

# 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. The 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 is 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 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.

WITH LIBERTY HANDCUFFED IN THE BACK SEAT,  
THE THOUGHT POLICE ARE IN HOT PURSUIT  
OF HAPPINESS.



*Colin*

No. 137

Nov.- Dec. 2010

# Sparks

THE RANK-AND-FILE TRANSPORT WORKERS' PAPER

**A NEW RAILCORP  
& RTBU UNION  
HEAD OFFICE  
CO-PRODUCTION:  
THE GOD FATHER  
PART IV - FIRST  
EPISODE:  
RAILCORP  
ENTERPRISE  
AGREEMENT 2010  
BRIEFINGS !!!**



*A Rail Corp Fat Cat & RTBU Official who addressed a recent Enterprise Agreement 2010 "Briefing" about to quiz those who voted "No" at the meeting.*

STA BUSIE NEWS;	NSW RAILWAY NEWS;
RAILCORP EBA RORT;	VICTORIAN RAILWAY NEWS;
MARITIME TRANSPORT NEWS;	STA BUS ACCIDENTS POLICY
INTERNATIONAL NEWS;	WARATAH TRAINS PPP;
HONG KONG BUS NEWS;	UK PT NEWS;
GREEK TRANSPORT STRIKES;	RTBU ELECTIONS;



## EDITORIAL

Welcome to another edition of Sparks.

Some of the most important news lately in RailCorp was the high handed rorting of the Enterprise Agreement 2010. Rather than holding stop work mass meetings to discuss and debate the EA, the union hierarchy went along with the management ploy of "Briefings" where a nefarious combination of slick salesmanship and intimidation by the bosses would achieve the desired result. Whilst due to short staffing on the job many were unable to attend the "railroading" of the EA. The RTBU hierarchy is again showing its brazen contempt for the grass roots. (See article Page 3)

In State Transit the most important news lately has been further evidence of privatisation by numerous cuts. The explorer buses are being sold off, whilst on the road maintenance work is being outsourced to a private company. The hierarchies of the relevant unions are of course oblivious to the whole issue. A similar fate is likely also to meet the "metro buses" unless grass roots initiative and direct action foils the move. (See article Page 9)

Whilst many are hard at work facing the unrealistic running times due to the compliance of the union hierarchy and their toady union reps, our Sparks Spy R08 has been hard at work uncovering secret plans of the STA bosses and the Government. (See article Page 7)

Sparks welcomes contributions by transport workers in the shape of articles, poems and letters. Please send to PO Box 92 Broadway 2007 NSW.

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Please send to PO Box 92 Broadway 2007 NSW

## SPARKS WEB PAGE -

## [www.sparkswweb.org](http://www.sparkswweb.org)

## N.S.W. RAILWAY NEWS

### EBA 2010 and the Democratic Challenges Ahead

*Crimson Coconut*

With resounding endorsement from the RTBU Leadership it was announced in a bulletin that 90% of voting members had voted to agree to the latest EBA 2010 which will cover them for the next 4 years. If this is true the membership has spoken loudly and accepted without question whole basis of the EBA. There are however huge reservations over these quoted figures. Some anecdotal evidence suggest that the vote at some locations was much closer than that. In Wollongong for example just over 50% voted to accept the EBA. Similar figures were reported from some other venues.

The Leadership claim in the bulletin that close to 4000 rail staff attended the 84 presentations held around the State. Thats an average of 47.6 people attending each meeting. Those figures appear highly unlikely when you take into account the demographics of the RailCorp workforce. The way briefings and voting took place we just can't tell for sure what the real figures were.

In past EBA briefing sessions some areas were lucky to get half a dozen people attending. Also this time many suburban and outer suburban stations have less staff after the last EBA, making it more difficult to attend meetings. If they attended in their own time this would mark a dramatic shift from the past when it was difficult to get staff to attend anything in their own time, (understandable in the circumstances) even if they were being paid for it.

