

TRADE UNIONISM IN AUSTRALIA

A history from flood to ebb tide

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 **CAMBRIDGE**
UNIVERSITY PRESS

CAMBRIDGE UNIVERSITY PRESS
Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo, Delhi

Cambridge University Press
477 Williamstown Road, Port Melbourne, VIC 3207, Australia

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org

Information on this title: www.cambridge.org/9780521888035

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First published 2008

Cover design by Liz Nicolson, designBITE
Printed in Australia by Ligare

A catalogue record for this publication is available from the British Library

National Library of Australia Cataloguing in Publication data
Bramble, Tom.

Trade unionism in Australia : a history from flood to ebb tide / Tom Bramble.
9780521716123 (pbk.)

9780521888035 (hbk.)

Includes index.

Bibliography.

Labour unions – Australia – History.
331.880994

ISBN 978-0-521-88803-5 hardback

ISBN 978-0-521-71612-3 paperback

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NL1 Q017/160568

24/11/08

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The onset of economic crisis

Business goes on the attack

Queensland Labor Council (led by the CPA's Alex McDonald) announced plans for a one-day state-wide general strike, leading the Government to drop its threat after only five days.

Despite the enormous courage of the MIM workers, they were isolated by the AWU hierarchy. As the weeks wore on, the number of miners trickling back to work increased and new legislation and heavy policing prevented effective picketing at the mine site. Only one thing could have saved the Mount Isa workers – bans on the transportation of copper by the water-side workers and the railway workers. Mackie sent telegrams to leaders of the AEU, the WWF and the NSW South Coast Labor Council seeking concrete solidarity.

At this point, the limits of the left-wing union leaders became apparent. They had organised substantial financial relief and a speaking tour for Mackie in Melbourne and Sydney. They had sent protest letters galore to the Queensland State Government, but when it came to banning the movement of copper, and thereby elevating the dispute to a national level, the left-wing union leaders went to water. The Queensland Labor Council advised against a ban on the grounds that it meant a confrontation with the Menzies Government and the ACTU could not be expected to lead such a fight. Instead, it proposed only that the Mount Isa workers seek satisfaction from a compulsory conference with the Industrial Commission. Initial plans for a state-wide strike against Nicklin's new picketing provisions were allowed to die. To his telegrams Mackie received only one reply. The Victorian secretary of the WWF had passed on the request to the union's national secretary, Charlie Fitzgibbon, who advised the Mount Isa workers that he was not willing to take any action unless endorsed by the leaders of the Queensland Labor Council.

The strikers could not continue the strike on their own and reluctantly accepted the company's terms – an offer of work for all tradesmen who had been locked out, but work only for those AWU members whom the company selected. Neither Mackie nor any of the other 96 AWU militants blacklisted by the company would find work in the mine again. Nonetheless, the strike forced a change of practice by the company management towards the workers. It was not just higher wages but also a more respectful treatment of the workforce. The workers won the right to negotiate locally over wages and the CMC was able to continue functioning.

The strike upswing continues despite defeats

GMH and Mount Isa were both needless defeats, given the way that the tide was beginning to flow in the working class. If the left union officials had been prepared to organise strike action in support of the workers, both of the disputes could have been won. However, the leaders of the left-wing unions were only prepared to offer the workers support up to a point and shied away from the kind of fight that was necessary if they were to win. At this stage they were not prepared to lead a struggle against the penal powers or directly challenge the authority of the ACTU. They therefore put off for several more years the ultimate destruction of the penal powers.

Nonetheless, these defeats did not halt the slow pick-up in union militancy in the mid 1960s. No upswing in strikes is likely to proceed evenly and without setbacks. Some groups of workers are always ready to move forward and challenge employers before the majority of workers are prepared to act, but this is part of the process of a general advance. Moreover, defeats, by teaching workers important lessons about the need for more determined action and by testing leaders, can actually pave the way for a resumption of the upswing in the near future.

Strike *days* dropped after 1964, but the *number* of strikes remained around 1300 each year, the highest level for a decade. What is more, strikers were increasingly taking action without waiting for their leaders. Employers complained:

There have been situations where industrial agitation generated solely by shop stewards has reached a point where the union organisers when called in found a situation that they were unable to control.⁶¹

Most strikes were over in a day or two with a quick wage rise, but in an increasing number of cases strikes were being met by employer recourse to the bans clauses.

The ACTU made it clear that, while it decried the excessive use of the bans clauses, it had no intention of challenging them. It sought instead to prevent workers from organising strikes. The 1965 ACTU Congress demanded that any strike likely to attract fines be brought under the control of the ACTU and the federal executive of the union concerned.⁶² In 1966 the Melbourne Trades Hall took charge of a strike by State Electricity Commission workers

in the Latrobe Valley against the wishes of the workers. George Wragg, secretary of the Gippsland Labor Council, complained that the Melbourne Trades Hall's action was 'a betrayal of the very fundamentals upon which trade unionism was built'.⁶³ More and more, the use of the bans clauses was raising the question not just of judicial and government repression but also of democracy and worker control within the unions themselves.

The Cold War political environment that had suffocated left-wing political action on the part of unions in the 1950s was beginning to wane by the mid 1960s. Waterside workers were taking action to protest against apartheid in South Africa, but the crucial issue that fired up workers' interest in politics was the issue of conscription and Vietnam. The decision in November 1964 by the Menzies Government to introduce conscription and in April 1965 to send a battalion of combat troops to fight in Vietnam was a watershed in Australian politics.⁶⁴ Maritime unions in particular took up the challenge. In 1965 the Sydney branch of the WWF held up 37 ships in Sydney Harbour with a 24-hour strike in protest against military intervention in Vietnam. Two thousand five hundred wharves also walked off the job in Melbourne. In May 1965, 500 seamen, waterside workers and ships' painters picketed the US Consulate in Brisbane.

