

# Sparks

THE RANK-AND-FILE TRANSPORT WORKERS' PAPER

What would you offer as a retirement send off package to Lewocki?  
Maybe a One way ticket to Poland to meet with his compatriot Lech  
Walesa who betrayed Solidarity to restore capitalism in Poland?



*Nick Lewocki, Former NSW RTBU State Secretary, in his element. Huddled up, engaged in Rightwing ALP politicking.*

STA Busie News

Victorian Railway News

Maritime Transport News

State Transit EBA

CityRail Staff Cuts

NSW Railway News

International News

Transport Rollercoaster

STA Bus Strike

STA Massive Profit

## EDITORIAL

Welcome to another edition of Sparks.

Some of the most important news lately in RailCorp is the recent charade associated with the union hierarchy's drawing up of a log of claims for the upcoming EBA (Enterprise Bargain Agreement). Again a highly slanted survey was used to ensure the result that the union hierarchy was seeking. Like the last EBA which led to major job losses and all manner of duplicity, the upcoming EBA is likely to entail savage attacks assisted by "smoke and mirrors" performances by the union hierarchy, the bosses and the media. Unless firm resistance is mounted. (See article page 3.)

In the Victorian railways, Sparks has been having a significant impact. In this edition, we have a much larger section focusing both on V-Line conductors and train drivers. (See article page 17.) We welcome regular contributions from our readers in other parts of the Victorian railways, the tramways and the wharves.

In State Transit, on Friday 18/12/09, a 24 hour stoppage of bus services was called on behalf of EBA negotiations. Despite only a meagre increase to the pay rise on offer in the shape of a 3%+3% pa rise in place of a 2 ½ % + 2 ½% pa pay rise, being secured as part of an interim agreement, the strike was called off from 3pm. Resulting in a highly discriminatory situation with some drivers being paid for the day. Whilst most were not paid. Was a major motivation for the union hierarchy in getting the wheels moving to take the action, its growing unpopularity amongst the grass roots at many depots? Due to the officials many cave-ins to management and concerns about their electoral fortunes in late 2010? (See article page 10.)

Sparks welcomes contributions by transport workers in the shape of articles, poems and letters. Please send to PO Box 92 Broadway 2007 NSW or via our webpage [www.sparksweb.org](http://www.sparksweb.org)



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# N.S.W. RAIL NEWS

## **The New Deal**

*by Crimson Coconut*

Round One of the recent staff review was an unmitigated disaster for rail workers and their families. Now standby for even worse to come in Round Two, in the new year. Not only is RailCorp proposing another round of staff reviews but a new Enterprise Agreement (EBA) must be negotiated within the next year.

The rail unions have already asked for expressions of interest from rail workers for a log of claims during the EBA negotiations. The RTBU claim that there have been 1600 respondents to the call for a log of claims. This is highly unlikely for a few reasons.

Firstly, past efforts for a log of claims have been met with an apathetic response. The same apathetic response that takes place during voting in union elections where only small number of members bother to vote.

Secondly, the issues raised in the claim are unlikely to have come from the shop floor. For example the call for 1% top-up in Superannuation contributions is highly unlikely to have come from rail workers following the experience of the last world financial meltdown. Any rise in Super contributions is likely to detract from any pay rise offer.

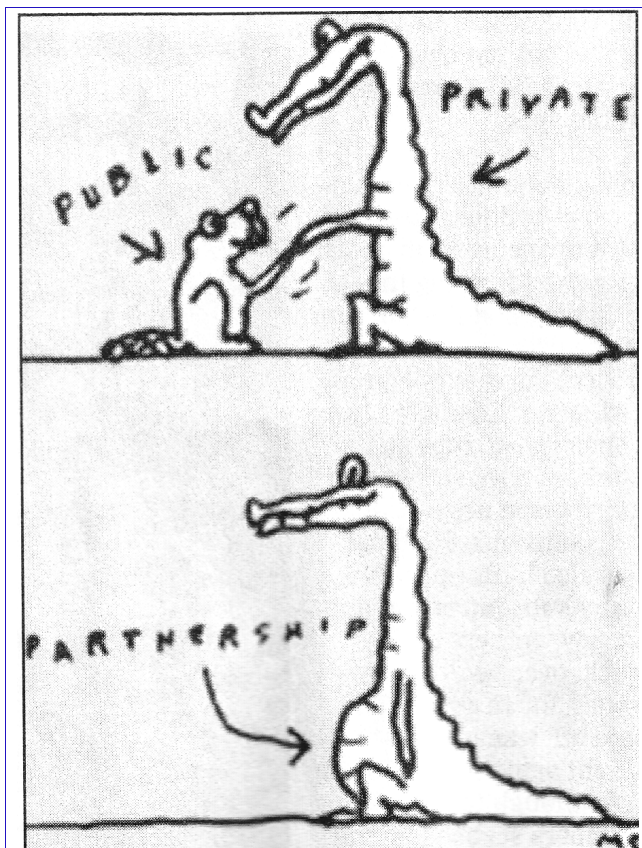
Once again the union proposal is scant on detail and does not contain much that would advance or satisfy the cause of rail workers who have sacrificed plenty over the last few years. Deciphering what most of the clauses in the log of claims mean is an impossible task. For example, what is meant by the clause, “Measures to improve the dispute settling procedure” or “Better drug and alcohol testing procedures”? Unless these issues are spelt out, or preferably debated, they have little meaning to most workers on the job.

Anyway, the Log of Claims put forward by the union during the previous EBA never saw the light of day and the EBA became nothing more than a management tool for reforms. Despite the unions urgings at the time, that members were losing nothing, exactly the opposite occurred and members were thrown to the wolves.

The survey itself is nothing short of a sham in that it is weighted towards a particular outcome. The “tick the box exercise” that was available to staff was disguised as a survey as if there was a general consensus around the issues that were up for discussion. There has been a very narrow focus on a just few issues. These issues have never been debated or explained to rail staff who have never been able to put forward their own suggestions. This EBA is being rushed through as if the fate of it is a foregone conclusion. Fellow rail workers should be very aware of of this undemocratic approach to EBA 2010 especially after what happened during the last bargaining round.