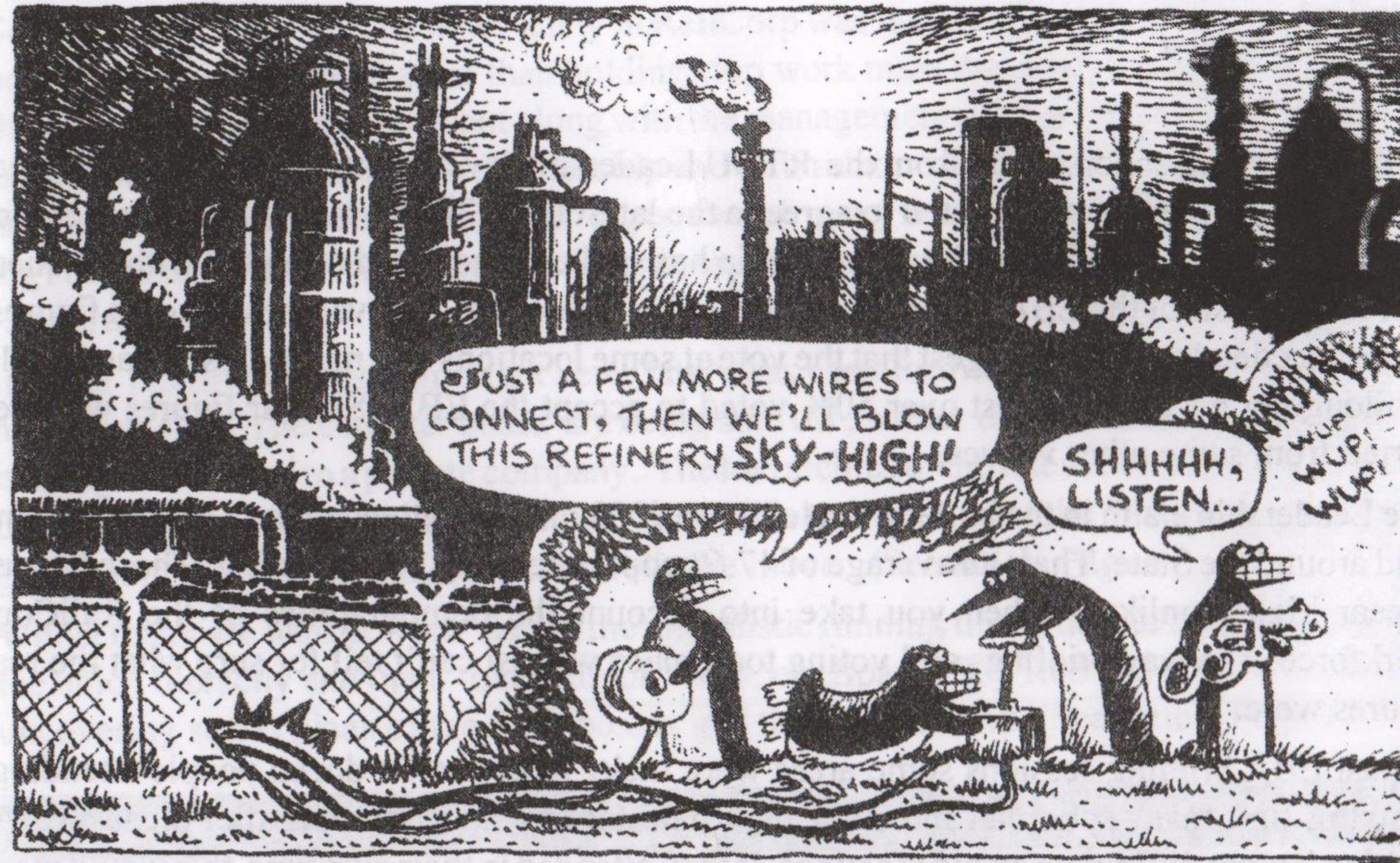
The biggest problem we have as members is verifying the figures quoted, without taking RailCorp Management's word for it. The process is very controlled from start to finish. I have been told that at some venues banners declared that a "yes" vote would get you a pay rise of 14.5% over 4 years. This is not in dispute. What was not raised effectively by Management or the union hierarchy is the massive open ended reform process that the EBA locks members into over the next 4 years.

What also is not in dispute is the very undemocratic nature of the EBA process from start to finish and the voting methods employed. From its inception, starting with the formulation of the log of claims by the unions, which bore no resemblance to the issues that members faced on the job day in and day out, the process was flawed.

From that point on there was little input from the ranks of members. Their opinions were neither sought nor heeded. On some occasions during negotiations it was a month between bulletins, which were the preferred method of communication with members.. In the finish the negotiation committee just gave up after they could not make any ground against RailCorp management on their paltry log of claims.