The maritime unions then sought to directly impede the movement of munitions. In May 1966, the Federal Government chartered the merchant ship *Boonaroo* to carry stores and equipment to Vietnam. The SUA refused to crew it or any other ship carrying supplies to aid the war effort. However, the union faced a wall of hostility from other waterfront unions and the ACTU. Albert Monk had ruled in 1965 that the ACTU would not support any action that jeopardised the flow of goods or troops to Vietnam. The SUA was forced to back down.

In November 1966, Labor went to the federal election campaigning against conscription and Australian involvement in the war but was heavily defeated. The union campaign against the war would now focus on direct action in the workplace and on the streets. In February 1967, when Melbourne seamen walked off the *Boonaroo*, which was again laden with war supplies, they resisted pressure from the ACTU to lift their action and the Government was forced to use the Navy to crew it. The seamen imposed bans on the *Jeparit* in the following month for the same reasons. At successive stop-work meetings SUA members expressed overwhelming support for the black-banning of merchant ships carrying munitions to Vietnam.

In September 1967 the seamen were joined by 2600 waterside workers, who walked off ships in Sydney in support of a worker suspended for refusing to load bombs on the *Jeparit*. Action by the maritime unions emboldened others. In January 1967 six Queensland unions imposed bans on aircraft used by visiting South Vietnamese premier Air Vice-Marshal Ky. This also meshed with an increasingly radical anti-war movement on the campuses.

The Victorian rebel unions

If left union leaders were not prepared for an industrial confrontation with the ACTU in the early 1960s, they came under increasing pressure to take a stand by 1967. They were under pressure from two directions – from workers prepared to strike for wage increases and from employers ever more eager to invoke the penal powers. The battle between left and right in Victoria came to a climax with a split in the Melbourne Trades Hall. Following the death of Vic Stout in 1964, the Trades Hall leadership had become more right-wing. Secretary Mick Jordan and his assistant Ken Stone maintained control through a voting system heavily weighted towards the smaller, usually more industrially passive, unions. The larger industrial unions complained bitterly that the small unions were the tail wagging the dog and demanded fairer representation and the election of an executive on the basis of industry groups of unions.

The issue came to a head in 1967 around the question of financing the activities of the Council. Faced with escalating debts, the Trades Hall executive doubled per capita affiliation fees.⁶⁵ The larger unions refused to pay the higher levy, arguing that, since voting power on the Council was not determined on a per capita basis, neither should the levy be. The executive suspended four left-wing metal unions from the Council, but these suspensions were followed by the suspension of a further 23.

The result was the emergence of the 27 'rebel unions' as an alternative coordinating bloc in the Victorian trade union movement. While these unions had not sought exclusion, they were now able to pursue militant industrial and political strategies without the dead weight of the multiple smaller unions. The 27 rebel unions went on to play a critical role during the union offensive of the late 1960s and early 1970s. They also promoted greater autonomy for the predominantly left-wing regional labor councils,

most notably in the Latrobe Valley, the site of major disputes in the following decade.

On the verge of a breakthrough

By the late 1960s, unions were on the cusp of the first major upturn in struggle since the late 1940s. Major changes had taken place in the union movement between the two high points. Nearly two decades of conservative government had created an atmosphere of stultifying conservatism, from which the Labor Party and trade union leaders were not immune. The moderate and right-wing union leaders who dominated the union movement acted as an effective brake on militancy and political action. The CPA, a key player in the immediate postwar period, no longer enjoyed the high level of support and influence it had had during the big strikes of the late 1940s.

At the same time union membership was growing, and the changing composition of the working class meant that militancy and organisation were spreading beyond the traditional industries associated with union action and particularly into white-collar areas. Organisation at the shopfloor level, which would prove crucial in the coming upturn, had been steadily built, and in the context of relatively full employment gains could be made and living standards steadily improved. This contributed to a sense of confidence and preparedness to fight on the part of workers in spite of the conservative political climate.

These contradictory developments were struggling to be contained by the late 1960s and the stage was set for a revival of militancy. And while wage rises were the crucial issue around which workers fought during the last upsurge in the 1940s, defeating anti-union laws and mobilising around political issues would underpin many of the battles of the late 1960s and early 1970s. The Menzies era thus gave way to a period of radicalism and rank-and-file activity that even the union leaders proved powerless to control.

Chapter Two

THE UNION UPSURGE, 1968-74

The breakthrough, 1968-69

By the end of 1967 the situation was ripe for a breakthrough. The employers were using the penal powers to prevent workers from striking to take advantage of the labour shortages and a booming economy. The ACTU had lobbied the Coalition Government for years to amend the penal powers in some way, but to no avail. The penal powers would have to be broken by a full-scale confrontation. The Transport Workers' Union had shown the way when in 1963 it had threatened a national strike by its 60 000 members, resulting in the removal of the bans clause from its award.¹ The so-called 'absorption decision' of the Arbitration Commission started a series of events that were to culminate in such a confrontation on a national scale.²

In December 1967, the Full Bench of the Arbitration Commission granted metal tradesmen a \$7.40 wage increase following a 'work value' inquiry. However, it also advised employers that they were free to offset ('absorb') this increase against existing over-award payments that were almost exactly equivalent to the work value increase. Further, there was to be no increase for tradesmen's assistants. The work value case had resulted in precisely nothing for the workforce. The metal trades unions did not take this lying down. Strikes in the metal and engineering industry were already on the increase and in 1967 the sector accounted for more than one-third of all strike days. The workers were already primed for action and the Full Bench decision was the spark.