Why not have a discussion period before a log of claims is decided upon and endorsed? This top down approach to negotiation is not only undemocratic but will not ensue that the best outcome will never be achieved consensually.

Most members were never advised that voting would take place on the log of claims at a particular time. At any rate, the discussion outside of the existing log of claims was to be disallowed on the grounds of simplifying the claims in the interests of unity. Some people only received an email from their union that voting would take place after polling had been completed. What a farce? Are these representatives really worthy of your union contributions?

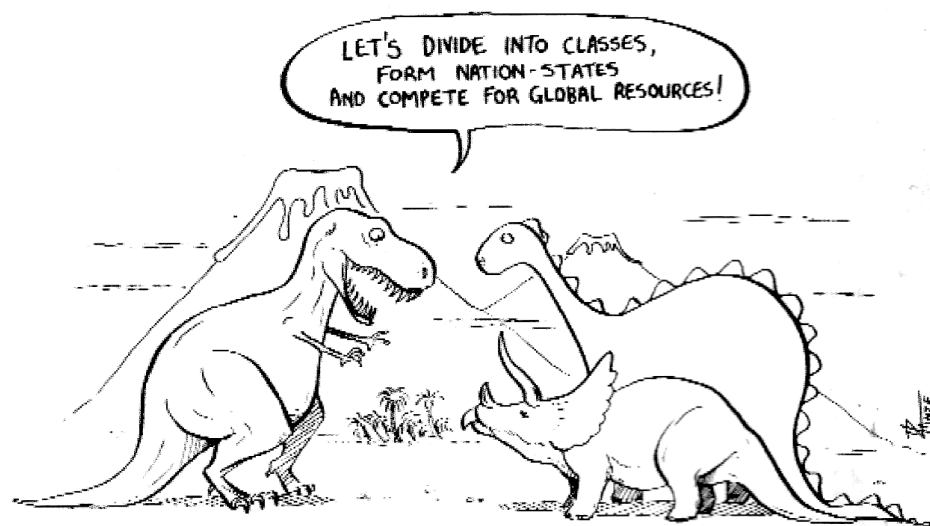


Voting for this log of claims was apparently finalised on 18th December 2009. The unions must now wait for RailCorp to set a negotiating date. There is nothing to say that RailCorp will accept the Log of Claims and management is likely to have a Log of Claims of their own.

According to the survey the union is hoping that their members can achieve their Log of Claims by, distributing bulletins, collecting surveys, attending meetings or becoming a contact/activist. Isn't this what a union and they members should do anyway. This is hardly going to get up the nose of RailCorp or the NSW Government who would be happy to see any actions limited to such timid actions.

The demands (despite the unions willingness to trade our conditions) should contain a resounding clause that says we will accept NO TRADE OFFS at all. Rail workers should settle for nothing less than this.

Going back to the Work a Job Redesign agreement over a decade ago, where we were promised pay rises based on productivity improvements, up till the present day, there has been a marked improvement in the productivity of every worker on the job. No matter what we use as a measure of improvement, be it increased use of technology, increases in passenger numbers,



HOW DINOSAURS BECAME EXTINCT

decreases in employee numbers and multi-skilling of employees, they all point to a massive increase in productivity for which we have not adequately been compensated.

The ambit claim of 5% increase in pay for members by the union is not enough considering the cost of living increases that are in the pipeline from mortgage interest rates, proposed utilities price rises due to carbon taxes, the high prices for food and transport costs.

Just this week it was announced that the RailCorp CEO gained a pay rise of \$80,000+ PA along with similar pay rises for other senior managers. The government used the excuse that they have to pay these large sums of money to attract good quality managers. Equally, RailCorp get the quality of employees that they deserve on stations and in train crews based on what they are prepared to pay them.

Already, many rail workers have resigned from the union in disgust at the way they have been treated in previous negotiations. Many more are on the cusp of resignation pending the final outcome of the previous EBA. Undemocratic behaviour and the failure to consult during the new rounds in 2010 will push even more people to consider resigning.

The time is coming when new democratic forces arise out of the disgruntled membership to form new bargaining units that can and will represent the true aspirations of rail workers. Maybe we should be doing that now rather than putting our energies into defending our conditions during the new rounds of negotiation over which we have little or no control.



# RAIL - BUS

## WE'RE WORKERS UNITED, WE'LL NEVER BE DEFEATED!!!

**Yeah, Right (Yawn!) Truth is, WE'RE WORKERS UNITED AND WE HAVE BEEN DEFEATED! We have been SOLD OUT by the unions and we've been raped by this Rightwing ALP criminals who purport to run the State.**

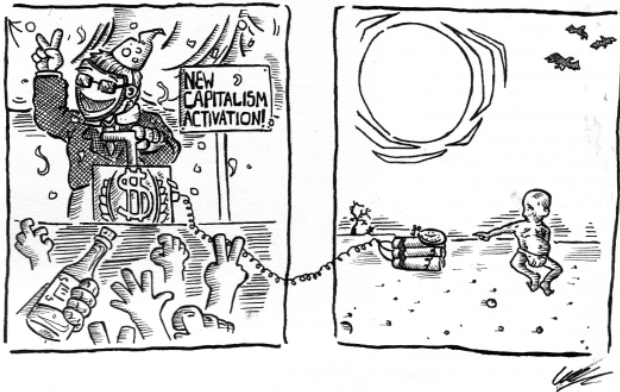
Fact No.1 – CITYRAIL Station Staff Review: Many Acting DM positions have been axed, with no consultation with the affected employees. They are to be redeployed in blue-shirt (flagging) station duties with an annual salary loss of up to \$25K per employee. Some of these A/DM's have acted in their positions for five years. However CITYRAIL HR is not the least interested in the fact that many of these dedicated employees have families to feed and mortgages to pay and will find it much harder to make ends meet. Station staff morale is low with some CBD stations losing 50% of their staff. LESS STAFF equals LESS SAFETY.

