shifting the cost to working families who have to pay large fees to send their children to colleges and universities to get trade

or professional skills. Even the schools system is changing, with only two thirds of students in government schools, and a third in private or religious schools, with very large government subsidies to the richest schools.

In the past, through union struggles, complex legal systems were established in each of the eight provinces, and at national level, to decide on the legal minimum wages and conditions, not just for unskilled or unorganised workers, but for every type of job in each industry. Now the gains made by unions over many decades, and the laws in each province that protect workers' rights, are being completely dismantled.

BOSSES' OFFENSIVE

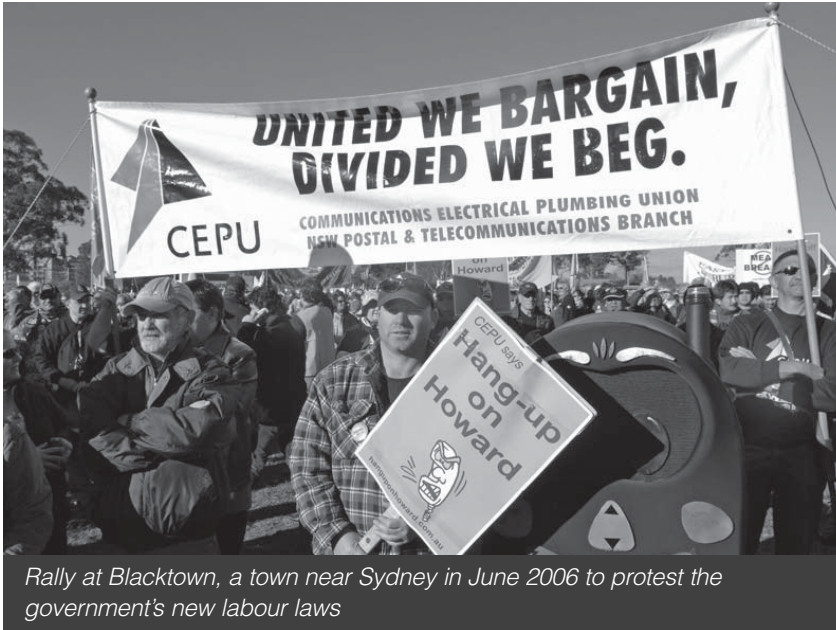
In late 2005, a year after John Howard was re-elected as Prime Minister for a fourth term of office, both houses of parliament passed a set of new industrial laws, designed to cut union power and drive down workers' wages and conditions:

'Work Choices' is designed to break the power of the unions and prevent collective bargaining. Individual workers will have to negotiate contracts, without union representation. Most of the legal conditions of work such as leave,

hours and safety cannot be included in individual contracts, and unions are prevented from taking industrial action. Most Australian workers are now covered by Enterprise Agreements, sets of wages and conditions agreed by unions and employers and then legally registered, mainly at provincial level. Under the new law, no such agreements will be possible.

Unfair dismissal laws, which protected workers from unreasonable sackings by bosses have been repealed. If you work for a business with less than 100 employees, you can be sacked with no warning and no reason.

The Building Industry Improvement Act makes virtually all activity by the powerful construction unions illegal. In Western Australia, 107 workers have been fined \$26 000 each for going on strike to defend their elected delegate. Even if a worker is killed in an accident on a construction site, the union representative can't come into the site and hold a meeting until there is written permission from all the contractors/employers. Special police and courts can compel any worker to inform on union meetings or discussions with colleagues.



Rally at Blacktown, a town near Sydney in June 2006 to protest the government's new labour laws

The Independent Contractors' Act tries to turn almost a million employees into 'self-employed' contractors, so employers will not have to pay insurance, tax or leave benefits.

Welfare to Work laws take social security payments away from long-term unemployed, single mothers, disabled and chronically ill people, and force them to take whatever job is offered, even if it is only a few hours, a long way away, dangerous, unsuitable, or with very low pay.

Immigration laws have been changed so employers can bring groups of workers from overseas to work for very low wages without any rights, and if they complain they are deported.

The core aspects of these laws breach the International Labour Organisation (ILO) conventions signed by Australia, and are in conflict with the Universal Declaration of Human Rights and the International Convention on Civil and Political Rights.

The impact of these laws is already being seen, with wages starting to fall in the private sector, particularly for women and young workers. Workers as they are hired or re-hired, are being informed that not only are wages low, but public holidays and weekends and night shifts will get no additional pay, and leave entitlements will be seriously cut back. Occupational health is also already suffering.

Other laws passed around the same time prevent university student associations from providing services and engaging in political activism, and allow a couple of very wealthy and conservative men (Murdoch and Packer) to monopolise ownership of all mass media in Australia. The government has seriously curtailed the political independence of the two state broadcasting systems, ensuring that criticism of the government is muted. This is occurring in the context of new laws which severely limit civil liberties in the name of fighting terrorism.

Howard has wound back indigenous land rights laws, has refused to apologise for the decades-long policy of taking Aboriginal children for fostering into white families or church institutions, and has now abolished the Aboriginal and Torres Strait Islander Commission, which was an elected organ of sovereignty and self-determination.

FIGHTING BACK

Unions are fighting back, although now only 23% of workers are members of unions. All unions, regardless of political faction, are affiliated to the Australian Council of Trade Unions (ACTU), whose president is Sharan Burrow. She is also president of the new International Trade Union Confederation.

Unions are supporting Your Rights At Work activist coalitions in each regional centre or group of suburbs, and are staffing election campaigns in electorates that could be won from the conservatives.

The ACTU has spent millions on television advertising, which has a surprising 'class against class' tone. Public opinion is still overwhelmingly opposed to Howard's industrial relations offensive, but massive opposition in Australia to the war in Iraq did not stop Howard from sending troops to back up Bush and Blair.

To counteract the success of the ACTU's advertising, employer groups, such as the mining bosses, are budgeting for major campaigns of their own to ensure collective bargaining never returns.

The ACTU has called for 4 national days of action. The last was on 30 November, when 300 000 workers marched in cities and towns across Australia. On 22 April, 40 000 workers took part in a rock concert for workers' rights in Sydney, and on May Day, 40 000 workers marched in Brisbane.

Unions from all over the world have been supporting the two million Australian union members in our struggle. If Howard can get away with this attack on basic labour rights, then governments in other countries will try to go down the same path. LB

For information on the campaign against the Australian government see the ACTU's website: Your Rights at Work: <http://www.actu.asn.au/YourRightsatWork/default.aspx>

Ken Davis writes in his personal capacity and is employed by Union Aid Abroad - APHEDA, which is the international development agency of the Australian Congress of Trade Unions.