The first six weeks of 1968 witnessed an explosion of 400 strikes in the metal industry. The high point was a 24-hour stoppage on 6 February 1968, involving 180 000 workers. On 23 February, 1300 New South Wales union delegates vented their anger at a mass meeting in Sydney Town Hall. Arbitration Judge Dunphy called it an 'unprecedented situation':

Never before in my memory have employers more reason to fear industrial disruption on a grand scale than is now in evidence before us in NSW.³

Some companies acceded immediately to union pressure and paid the \$7.40 on top of existing over-awards. Others stood firm and invoked the bans clause. Through the course of 1967, 50 fines had been imposed on unions. In the first quarter of 1968, the number jumped to 122. The metal unions were fined \$58 000 plus \$15 000 in costs.⁴

Shop committees were the engine for the campaign. Short rolling stoppages involved first one group of workers, then another, in an attempt to both disrupt production and foil employers' ability to make use of the bans clause. Those workers not taking action raised funds to compensate those who lost pay, and metalworkers toured workplaces raising funds at factory gate meetings.⁵ Within 12 months, every major workshop in New South Wales had taken strike action. According to Jim Baird from the Boilermakers' union, metalworkers were ringing their organisers complaining: 'It's our bloody turn, why aren't we getting a turn?'⁶ No leader in the metal unions could be seen to oppose the strikes. Jim Baird commented: 'The union leaders were placed in a position where elections were taking place and they had to be on side, otherwise they wouldn't have got elected again.'⁷ Faced with this tide of defiance, the Arbitration Commission capitulated. It withdrew absorption and ordered that 70 per cent of the work value increase be paid immediately and the remainder in August.⁸

Other unions, including building and construction, the railways and wharves, took confidence from the metal trades victory and struck for similar pay rises.⁹ A new-found preparedness to strike to force concessions from the Commission engulfed unions. Employers took fright at the situation, with the Metal Trades Employers' Association commenting in March 1969 that:

People can be forgiven for gaining the impression that the Commission considers strike action to be no longer inconsistent with compulsory arbitration, and that it may even be acceptable conduct.¹⁰

Perhaps the most important effect of the metalworkers' victory, however, was that it heightened working-class anger at the penal powers and hastened their destruction. For some years there had been increasing demands that the ACTU fight the penal powers by action rather than just by resolutions and deputations. Nonetheless these calls went unheeded and the 1967 ACTU Congress avoided discussing the issue altogether. The ACTU's objection to the escalation of the penal clauses in the 1960s was not an *in principle* objection to the penalties but to the employers' 'capricious use' of them. The ACTU was certainly not organising to break the powers by direct action. Nor were the left-wing unions, initially. As can be seen in Chapter 1, they were prepared to fight up to a point but backed off rather than defy the ACTU. At the 1964 federal unions conference the left-wing unions had unsuccessfully moved that the ACTU mount a 24-hour general strike against the penal powers. Their motion defeated, the left-wing unions continued to pay the fines even as they escalated dramatically.

With the breakthrough in the absorption fight, however, and under pressure from members, the left-wing union leaders began to shift ground. By late 1968 the AEU, the Boilermakers and the Sheet Metal Workers had resolved to pay no more fines. In January 1969 the CPA national committee urged a 'bolder confrontation with the penal powers'. The situation came to a head with the O'Shea dispute of May 1969. Diane Fieldes remarks:

If the absorption battle opened the door to eliminating the penal powers and reasserting the right to strike, the events surrounding the jailing of Clarrie O'Shea tore it from its hinges.¹¹

The Victorian branch of the Australian Council of Tramways Unions, led by the CPA(M-L)'s Clarrie O'Shea, had been subject to increasing fines for taking action in opposition to 'one man operation' of buses. By 1966 the fines were so large that the union decided to pay them off in instalments of \$100 per month. For 18 months it was allowed to do this, but the arrival of a new Industrial Registrar, Dr Ian Sharp, put an end to this. Sharp demanded that \$3000 of the remaining \$9000 be paid as a lump sum. The union offered to raise its payments to \$200 per month. In response, the Federal Government issued a writ aimed at collecting the entire \$9000. On 30 November 1967, the Registrar confiscated the union's bank account and recovered \$3741. Early in 1969, the Registrar announced his intention to collect a further \$8100. O'Shea was ordered to appear before the Industrial

Court on 18 February to produce the union's books. He refused. In March, the Australian Council of Tramways Unions stated that, if there was any attempt to collect fines from any state branch, all branches must stop work.

O'Shea was then summonsed a second time, to appear on 15 May. The issue was now at a crisis point and the militant union delegates rallied behind O'Shea. Five thousand Melbourne union delegates met at 8.30 a.m. prior to the court hearing and resolved:

We determine that any attempt to take direct punitive action . . . will be met with an immediate 24-hour stoppage of work by all workers represented at this meeting, and call upon all other workers to stand and defend Unions and what they mean to Australian workers.

The workers marched to the Industrial Court. O'Shea appeared, but refused to produce the union's accounts and was charged with contempt. Justice John Kerr found him guilty and committed him to Pentridge Jail.