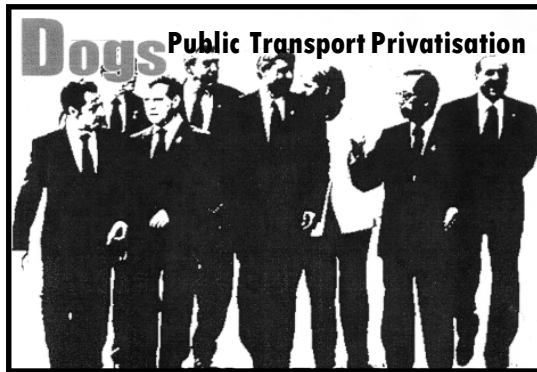
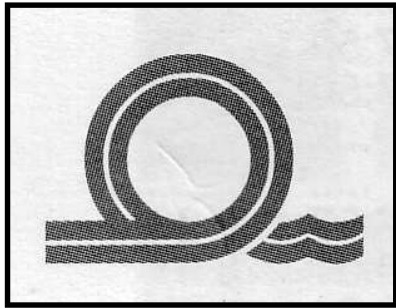
And like Pontius Pilate, the RTBU has washed its hands of the matter, agreeing instead to give all lost CITYRAIL wages and salaries to their Rightwing ALP GOD, Kristina Keneally as part of her payrise package. This is utterly deplorable!

Fact No.2 – State Transit Bus Operators: New rosters introduced under the guise of RTA Fatigue Management Laws, has reduced the numbers of shifts on each and every line of work. A line of work for bus operators is 4 weeks long and generally consisted of 10/11 or 11/10 days format. Now

many lines are 10/10 and even 9/10 days format and mean less shifts which means less pay. Like their CITYRAIL counterparts, BUS OPERATORS are also paying for the payrise of the Rightwing ALP God Kristina Keneally. In the same instance many routes, especially the shuttle runs (like short working) 389, 381, 360, 361, 400 Eastgardens, and inner har-

bour wharf runs have running times that even a person driving a car would find hard to keep to. And once again the RTBU has washed its hands of the matter, preferring instead to side with State Transit. This rot has got to be stopped and the RTBU needs to be investigated by ICAC. I rest my case.



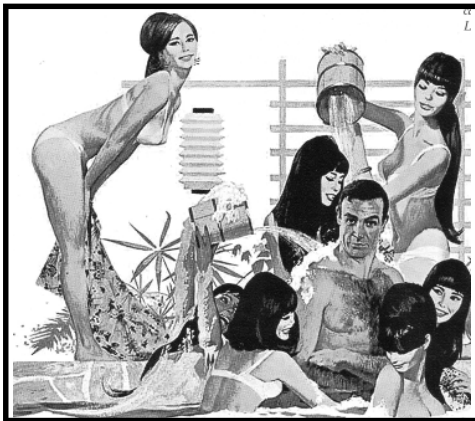


## **“THE TRANSPORT ROLLERCOASTER”**

In the last edition of Sparks, our spook R07 snuck up on various transport high rollers, politicians and the union executive at an international transport conference held in Monte Carlo and obtained details from loose talk amongst the suits, of a secret meeting to be held in Los Vegas over the first weekend in November. Its agenda being the carve up of contracts for Sydney bus services. Due to cutbacks to the bone of the buses by the bosses, all fat had been taken off and drivers were working ever harder. It was an ideal time to sell.

Back in Sydney our spook was slipped an invitation by a quiet achiever at Strawberry Hills and disguised as a transport boss, accompanied the corporate throng on a flight to the gambling el Dorado for the feeding frenzy of these sharks and their cronies.

The Raiders of the Sydney public transport Ark, from West Bus, Hills, Veolia, Transdev and Cabcharge accompanied by Transport Minister Campbell and the Liberal's Shadow Transport Minister and various State Transit executives, found they had arrived early for the jamboree. So they decided to sample a handy, delectable Nevada “chicken” ranch. Just as they entered the lobby, they were involved in a three way collision. It involved of all people the union executive hurriedly rushing from the tradesmen entrance. They had been obliged to parachute from an unmarked plane travelling from Guantanamo Bay in Cuba where a special workshop had been held to brush up their union election rorting skills, to CIA Headquarters in Langley. This sky diving of the union fat cats stemmed from Agency budgetary restrictions,



*One of the “Privatisation Dogs” relaxes in the Nevada Chicken ranch spa before the bus corridor contracts carve-up.*



associated with the global financial crisis. However, unlike the “company” the union executive still had some workers’ money to “burn” on a good time from surpluses of the unaudited bus drivers traffic fine fund. They were in urgent need of some stress reduction before the transport high rollers gathering. Also involved in the collision was intriguingly, a certain Mr.



*“Privatisation Dogs” get caught up in the melee.”*

ing frenzy.

As the high rollers entered the executive suite of “Caesar’s Palace”, the venue of the contract carve-up and first instalment in a new Jerry Springer Show series, they were serenaded by a muzak version of Shirley Bassie’s big hit “Hey Big Spender! Spend some time on me!”

The audience was overflowing with excited big spenders from the Forbes 500 Billionaires, Business Council of Australia and Sydney Chamber of Commerce members, together with executives from the dirty dozen, biggest corporate polluters in NSW. They deluged the NSW Transport bosses with fake American dollar bills, as they trooped down the aisle.

When the Jerry Springer show started, he introduced the CEO’s of Veolia, Transdev and Hills Bus as the triangle of greed. As the show progressed, he asked them questions about their intentions and then advised them on what he had been told about the carve up of the STA. The T.O.G.(Triangle of Greed) then started bickering about the size of their share and suddenly, a huge melee’ erupted. Much to the delight of the audience which by now included STA bosses and paid RTBU officials. Who were wildly shouting Jerry! Jerry! Jerry! until the melee’ subsided.

As Jerry Springer could not get any result from the melee’ due to the greed, the carve-up is now the subject of a 3-way wrestling match to be held at next year’s wrestling mania 26 in a steel cage. More news to hand when the match is fought.

