

Australia Dossier by Robert Barwick

Wiping out trade unions

Even employers are complaining about the Howard government's new anti-union legislation.

The Australian government has just introduced its second wave of industrial relations "reform" legislation into the federal Parliament, which is designed to finish off what is left of the country's ever-weakening trade union movement.

The first wave had been ushered in by the 1996 Workplace Relations Act (WRA), the most draconian anti-labor legislation seen in Australia in decades. The WRA had one purpose: to wipe out the institution of trade unionism. The WRA enshrined individual contracts to replace union-negotiated agreements, and made effective industrial action much more difficult by outlawing secondary boycotts, which prompted the International Labor Organization to denounce it as a violation of workers' human rights.

But, the WRA pales in comparison to Workplace Relations Minister Peter Reith's planned "second wave" of reform. According to Jennie George, the president of the Australian Council of Trade Unions, the nation's premier union body: "The legislation is the most draconian, anti-worker, anti-union legislation that I think I have seen in my career in the union movement."

Reith's proposed legislation, introduced into the Senate on June 30, seeks to break the back of trade union culture: It institutes secret ballots before unions can strike; extends the strike warning period from three days to five days; introduces a user-pays system of mediation as an alternative to the Australian Industrial Relations Commission (AIRC), the traditional judicial umpire in industrial disputes;

makes it easier for employers to introduce individual contracts, and harder for employees to initiate unfair dismissal action; and *requires employers to act to reduce union power in their workplaces*, so that no more than 60% of any workforce is represented by the same union.

The latter provision is a by-product of Reith's personal frustration at his inability to whip up widespread enthusiasm for his union-busting agenda among employers generally, the great majority of whom enjoy satisfactory relations with the unions representing their workforce. In fact, the main support for Reith's agenda among employers has come from the British multinational mining giant, Rio Tinto, which has taken the lead in applying it at their mine sites in New South Wales and Queensland. A Rio Tinto executive wrote the 1996 Workplace Relations Act, and the mining giant has financed several fanatically anti-labor think-tanks in Australia, all of which are spin-offs of the London-based Mont Pelerin Society, the economic warfare unit of the British Crown. The most notorious of these, HR Nicholls, counts a half-dozen members of the Cabinet, including Reith and Prime Minister John Howard, among its members or close supporters. For his part, Reith makes no secret that Margaret Thatcher and Tony Blair's Britain is his model for industrial relations: He told Channel 9's June 27 Sunday program, "It is true, industrial action in Australia is at the lowest it's been since 1913, so that's a fantastic improvement, but it's still much higher than places like the U.K."

Thanks to the zealotry of Reith and Howard, the second wave has caused consternation on all sides, not just among trade unions. Employer groups are up in arms about being legislatively forced to become union-busters by Reith's attack on "closed shops" (sites where more than 60% of workers belong to the same union). According to Roger Boland of the Australian Industry Group, which represents metals and manufacturing firms, many employers know that they have closed shops, but, he told the June 28 *Sydney Morning Herald*, they would be reluctant to "light a fire" under the issue because completely unionized sites "did not necessarily impede business," while other employers have stressed that they facilitate labor relations.

On another front, a group of 80 industrial-relations lawyers on July 2 attacked the legislation as "fundamentally unbalanced in favor of employers." Group spokesman Kevin Bell QC warned, "The Australian community must realize that the Reith proposals are not merely evolutionary change but would, if implemented, attack several fundamental features of our industrial system, and most particularly its fairness and balance."

To get his legislation through, Reith has appealed to the party which made his first-wave reforms possible, the Australian Democrats. Reith is confident that the Democrats will, once again, stab their working class supporters in the back, particularly under the auspices of party leader Meg Lees, who just enabled the once politically dead goods and services tax (GST) to be passed in the Senate the day before the second-wave legislation was introduced. The GST is a highly regressive attack on working people, especially low-income earners—and is entirely consistent with the objective of the second-wave industrial relations reforms.