The fuse had been lit. The left unions, under pressure from members, had finally cast aside their policy of not taking action unless endorsed by the ACTU. The Victorian rebel unions, in defiance of the Trades Hall which denounced the strike, took action. On 16 May, Victorian unions organised a 24-hour strike. Power was cut for four hours, and all public transport stopped, along with gas and most television. On 20 May a second state-wide 24-hour stoppage took place, with 40 Victorian unions joining in.

The determined response in Victoria sparked stoppages around the country. Hundreds of thousands walked off the job. Workers from unions not endorsing action turned up independently at mass meetings. White-collar unions not then affiliated to the ACTU endorsed the movement to free O'Shea. For the first time in history, all public transport in Sydney stopped. Six thousand waterside workers in New South Wales struck, as did actors, musicians, architects and engineers. The Queensland Trades and Labor Council called a state-wide strike and hundreds rallied up and down coastal industrial towns. In total, one million workers struck or took part in stop-work meetings in the week following the jailing of O'Shea.

The Federal Government was in a jam. There was a real possibility of a national general strike to free O'Shea. Right-wing union leaders were split. Mick Jordan from the Victorian Trades Hall urged workers to take no part in it.¹² The NSW Labor Council and the ACTU simply tailed behind events,

powerless to stop the flood of activity. The Government was only saved from a further escalation of the struggle when an anonymous donor, described in the press as Mr Dudley McDougall, a Sydney lottery winner, stepped forward to pay the fines, allowing the release of O'Shea. O'Shea declared defiantly: 'I didn't pay the fine and neither did the Tramways Union. We will never pay the fine.'¹³

Following O'Shea's release, the ACTU executive, which had done nothing in an official capacity during the crisis, met on 21-22 May and determined that, pending discussions with the Federal Government, trade unions were 'advised not to meet any outstanding fines imposed under the Penal Clauses'.¹⁴ The ACTU now endorsed direct bargaining:

When the unions take action in the field of over-award payments, they are doing no more than to exercise their right to secure what they regard as a fair price for what they have to sell - their labour. This is precisely the right which is allowed to be used by the employers in this country in fixing the prices they consider appropriate for what they have to sell.¹⁵

Unions maintained the pressure with further strikes. On 26 August 1969, the Federal Government asked employers not to use the penal powers until an alternative could be organised. The impotence of the penal powers was officially recognised when in June 1970 the relevant sections of the Act were amended.¹⁶ Fines were still levied, but no unions paid them, more anonymous donors stepped forward, and the penal powers became a dead letter. The significance of this was made clear by A.E. Woodward QC, chairman of the Stevedoring Commission, who lamented that:

When the organised trade union movement defies 'the might of the state', and is supported by the alternative government and at least a significant section of public opinion, law and order necessarily take a back seat.¹⁷

The flood tide gathers force, 1969-74

The defeat of absorption and the penal powers signalled a reinvigoration of union mobilisation. Arbitration was discredited among hundreds of thousands of blue-collar workers and not a few white-collar ones too. Workers

had not only won back the right to strike; they had gained the confidence to use it. Arbitration Commission president Richard Kirby stated in his annual report for 1969 that 'The balance of power "in the field" has swung more than ever one way'¹⁸ and one commentator observed that workers had become 'aggressive in their approach and in their demeanour'.¹⁹ Figure 1.1 illustrates the sharp jump in strikes that continued almost uninterrupted for seven years. In 1971, 30 per cent of workers were involved in strike action, compared to an annual average of just 13 per cent in the period 1952-68.²⁰

Workers flexed their muscles on a wide range of issues. Strikes over wages reached their highest levels since the war and accounted for three-quarters of all strike days in this period. High inflation internationally fed through to Australia, and workers used direct action to ensure that their standard of living did not suffer. If one group of workers won an increase, others struck to keep up. Workers used direct action to win shorter working hours, with workers in coal mining, the post, and the waterfront winning the 35-hour week by the simple method of working it and demanding full pay.²¹ The limitations of arbitration as a method for winning such gains were demonstrated graphically by the contrary experience of the AWU, which applied to the Arbitration Commission for a reduction in the working week for station hands. Its application was bluntly rejected.

In assembly line industries workers took a stand against their appalling working conditions, forcing health and safety onto the union agenda. Workers also struck as a way of asserting their authority over long-resented supervisors and managers. Workers were not afraid to challenge management authority by using dramatic means. In one metal industry plant in 1971, 450 workers formed a human wedge to forcibly 'reinstate' a sacked worker onto the premises.²²

Ideas of worker control began to win a hearing. Builders' labourers working on the revolving stage section of the Sydney Opera House construction site effectively removed foremen and supervisors from operational control. When ECCUDO, the organisation of shop committees in the NSW power industry, took action in pursuit of a 35-hour week in 1973, delegates elected two of their number to ensure that sufficient power was generated to keep basic industry running to prevent the need for large-scale stand-downs.²³ The Askin Liberal Government responded by choking off supply to industry, thereby bringing about the stand-downs that ECCUDO had sought to avoid. In response, ECCUDO placed advertisements in the newspapers

advising workers affected by stand-downs on how to restore the power supply and restart operations. A range of workplaces complied, prompting the state Government to lift power restrictions. The power workers' aim was not to stop the energy supply but to place control over power generation in the hands of the workers.