Jerry Springer attired in a towel. Ring master of the upcoming transport high rollers circus. He had been engaged in some intimate talent spotting via “breast exploring” in the ranch spa for the relaunch of his TV show.

After the dust had settled following the collision, the assorted suits soon found themselves relieved of bulges in their expense accounts and brown paper envelopes and refreshed by ranch management consultants for the contract feed-



*Jerry “The Ring Master of the High Rollers’ Circus”*

## S.T.A. BUSIE NEWS

### BURWOOD DEPOT NEWS

The extent of the union officials' failure to recognise their problems is really amazing. At the last union meeting at Burwood, attended by the used car salesman and the "my hands are tied, slow person", there was almost a need for a boxing referee. The meeting was called because the 2nd IC of the depot union delegate, had resigned from the union. On his resignation form, he wrote that his action was in response, to the inability of Redfern Union Head office to help members. The bus union show biz people took offence to the remarks and would not let the driver rejoin the union. Some drivers at Burwood took offence at this action and also resigned. I reckon that these so called elected officials, need to mature or go back to driving.

Burwood has lost over 50 lines of work as well as 24 Mercs to Leichhardt. I don't mind losing the buses, but it's sad to see drivers going to Leichhardt due to lack of work. I have been told that the management of Leichhardt treats them as lepers. Good on State Transit! Drivers bashing is still on the agenda.

The depot has a new actor in the leading role. We have a male to command a sinking ship, that was overloaded by a woman. I heard that the staff manager was so angry at his appointment, that they changed her to a smaller office. It has only one door, so they could control the wild aggression. The new manager seems to be taking control of the depot in a positive way. With some of the old practices returning.

I am finding that to get a new uniform issued, is as hard had as getting annual leave when you want it. I have been on 50% issue for the last 2 years. Is that another way for the bosses to save money?

I have noticed that State Transit has made approx \$42 million in profits last financial year, which included \$2 million in bonuses. It's about time, the bosses profit shared, as each driver has earned them approx. \$11,000 per year. The EBA pay rise of 3 % from 12/6/09 and 3% from 12/6/10 making an overall 6% pa rise on offer, equates to about \$4320 pa. Way short of the approx. \$11,000 per year, that drivers have earned for the bosses.

The bonus State Transit has received, should be given to drivers. As our blood earned this money, not the overhead managers! This equates to a one off payment of \$500. What a Xmas present!

The strike held on Friday 18th was called off by the union officials at 3pm due to an interim agreement being made with State Transit. It was based on the 3%+3% and allegedly without trade off's. However, as a result of this action by the union executive, a highly discriminatory situation has developed. Some drivers ended up being paid for the day, despite the strike. Whilst most weren't paid for the day. However only North Sydney depot services were operating from 3pm.

## **WAVERLEY DEPOT NEWS**

### **Sparks: What's the latest with the bus fuelling at the depot?**

Waverley Busie: For at least a year, Refuelers at Waverley have dreaded refuelling 3 big Volvo Bendibuses. Due to a malfunction in the fuelling mechanism on these buses where the nozzle goes down, fuel has been blown back on the refuelers, whilst fuelling. As a result, much diesel fuel has been wasted. It also takes a long time to refuel these buses. Contributing to the problem has been a one and half inch steel plate covering a hole at the bowser caused by the cave-in of weakened asphalt near the refuelers' room. Latest news is that local union action, has pressured the bosses into tackling the problem. However, the real issue has been the constant stalling tactics of the bosses over the years so as to save a few dollars and a lack of integrity. Why wasn't action taken by the bosses when the problem first occurred? It's likely that the exposure of the refuelers to diesel fumes stemming from the problem could adversely affect their health. The manufacturers of the buses and the STA bosses appear to have been in a state of denial regarding the problem. Similar to the case with the bus brakes problem one and a half years ago, which led to quite a scandal.

### **Sparks: What's happening on the privatisation front?**

WB: To my surprise, I have noticed that many drivers are acutely aware about the issue. They are particularly alert to its harmful effects for our jobs in the shape of reductions in wages, overtime and less training. The ownership of the buses by large companies controlled by a few rich individuals is also likely to cause a lack of enthusiasm for the job by workers. Certainly the Bondi runs could be sold off quite comfortably due to various cut backs imposed by the bosses. In the case of the 326 and 327, on the off peak, services were drastically reduced from one every half hour to one an hour. It would form a corridor, and in would be in line with how privatisation of bus services have occurred in other states. In South Australia, different private bus companies acquired different corridors.

### **Sparks: What's your outlook for NSW under either an ALP or Liberal Govt?**

WB: In Nazi Germany during the 1930's and 1940's, there was a Bormann Brotherhood who pulled the strings on Hitler. In NSW, we have the MacQuarie Brotherhood of large corporations, the "Old Guard" of the biggest polluters. They manipulate every NSW Govt, in the interests of their Corporate agenda.

A recent ABC 4 Corners program focused on NSW Govt's blocking the construction of railways into the north western suburbs, Sydney's fastest growing suburbs. Where residents has been waiting years for an answer for the Govt's failure to construct a railway line. Intriguingly, the program, was silent about the Govt's favouring freeway development in the area which pour cash via tollways into Mac Bank. Perhaps for reasons of sensitivity toward the likelihood of being taken to court by the likes of MacQuarie Bank, there was no discussion in the program of its influence on NSW Govt transport priorities.

In other countries Governments have taken a tough line in tackling traffic gridlock and pollution. In the case of Toronto, it banned further freeways since 1976. Whilst London has imposed a tax of \$30 per day for motorists who drive their cars into the city. However, according

to someone from the UK I was speaking to recently, this measure has not been sufficient to resolve the traffic congestion problem and travelling through London is still quite harrowing. However in NSW, the petro chemical companies prevent such initiatives. NSW Govt's have often short sighted approaches on the environment issue. In contrast to South Australia, there is no refundable container legislation in NSW which favours the profit making of large soft drink producers such as Coca Cola.

Consequently, the NSW Govt's which are under the sway of the "Old Guard" of the biggest polluters, has acquired a slack and lazy approach in regard to environmental matters which will have catastrophic consequences.

**Sparks: What are your impressions of the ferries?**

WB: In recent weeks, I was down at the wharves, near Circular Quay. I noticed an unkempt look about the buildings in the area. I spoke with a retired ferry master who complained about the downsizing of the Ferry workforce. Whilst, the number of managerial staff in the office have greatly increased. He mentioned that when he was on the job, the ferries did very well with a small management structure and made a tidy income.

**Sparks: What are your impressions of the major media's attitude toward the buses?**

WB: I was recently speaking to a mature lady on the bus, who wrote a letter to the Sydney Morning Herald congratulating us for our great work, in taking people to and from Olympic Park. The SMH refused to publish her letter. The lady was astonished to read in the SMH's rejection letter to her that they considered her letter was too positive and such items don't sell papers. She thought this rationale was weird. A more plausible explanation for the rejection, is that her letter didn't play along with the SMH's political game of undermining the ALP NSW Govt.

**Sparks: What's happening with the Enterprise Agreement?**

WB: Latest news is that an EBA has been drawn up which is demanding major cutbacks to our conditions such as sick leave, more casuals, and the deployment of part timers on certain runs, in exchange for a  $2\frac{1}{2}\% + 2\frac{1}{2}\% = 5\%$  pa pay rise (now increased to  $3\% + 3\% = 6\%$  pa). A secret ballot was held at Waverley on Thursday 10/12/09, on whether we would support industrial action to win a decent pay rise. The overall result of the ballot throughout the STA is 2000 for industrial action and 200 against. On Friday 18th December a 24 hour bus strike was held. Called off by the union officials from 3pm due to the making of an "interim agreement". Given last financial year, the STA made a profit of \$42 million, through all manner of corner cutting measures, it can afford to reward us with a decent pay rise for our efforts. The union executive has completely gone along with this old guard approach of exchanging our conditions for pay rises. A new outlook is required rather than this old way. There needs to be collective discussion on the job, involving not just drivers but also mechanics regarding finding ways to make money for the STA as an alternative to the trade off's approach in current EBA negotiations. One area to look at is in the area of measures to ensure greater fuel efficiency in buses. An obvious initiative would be to ensure all engines are turned off at terminuses. Another measure would be for the STA to encourage drivers to approach passengers about their destinations to ensure correct fares are paid and fare evasion is reduced.

**Sparks: What's the latest in regard to violence on buses?**

WB: For the past 7 to 8 years there has been a considerable increase in violence on buses particularly associated with the late night opening of liquor outlets. This problem was brought to my attention recently when two young girls under the influence of drugs got on my bus and punched another passenger. They engaged in considerable verbal abuse and swearing. Our safety is paramount. A positive development has been the recent police blitz against drug and alcohol fuelled behaviour.

**KINGSGROVE  
DEPOT NEWS**

**Sparks: What's the latest at the depot?**

Kingsgrove Driver: There has been quite a scandal at the depot involving the union hierarchy. Currently our union rep is being trained up to become a corridor duty manager. Our vice union rep considered that he should be sacked as union rep for this breach of union rules. As he was taking on a management job. He approached the union hierarchy over the issue. However, instead of supporting his initiative, the union officials came out in support of our union rep and moved to remove the vice union rep for his position.



**LEICHHARDT DEPOT NEWS**

**Sparks: What the latest at Leichhardt?**

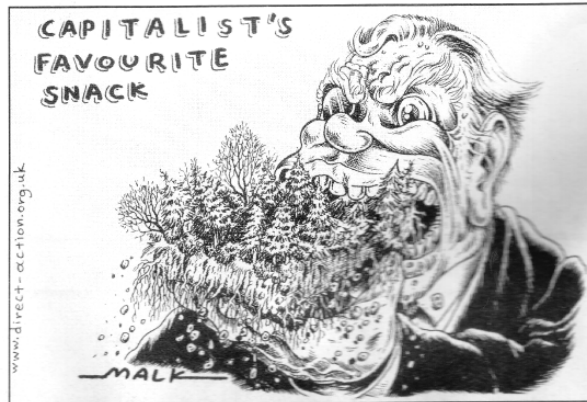
Leichhardt Busie: Things seem to be working out smoothly with the merger with Burwood. Whilst in recent weeks, 3 drivers were put off, with one was told to leave. One of our most serious problems is inadequate running times. This is particularly the case in the AM peak. In starting our runs, we aren't allowed to use Balmain Road, so we have to use William Street and then go on to Norton Street to reach the commencement of the run, say at Abbotsford. Norton Street is effectively a parking lot. Just to reach the lights takes up to 10 minutes. The

other day, I left 5 minutes early to reach the commencement of the run from Abbotsford. However due to traffic congestion on Norton Street I was 12 minutes late in starting the run at Abbotsford. There has been some talk about the union doing something to get more time for preparing your bus for the commencement of your runs, but I have heard nothing further.

We have been continued to be affected by the increasingly corrupted green machines. At least once a week we have to cope with the ticket machines not accepting tickets.

**Sparks: What are your thoughts on the proposed enterprise agreement?**

LB: The pay rise of  $2\frac{1}{2}\% + 2\frac{1}{2}\% = 5\%$  pa (now increased to  $3\% + 3\% = 6\%$  pa) which we were offered is quite terrible. Whilst the bosses were demanding cutbacks to our remaining conditions for the rise in the shape of further cuts to our sick leave entitlement, more casuals and part timers. Already we are being considerably harassed over sickies with the issuing of warning letters if we take 3 sickies in a row. As a result drivers with serious injuries are being intimidated into going to work despite having serious medical conditions. In accepting the EBA proposal, drivers will be cutting their own throats. Showing a very short sighted approach given those on the job now and future drivers may need significant sickie entitlements if they end up in hospital and need to support their families. Whilst, they will be disregarding the important work the union did in years gone by to win these entitlements. Once our wages were on par with other transport occupations such as the hourly rates of train guards and ferry ticket sellers, our hourly rate has considerably slipped down. An alternative approach would be to allow us to cash in at the end of the year those sickies not taken. In this way the number of sickies taken would also be reduced.