Other episodes of 'worker control' were more defensive and involved campaigns against redundancies or closures. 'Work-ins' involved employees remaining at the workplace and refusing to accept dismissal. Two of these took place in the coal industry, at South Clifton on the New South Wales south coast in May 1972 and at Nymboida in northern New South Wales in March 1975. The latter action resulted in the mine being bought out by the Miners' Federation.²⁴ The third work-in took place at Harco Steel in western Sydney in November 1971. The Harco workers occupied and ran their plant for several weeks. They elected their own foremen, worked a 35-hour week and planned their own work schedules.²⁵

Rank-and-file workers were driving the agenda, and union leaders who did not keep up were simply bypassed. In August 1969, the *Brisbane Courier-Mail* reported on a strike at the Evans Deakin shipyards that was so tightly organised by the rank and file that one unnamed union official commented:

The real trouble is rank and file control... The campaign is being run by a bunch of stirrers... Every time the Metal Trades Federation makes a decision, the rank and file knock it over... the matter is getting out of hand.²⁶

Latrobe Valley power workers used strong workplace organisation to drive strikes, defying calls for 'discipline' by the Victorian Trades Hall. Their fellow power unionists in New South Wales denounced the leaders of the NSW Labor Council and the ETU, which sought to control their activities, and demanded that ECCUDO delegates be involved in all negotiations with the State Electricity Commission.²⁷ Plumbers at Sydney's Cockatoo Island naval dockyards kept their strike going for six weeks in 1972, even after disendorsement of the action by their union leaders. VBEF leaders who tried to pacify angry production line workers on strike at GMH Elizabeth in South Australia in 1970 were faced with 'a barrage of grapes, bread, salami, tomatoes and anything else the men could throw'.²⁸

Rank-and-file organisation did not worry too much about union demarcations. Shopfloor meetings were often attended by all employees regardless

of union affiliation. Plant delegates were elected on a cross-union basis. The result was that workers' loyalty often lay with the work group rather than the official union apparatus. This resulted in a high level of plant solidarity. In some cases, as in the New South Wales power industry, this solidarity extended across many workplaces, creating a strong structure able to withstand ferocious 'red baiting' by both the New South Wales Government and the NSW Labor Council.

The building industry was probably the most radical union arena at this time, especially in Sydney, where the BLF was particularly notable for on-the-job organising and lively participation by members in union affairs. In the 1950s the BLF had been led by right-wing anti-communist union leaders who stifled any hint of militancy. The CPA, which already held the leadership of the BWIU and the Federated Engine Drivers and Firemen's Association (FEDFA), now took on the BLF.²⁹ Members of the CPA and other non-party militants began to organise on the job for permanency, better amenities, and the right to stop work in wet weather. Their efforts to build a layer of militant site delegates culminated in a successful challenge to the BLF leadership in 1961 by a reform ticket led by Mick McNamara. McNamara was succeeded in 1968 by CPA member Jack Munday who, together with Joe Owens and Bob Pringle, put together a formidable team.

The time was ripe for change on Sydney's building sites in the early 1970s. Workers were in a strong position to take advantage of the building boom in the CBD. Workers used a series of militant tactics to fight for their demands, including stopping concrete pours and using flying pickets to drive scabs off building sites and knocking down the work that they had erected.³⁰ By these methods the BLF won some major breakthroughs: big pay rises, employment permanency, the right to elect their own foremen, and some respect at last for labourers who had traditionally been treated as the 'lowest of the low'. The BLF had an admirable record of supporting Aboriginal workers. The New South Wales BLF also challenged sexism in the industry and forced companies to employ women on jobs. The Victorian branch of the union, led by the CPA(M-L)'s Norm Gallagher, was less socially radical but also took a very militant industrial stance.

The New South Wales Builders' Labourers felt that they now had power, and they used this new confidence to further democratise their union. The leadership ensured that members had a real say in the union by organising worksite meetings that discussed not just industrial demands but also ways of opening up the union. Strikes were run by elected committees, with

organisers working for strike pay, rather than their union salary, for the duration. The union also adopted a system whereby rank-and-file members came on as full-time officials for periods of three months to a year and then returned to the job. Between 1971 and 1973, 39 workers took up this opportunity.³¹

The industrial authorities were flummoxed by the turn to mass action. A.E. Woodward QC complained in 1970 about the breakdown of what he called 'firm leadership' in the unions, writing that 'One of the biggest dangers in union affairs today is the spread of so-called "participatory democracy" which means, in effect, rule by mass meetings.'³²

Employers also were alarmed and demanded government action to curb strikes. In 1970 the newly formed Metal Trades Industry Association of Australia (MTIA) announced its determination to take on the unions. It would make blacklists of strikers and seek deregistration of the metal unions. Metal industry employers in Sydney's western suburbs resolved to resist 'all unreasonable demands'. These included those for four weeks' annual leave, sick leave in excess of five days per year, and severance pay.³³ The employers also resolved to cancel the employment continuity of strikers, which jeopardised seniority and annual leave entitlements; to refuse to hire strikers or workers who had been stood down; and to ensure that strikers did not gain admittance to factories for the purpose of collecting funds.³⁴

This was the formal policy. The reality was more as described by Chris Burns, industrial relations manager at the Hoover washing machine factory in Ryde, Sydney:

Senior management said no to everything... the men went on the grass... we were hit by a two day strike, and then we gave in on every point.³⁵

Similarly, the industrial relations manager at GMH Elizabeth, Mike Holland, recalled:

We had the attitude then that we would do all in our power to keep production going. This gave [AMWU plant convenor] Teddy [Gatenko] an environment to take up a whole range of issues. It was better to give in to union demands in this situation than to have production disrupted.³⁶

Just as the employers had had the upper hand in the 1950s, now the workers were setting the agenda.