## **RYDE DEPOT NEWS**

**Sparks: What's news at Ryde?**

Night Rider : There continues to be widespread disgruntlement amongst the grass roots with our union rep. We are particularly angry with his inability to get any action going to prevent the constant cutting of shift lengths. The shifts are becoming so short, you won't need a lunch break, only a tea break! Another issue of concern to us, is the likelihood that part of the depot bus fleet and drivers will be split away to be based at the new depot in Parramatta.

## MARITIME TRANSPORT NEWS

### **MUA officials reshuffled - and not an election in sight**

The retirement of national officials Jim Tannock and Rick Newlyn has led to a reshuffle within the MUA (Maritime Union of Australia) hierarchy. These moves occurred two years into the officials' four-year term, yet no elections took place.

These changes see Assistant National Secretary Mick Doleman moving to Deputy National Secretary and Sydney Branch Secretary Warren Smith and WA Assistant Branch Secretary Ian Bray filling the two Assistant National Secretary positions. WA Branch Organiser Will Tracey moves into the WA Assistant Branch Secretary position, Sydney Assistant Branch Secretary Paul McAleer becomes the Sydney Branch Secretary and seafarer Joe Deakin is now a Sydney Assistant Branch Secretary.

So why were there no union elections? The answer is MUA Rule 42 that covers casual vacancies. Appointing officials almost two years out from the June 2011 elections is fully in line with current MUA rules. Whether it helps the MUA and its democratic pretensions is another matter.

Rule 42 lets the MUA hierarchy promote like-minded officials and gives appointees the benefit of being a serving official when election time comes around.

Ian Bray from the militant WA Branch is something of an exception to this process. Given his intention to run for a national position in two years time, and the size of the WA Branch (around a third of all MUA members), his appointment is a concession to a likely 2011 victory.

The continued alliance of the Communist Party of Australia (CPA) with the "left-wing" MUA bureaucracy sees the party rewarded with an Assistant National Secretary position (Warren Smith) while retaining both the Sydney Branch Secretary spot (Paul McAleer) and one Sydney Assistant Branch Secretary position (Joe Deakin).

The CPA's Maritime Industry Program (2001) states that "the lack of involvement of rank and file workers in the affairs of unions is becoming more widespread". This will continue while officials are reshuffled and appointed - instead of facing rank and file election.

### **Urine tests for drugs & alcohol: time to piss 'em off**

In what the CFMEU Mining & Energy Division calls a "breakthrough", the Australian Industrial Relations Commission (AIRC) has ruled against the plans of Shell Refining to use urine tests for its random drug testing, and ruled in favour of oral fluid (saliva swab) tests. The MUA should use this precedent to remove invasive urine drug testing from the maritime industry.

The AIRC ruled that urine drug tests are "not only a violation of privacy but [are] also not as accurate in detecting possible employee impairment in the workplace". This is because oral fluid tests only detect recent use (making them less likely to detect drug use in an employee's own time), while urine tests can detect drug use from days before. The AIRC concluded that a positive oral test is far more likely to indicate actual impairment than a positive urine test. It



also regarded drug use during non-work hours as “something which was not the employer’s business”.

Not only are urine drug tests unnecessary. Any form of random drug testing is unnecessary. A British study in 2004 has found no strong link between drug use and accidents in safety-critical areas. Lack of sleep and excessive workloads were found to be far more likely to lead to accidents than drug use.



The Maritime Union should prioritise a campaign to replace urine testing with oral swab testing and bring an end to all random drug testing in the maritime industry. Fremantle DP World have since 2006 used swab and breath tests as part of their incident-based testing policy, and only use a urine test once a positive result is returned from either of the first tests. While not perfect, the policy at Fremantle DP World is a foundation for the MUA to build on.

[Information from Common Cause (CFMEU Mining & Energy), June / July 2009 and “Drug test ruling gives workers greater privacy”, Sydney Morning Herald, May 25, 2009.]

(Articles from “Vigilance” No.43 (Sept.30th 2009). “Vigilance” is a socialist bulletin for MUA members in Sydney produced by Shane Bentley- the “Port Botany Wharfie”. See [www.vigilanceBulletin.org](http://www.vigilanceBulletin.org).)

## VICTORIAN RAILWAY NEWS

### V-LINE CONDUCTORS’ NEWS

*In issue 132, we spoke to two V/Line employees about a Conductor Supervisor at a particular country depot. In this issue, we interview two employees who have come forward to mention further problems with this Bully and the inaction of Human Resources to solve this problem. Also we take note of Human Resources using workers from Head Office to spy on Drivers and Conductors.*

**Sparks: What has made you come forward?**

Do’nal and Deidre: We have come forward to tell you workers that Human Resources have done nothing about this Bully.

**Sparks: In what way?**

Do’nal: Yes nothing has happened and this Bully is getting away with bullying conductors.

**Sparks: What has he done this time?**

Deidre: A couple of months ago at a Country location a conductor departed a train. This jerk came running up to the conductor and started getting into the conductor saying the power doors had not been shut. The conductor informed him that the doors were shut as the green indicator lights indicated all the doors had been shut. This jerk bawled out the conductor humiliating the conductor as other persons in the carriage plus a learner conductor heard the noise.

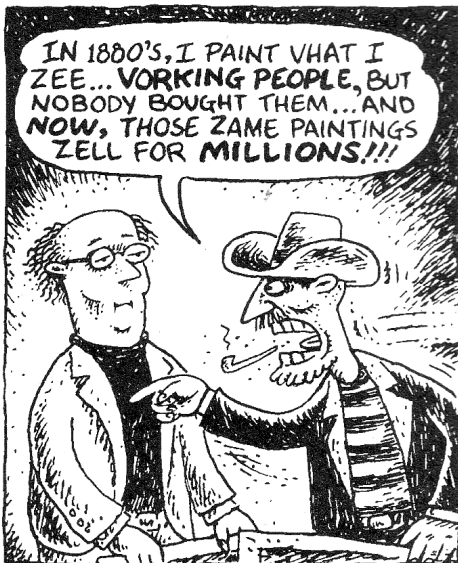
**Sparks: What happened then?**

Do’nal: The conductor reported the supervisor to the On-Train Manager plus Human Resources.

**Sparks: What happened?**

Deidre: Nothing! As the On-Train Manager did nothing. He hasn't the guts to stand up to Human Resources, who despite many complaints about the supervisor are trying to brush the matter under the carpet.

Sparks: Of course, they would do nothing. They appointed the Supervisor and if they remove him, they will have to admit they were wrong in appointing him.



Do'nal and Deidre: You are correct, but not long after this incident another incident occurred with this jerk which resulted in a Conductor at another depot being suspended for two weeks and given a final warning.

Deidre: Just before a train was to depart the Conductor was looking to see that it was all clear. The power doors were shut and a person jumped on the train via the Van knocking over the Conductor. This train supervisor was on the train and came running out bawling out the Conductor in a way that other passengers could hear the noise. It was not the Conductor's fault, but this jerk put in a report resulting in the Conductor being stood down.

Do'nal: The Conductor had to front Human Resources. At the hearing, Human Resources took the law into their own hands. They suspended the Conductor and despite arguments from the Union gave the Conductor a final warning.

Deidre: Human Resources did not want to know the facts. The person who jumped on the train breached the Railway By Laws and should have been fined.

**Sparks: Did any platform staff witness the incident?**

Do'nal and Deidre: Yes, some platform supervisors saw the person jump on the train, but management told them to go away. They did not want them to write any statements supporting the Conductor.

**Sparks: In other words management wanted to support this Supervisor and wanted to set up the Conductor for a final hearing.**

Do'nal and Deidre: If this is not all Human Resources has spies in the trains dobbling in both Drivers and Conductors if they are travelling in the Drivers' Compartment in a Sprinter or Velocity train.

Deidre: Yes, they do, but you see, sometimes Drivers call up the Conductor if there is a problem. Conductors have enough to do and shouldn't have to put up with spies from Head Office. In one incident a Driver was reported by some jerk from Head Office and it turned out that the driver had a trainee in the cab.

Do'nal: Yes, he was training the trainee as part of his job. You see these people from Head Office think that by dobbling in people, it will help them obtain a promotion, but in reality, management is using them up.

**Sparks: It is obvious there is a problem with Human Resource. They are a law of their own and they are trying to dictate a new policy to employees. They are run by academics who have no knowledge of Railway Operations. Also you have train managers with no Railway experience who have not got the guts to stand up to Human Resources. The Conductor who got the final warning was only doing their job.**

Do'nal and Deidre: Finally, there should be a policy. Which is, "if you touch one employee, you touch all."

**Sparks: In concluding, I thank Do'nal and Deidre for coming forward. As for the Conductor Supervisor, there is an old saying that says, "The Wheel Turns" and as regards this person, one day it will happen.**

## V-LINE TRAIN DRIVERS NEWS

*In this issue, Two Drivers who work for V/Line Passenger have come forward to talk to Sparks about various issues in V/Line that they have observed over the years. Once again names have been changed.*

**Sparks: What has made you come forward? This is the first time that I can recall interviewing drivers.**

Rastus and Roscoe: We have come forward to tell your readers about the way Human Resources have been picking on Conductors, V/Line management not having the guts to stand up to Human Resources and the double standards towards hiring new employees.

Rastus: I have worked as a driver for many years and I have noticed that our manager hasn't the guts to stand up to Human Resources.

Roscoe: We call him Doctor Dolittle.

**Sparks: Why?**

Roscoe: He does nothing. If a driver is in trouble, he runs and bleats to Human Resources and agrees with everything they say.

Rastus: In other words, he is weak. The previous train crew manager was able to sort out problems, both major and minor, without having to run to these jerks. Unfortunately, there is a woman who is high up in the department who whatever she says goes. She loves to belittle people who have to front her. She is hated by the drivers.

Roscoe: The Human Resources department loves to go around dobbing in Drivers and Conductors on trains. I was disgusted with an incident which happened eight months ago. When a woman who worked in Human Resources dopped in a Driver and Conductor running a train.

**Sparks: What happened?**

Roscoe: The train was put into a siding to await another train. The Conductor came into the Driver's compartment to ask the Driver how long the train was to be delayed. The Conductor had done the right thing and waited until the train was stationary before seeing the Driver.

Unfortunately this woman who worked in Human Resources was travelling on the train, dopped in both the Train Driver and Conductor. I do not know what happened to the Driver, but the Conductor had to front Human Resources. As a result of the meeting, she received a letter from a Conductor Service Manager giving the Conductor a warning. The Conductor was devastated and she said they did not consider her work record.

**Sparks: This woman in Human Resources who dopped in the Conductor was crawling to her superiors. She has wrecked a good conductor's reputation.**

Roscoe: You can say that again. I went to the Conductor Supervisor and said I was disgusted at the Conductor's treatment. This jerk lied to myself and said the Conductor was in the cab for the whole journey. In other words, he would not stick up for the Conductor.

Rastus: This department is a law of its own. About two years ago, one of our Driver's relations applied for a job as a Conductor. She completed all the tests and when she went for an inter-

view with V/Line, she was asked if she had relatives working for V/Line. The girl being honest said her father was a driver. The interview was cut short and the girl missed out on the position. The V/Line manager was distressed over the way these jerks from Human Resources lost interest in interviewing the girl after she mentioned her father. The Manager suggested that when another vacancy occurred try again. Well the girl tried for another position at another depot. She was not interviewed.

Roscoe: The girl's father was upset over what happened.

Rastus: What makes my blood boil, does Human Resources have a dislike over relatives applying for a job. I wonder because a job was advertised in Train Control a few months ago. A number of conductors applied for the position. No one obtained the position from within V/Line. The person who obtained the position was from off the street but was related to a senior manager in Human Resources.