A shift to the left

The new union confidence was reflected in and reinforced by political developments. The Vietnam War was central and Melbourne was the storm front. It was not accidental that Melbourne was both the home of the most militant section of the Australian union movement and the site of the largest and most effective section of the anti-war movement. Having seen off the penal powers, Victorian trade unions were now more confident to take political action on other fronts. By early 1969 the broad campaign against the war had gathered pace. There had been violent demonstrations outside the US Consulate in Melbourne in July 1968, university students at Monash were collecting funds for the Vietnamese National Liberation Front, and public opinion was steadily shifting against the war.

Two issues now came to dominate the rebel unions' political agenda: draft resistance and a national Moratorium against the war.³⁷ Draft resistance was increasingly taken up by the anti-war movement in preference to the more passive tactic of conscientious objection. The latter involved working inside the law; the former was a frontal challenge. Through the course of 1969 the rebel unions campaigned on behalf of John Zarb, a young postal worker who had been jailed for two years for resisting the draft. The Postal Workers' Union held stop-work meetings, other unions mounted protests, and Zarb was released after only 10 months on 'compassionate grounds'.

The rebel unions also supported Laurie Carmichael Jr, another draft resister and son of the AEU branch secretary. In September 1969, following the arrest of Carmichael Sr at a protest outside the Williamstown Court House where his son's case was being heard, 500 workers from the Williamstown Naval Dockyard and 700 meatworkers from Newport stopped work and marched to the court in support of father and son.³⁸ In the following month, the Boilermakers' union threatened a national strike if its officers were jailed for signing a statement urging draft resistance.³⁹ In December, a meeting of 300 Melbourne union representatives from 32 unions passed a motion that called on:

all young workers to refuse to register and refuse to comply with the National Service Act. We encourage those young men already conscripted to refuse to accept orders against their conscience and those in Vietnam to lay down their arms in mutiny against the heinous barbarism perpetrated in our name upon the innocent, aged, men, and women and children.⁴⁰

This call to mutiny aroused widespread outrage in the media and condemnation, not just from the conservative Gorton Government but also from Gough Whitlam, the Labor opposition leader.⁴¹ By encouraging the troops to mutiny, members of the rebel unions were risking life imprisonment. However, the conservative Government was on the defensive and dared not act.

Over the summer of 1970 the rebel unions and some important left unions interstate backed calls by the CPA and radical students for an anti-war Moratorium on 8 May around the slogan 'Stop Work to Stop the War.' The maritime, construction and metal trades unions led the way in the union movement.⁴² The establishment reaction was hysterical, with the Liberal Minister for Labour and National Service Billy Snedden labelling the organisers 'political bikies pack-raping democracy'. The dire threats of chaos and bloodshed did not deter the demonstrators: 80 000-100 000 people, predominantly students, but also including many blue-collar workers who had stopped work, gathered in Melbourne for the march and joined in a sit-down in Bourke Street.⁴³ In cities interstate 80 000 protested. Two further Moratorium marches were held over the following 13 months.⁴⁴

It was no coincidence that the flood tide in unionism in Australia gathered force after 1968. This was a period of political radicalisation around the world.⁴⁵ A new generation of students and young workers had adopted what one observer called 'a more enquiring and challenging attitude towards the practices and institutions of society'.⁴⁶ The Vietnam War was important, not just because of its barbarism but because of what it indicated about the priorities of Australia's conservative business, military and political establishment. Increasing numbers of students and young workers were demanding wholesale change to 'the system' and a growing minority were open to socialism and revolutionary politics. The Liberal Party think-tank, the Institute of Public Affairs, noted 'an alarming amount of anti-business sentiment in the community and public criticism of the free enterprise system',⁴⁷ while Sydney University Law professor C.P. Mills wrote in 1971 that:

Frankly, I think that there are now so many people who are convinced that the rules and conventions under which we live do not secure justice and fairness as between different groups that the strict enforcement of those rules and conventions is no longer a practical proposition, and all this boils down to a question of the morality of our law.⁴⁸

In Sydney, coalitions united radical students and BLF activists in areas of common struggle, such as the planned tour in 1971 by the all-white Springboks rugby team from South Africa. When draft resisters sought refuge in the Sydney University student union, BLF members built barricades to keep the police out.⁴⁹ Wharfes and coal miners on the New South Wales South Coast also established links with political activists from outside the labour movement. Brisbane boilermaker Jim Craig expressed the sentiment of many militants at this time:

The sooner the trade union movement takes a leaf from the students and youth in their actions for civil liberties and anti-draft actions, the better – if it's a bad law, defy it; and the sooner we start publicly burning [anti-strike] Court Orders, as the kids burn their draft cards, the better.⁵⁰

Just as radical students were inspired by student revolts in Paris, Berlin, Berkeley and Mexico City in the late 1960s so militant unionists, especially those from migrant backgrounds, were inspired by workers' struggle overseas. European and Latin American workers were launching massive general strikes and factory occupations. In the United States a working-class upsurge pushed strikes to record heights. In the case of the British unions, with which many Australian workers had personal or family connections, a strike by coal miners brought down the right-wing Heath Government in 1974. Conservative governments all over the world were in retreat and the conservative Government in Australia likewise appeared increasingly ineffectual. One conservative response blamed the union upturn and campus unrest on communist agitators (or even on the new ACTU president Bob Hawke). More astute sections of the ruling class knew their problem went deeper. Ian McPhee, later the Minister for Industrial Relations in the Fraser Government, understood that:

Current affluence, universal unrest, increased and increasing social and material aspirations, adjustment to technical change, the generation and education gaps and the vicissitudes of union politics are the real causes of industrial turmoil in Australia today. For employers to see Mr Hawke as a bogeyman would have been an exercise in self-delusion.⁵¹

The upsurge in radicalism in Australia in the late 1960s and early 1970s aroused furious condemnation from the right-wing unions and labor

councils, who did their utmost to sabotage the Moratorium marches.⁵² They were successful in ensuring that the Vietnam War was virtually ignored by the 1969 and 1971 ACTU Congresses.⁵³ Nonetheless, they were fighting a rearguard action. Although the right-wing unions enjoyed a boost in the ACTU with the affiliation of the AWU (with its 140 000 members) in 1967, the grip of the right-wing union leaders was under attack. Serious resistance to the Groupers and their right-wing allies was being mounted in some of their strongholds. In the FLA, Laurie Short lost control of the crucial New South Wales South Coast branch to a more progressive ticket. The AWU, despite its size, was not the force that it once had been, due to a steady population shift away from country areas to the big cities and consequent loss of jobs in the primary sector.

Even so, the CPA was not able to rebuild its membership and influence. It had already been hurt by the 1963 split, which had led to the formation of the CPA(M-L). In 1971 the CPA lost further ground as a significant number of union leaders from the BWU, the Miners Federation, the WWF, the Railways Union, the Sheet Metal Workers' Union and the SUA broke away and formed the Socialist Party of Australia (SPA) in protest at the CPA's jag to the left and its increasing criticisms of the USSR.⁵⁴

The role played by leaders of the three communist parties varied. Those hailing from the SPA were, for the most part, dismissive of the radicalisation then sweeping the working class and youth of Australia. They continued to promote the line followed by the CPA in the 1950s and early 1960s, according to which 'unity with the broad labour movement' prohibited what they called 'adventurist' actions. Its leaders had opposed the CPA's 1969 decision to mount an industrial challenge to the penal powers. They regarded talk of 'workers' control' as a threat to the structures of trade unionism and they were the most evidently conservative of the three parties.

The CPA retained important leading positions in a host of unions.⁵⁵ Sections of the party swung to the left in response to the widespread ongoing radicalisation. The New South Wales branch took up the issue of workers' control, encouraged shop committee activity in the power industry and in metals, and played an important role in the BLF in Sydney in the early 1970s. Nonetheless, with the exception of the New South Wales BLF, the practice of most CPA union leaders, most notably in Victoria, was still very much circumscribed by their fear that spontaneous action by workers might loosen their grip, and most CPA officials still subscribed to the idea that

'unity' with ALP union leaders was of paramount importance. The CPA failed to attract significant numbers of new members at this time.

The smaller CPA(M-L) pursued vigorous industrial action where it had a foothold, for example on the Melbourne waterfront and construction sites. It sought to relate to the most radical elements of the anti-war movement and sponsored the formation of Worker-Student Alliances on campuses. Seeking to break out of its confinement to Victoria, the CPA(M-L) also tried to win a following in the Adelaide car factories. Starting at the GMH Elizabeth assembly plant in 1972, a group of members led by Les Bowling drew around them a network of worker militants who organised guerrilla stoppages at the plant, including a short sit-in at the administration block, to force management to improve conditions. In 1973 activists from the Worker-Student Alliance at Flinders University took jobs at Chrysler's Tonsley Park plant in order to pursue political work at this plant as well. Setting up the Rank and File Group, they quickly attracted other workers fed up with the 'do-nothing' passivity of their union, the VBEF. They campaigned against sackings and victimisation, and fought for better work conditions. The Chrysler Rank and File Group also established an in-plant newsletter and within two years had produced 100 editions of this publication, which skewered the company management and the union leaders in equal measure.

From the late 1960s to the mid 1970s the CPA(M-L), most obviously in unions where it did not hold leading positions, advanced the most militant rhetoric of the three parties and its practice reflected that of the CPA itself in its sectarian turn – the 'Third Period' – in the late 1920s and early 1930s.⁵⁶ In the VBEF, CPA(M-L) militants tended to dismiss work within the established union structures, a strategy that laid them open to victimisation later in the decade. The party was also bureaucratic, secretive and conspiratorial, which hindered its ability to grow. Further, its uncritical tailing of Mao Zedong, its ferocious attacks on 'Soviet social imperialism' as the chief danger to world peace, and its striving for 'Australian independence' led it to move considerably to the right and into a theoretical impasse by 1976, followed soon afterwards by serious splits.

As well as those from the three communist parties, it is necessary to consider the role of union leaders from the Victorian branch of the ALP who were a significant component of the left in the labour movement during this period. Since the ALP Split of 1955, the Victorian branch had

formed the basis of the left wing of the ALP nationally and stood in sharp contrast to the New South Wales branch, where the traditional Catholic Right dominated the party and the NSW Labor Council. An intervention by the ALP federal office in 1970 broke left-wing control of the Victorian branch but did not undermine the authority of the left industrially. Key left-wing union leaders, including George Crawford from the Plumbers, Bill Brown and Ken Carr from the Furnishing Trades, Tom Ryan from the Food Preservers, and Percy Johnson from the Boilermakers played an important role in the Vietnam Moratorium campaigns and other radical activity in and around Melbourne, frequently outflanking the CPA to the left.