**Sparks: This department has two sets of rules.**

Rastus: You can say that again.

**Sparks: This case shows that corruption is rife in this department. They want Yes men in these positions or relatives or friends of the Department heads. As for your Train Crew Manager, he should solve ongoing problems without referring matters to Human Resources.**

Rastus and Roscoe: In having the final say we both consider Human Resources as a bunch of bludgers and prostitutes. Also we wonder what these conductor supervisors do as most times, when relieving train crews, we see them smoking out on Spencer Street. Finally, we urge Drivers, Conductors and Station Staff if called up to face these people "Don't turn up."

## International Transport Workers' News

### **U.K. First Buses – The Other Strike**

*03.11.2009*

**While all of the media attention was focused on the ongoing postal dispute, another group of workers were taking on their bosses in Greater Manchester this Monday. Over 800 Drivers for the First Bus Group based at depots in Bury, Bolton and Wigan joined thousands across the country who took strike action over an imposed pay freeze.**

Workers have expressed their dismay at the fact that the zero per cent pay increase comes despite First Group PLC recording profits of over £326 million in the year up to March 2009, a 31 per cent increase on the previous year. Unite, the union representing the striking drivers, says that First are using the recession as an excuse to make employees pay for bigger profits and dividends for shareholders.

“First Group made millions of pounds in profit this year, despite the recession, yet are refusing to play fair by the employees who helped deliver these results,” Bobby Morton, industrial organiser at Unite said.

“The decision to impose a zero per cent increase is based on greed.”

Duncan McGraw from First told MULE that in the current economic climate it is impossible to offer a pay increase, saying that while profits were up last year, it’s not clear that this trend will continue.

The strikes meant that only a skeleton service was running on Monday for most of the First Bus routes, which cover much of northern Greater Manchester.

This latest strike follows seven 24-hour strikes earlier this year by workers involved in this dispute. Unite are promising that this will become a series of rolling strikes if the management do not take action to end the dispute.

The union say that they will happily bring the dispute to an end if the management offer a reasonable pay increase. They claim that the management has taken a hostile and aggressive stance towards the union but First claim that their door is always open to union representatives.

The two parties in the dispute are currently meeting with conciliation service, ACAS, in an attempt to put an end to the industrial action.

A consultative balloting of union members taken earlier this year saw a massive 95 per cent voting in favour of industrial action. Unite say that all of their members took part in the strike.

*Patrick Smith*

## **Thailand: Campaign against sacking of union leaders who protested unsafe working conditions**

*Fri, 6 Nov 2009*

**Managers of the state railways in Thailand have dismissed six union committee members and plan to sack a further eight union leaders in an escalating row over rail safety. Among the eight due to be dismissed is ITF railway section vice-chair for the Asia Pacific region and SRUT vice-chair Pinyo Rueanpetch.**

The move is the latest development in a dispute between members of the ITF-affiliated State Railway Workers’ Union of Thailand (SRUT) and managers of the railways, which followed a serious rail accident that led to fatalities. The union organised nationwide industrial action, which began on 16 October, in protest over managers’ failure to implement safety measures; management responded by stating that “human error” was to blame for the accident and that plans to restructure the sector would be speeded up. Management is also suing the union for 70 million baht for loss of earnings during the industrial action.

The SRUT filed charges against management for violating the union’s collective bargaining agreement, which obliges management to carry out maintenance and repairs to ensure trains

are safe. The union claims that managers failed to comply and instead criticised workers who refused to drive trains that had not been made safe.

In a letter to Yutthana Thapcharoen, ITF inland transport section secretary Mac Urata stated that the ITF supported the union's demand that the employer should implement agreed safety regimes. "Blaming workers for structural failures in standards is totally unacceptable," he said.

A coalition of unions in transport, public services, utilities and other industries and the ITF co-ordinating committee of Thailand have met to discuss how best to support the SRUT.

## ELECTION REPORT

### ELECTION FOR R.T.B.U. NATIONAL SECRETARY

**A recent by-election for the position of RTBU National Secretary has resulted in Alan Barden being elected. Barden was the candidate backed the current RTBU leadership and promoted his candidacy with two mail outs to members across the country highlighting his experience as a union official.**

The other candidate was Bruce Gale, a Sydney train guard and RTBU delegate, who campaigned on a platform of making the RTBU a strong, fighting and democratic organisation more responsive to the concerns of members.

With only very limited resources, Gale and his fellow workers campaigned by handing out material on the job and in this way gained 30% of the vote.

Gale's team of supporters can be happy that a genuine alternative to the status quo was offered to members in this election, that a solid vote was received despite the huge imbalance in resources and exposure afforded the two candidates, and that many members were energised and active during the election and got to think and talk about how they would like their union to operate.

When more of the widespread dissatisfaction of members with their union is transformed into action, then real changes can begin to take effect.

Bruce Gale and his fellow workers and delegates are now preparing for RTBU branch elections in late 2010.

*by Max Stirner*

## What is Democratic Unionism?

Democratic Unionism means grass-roots-controlled unionism, not control by officials. It also means that workers in one industry should be in one union so as to remove artificial divisions that can cause disunity. Such a union should be fully organised and controlled by the membership.

To achieve this we believe a union should be organised along the following lines:

1. That no person employed by the union should earn more than the average income of the membership.
2. That spokespeople should have no executive power – all decisions should be made by the union membership in the course of mass meetings.
3. Spokespeople are only to act as delegates elected by the membership to carry out decisions made by the membership in mass meetings.
4. That a mechanism be instituted for the instant recall of spokespeople/delegates who break the above rules.
5. That all positions within the union be held on a limited tenure, the duration of which will be decided by the membership.
6. That a programme of decentralised decision-making be implemented within the union structure, so that we won't need full-time paid officials
7. All loss of earnings incurred by elected delegates who miss work as a result of carrying out union duties will be reimbursed by the union to the extent of the lost wages.

Only in this way will we see the creation of a democratic, united, fighting organisation which can stand up for the rights of workers and their families against unhelpful union officials, bosses, political parties and governments.











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