The main beneficiary of the decline of the CPA and the hard right was the centre left. At the 1969 ACTU Congress, the centre left and the left-wing unions banded together to elect ACTU research officer Bob Hawke as president, replacing Albert Monk who retired after 35 years. The election of Hawke, shortly after the defeat of the penal powers, saw the peak council become more open to the mood of the times. Hawke used his casting vote on the ACTU executive to endorse the 1970 Moratorium, to the anger of the right.⁵⁷ He made it clear that the ACTU was now prepared to address a broader agenda, noting that:

... there has been a tendency to draw a dividing line in unionism. On one side have been placed things that are traditionally union matters – wages, working conditions – but on the other side are placed issues that are not touched by unions. My reasoning is that there should be no dividing line. Anything that constitutes discrimination or hardship against our people – then in we go.⁵⁸

In August 1970, the ACTU organised a three-hour national strike by 750 000 workers against the federal budget, the first such strike in the history of the peak body. In the same year the ACTU placed black bans on Dunlop sporting goods, which had refused to supply goods to Bourke's discount department stores because the latter sold goods below Dunlop's 'recommended retail price'. Within 24 hours Dunlop backed down and shortly afterwards the Federal Government brought in a law to stamp out resale price maintenance.⁵⁹

The ACTU also took up issues outside basic 'hip pocket' questions. The left-wing unions had long campaigned against racism. They had supported Aboriginal struggles in the 1940s; they supported the Wave Hill land rights dispute of 1966; and they mobilised for a 'yes' vote in the 1967 referendum

giving the Commonwealth Government power to legislate for Aboriginal people. With the announcement of a tour by South Africa's Springboks in 1971, the ACTU urged unions to 'take whatever action is necessary as an act of conscience' to obstruct the tour.⁶⁰ Airline, brewery and transport workers placed bans on any work or services connected with the Springbok tour, and unionists played a leading role in the protests. In Melbourne, George Crawford from the Plumbers was in the front row of the largest demonstration. Unions made the connections between racism overseas and at home. Bob Anderson, an Aboriginal organiser for the BWIU, described how he persuaded building workers not to build facilities for the tour in Brisbane:

There was a big team of plumbers working, installing temporary urinals, wash troughs and things like that. So I had a discussion with them, and said 'The union policy is that we're against apartheid, we're not supporting the playing of this game here,' and I explained what it is to be black in your own country, and the workers said 'Well, if that's the case, let them piss on the ground,' and walked off.⁶¹

The Green Bans campaign by the BLF is well known.⁶² In Sydney the union banned development in areas of parklands and affordable inner-city housing. It banned construction of new buildings at Macquarie University in protest at the victimisation of a gay student in one of the colleges, and stopped work at Sydney University in protest at the university vetoing a women's studies course. In Melbourne the union imposed Green Bans to prevent the demolition of the Regent Theatre and the Queen Victoria Market.

Union concern for the environment was also demonstrated by their involvement in the campaign to prevent the construction of a power station in the working-class suburb of Newport in Melbourne.⁶³ In 1972, following lobbying by community groups, several unions in Melbourne announced a ban on all work associated with the project and in 1974, following the reincorporation of the rebel unions into the Victorian Trades Hall, the ban on the Newport power station was extended to all Trades Hall affiliates.⁶⁴

White-collar workers

White-collar unions also began to reflect the mood of change. They were affected by the influx of young workers from blue-collar families with union

traditions and many had been exposed to radicalism on the campuses.⁶⁵ White-collar unions increasingly jettisoned reservations about striking and 'inconveniencing' the public.⁶⁶ In October 1968, the NSW Teachers' Federation held its first state-wide strike. In December 1968 the Australian Bank Officials' Association (ABOA) staged its first stop-work⁶⁷ and in 1970 a wide range of white-collar workers took action, including pharmacists, nurses and ancillary staff in hospitals, New South Wales and Victorian teachers, and bank officers.⁶⁸ In 1972 thousands of insurance clerks marched down Melbourne's Collins Street singing 'Solidarity Forever' as part of their campaign for higher pay.⁶⁹ White-collar unionists soon learned that strikes were the most effective weapon against Government restrictions. In 1971, the Victorian Government threatened to withdraw teachers' long service entitlements if they attended stop-work meetings. The teachers went ahead anyway and the Government backed down.⁷⁰

The new white-collar militancy had organisational ramifications. From its inception the ACTU had been an overwhelmingly blue-collar union federation, reflecting the division between 'salaried' workers on staff conditions, and 'wage' workers on hourly pay.⁷¹ With the deterioration in the relative conditions and salaries enjoyed by white-collar workers and their growing propensity to strike, the issue of affiliation to the ACTU came to the fore. The Australian Council of Salaried and Professional Associations (ACSPA) had become increasingly active and was now liaising with the ACTU. The two bodies merged in 1976, with ACSPA bringing in 37 affiliated unions with 350 000 members.⁷² Similar trends explain the growing closeness of the ACTU and the Council of Australian Government Employees Organisations (CAGEO), which was also rapidly expanding at this time – from 16 affiliates and 84 000 members in 1969 to 22 affiliates with 173 000 members by 1975.⁷³ It too was eventually to merge with the ACTU.

Migrant workers

Migrant workers played an increasingly significant role during the flood tide. The very oppression that made migrant workers more timid and apparently apathetic much of the time, and their very alienation from the conservative structures of most mass production unions, could also make them more explosive in their methods of struggle. Migrants suffered disproportionately from unemployment and from harsh conditions in unskilled and