The only time that members were consulted at all was for the vote to take industrial action - which was overwhelmingly endorsed by members. This was however prematurely ended as a option without any consultation at all. Therein lay the seed of failure of the negotiation. Members, if mobilised, do have the power to change the balance in their own favour. However the Union Leadership never saw this as an option at any stage.



(CONTINUED NEXT WEEK)

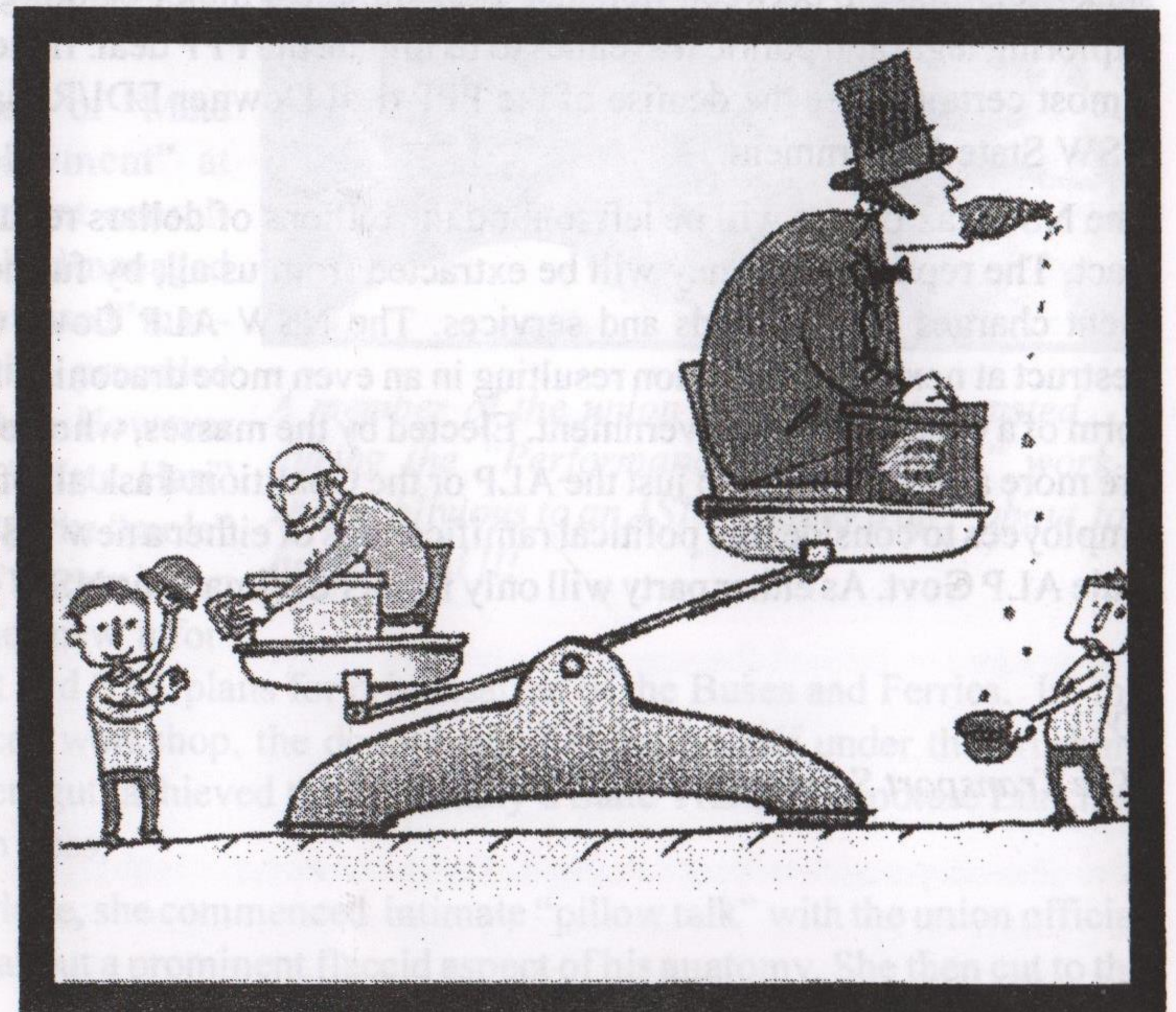
The fact that engineers and administration staff were voting on station staff and train crew EBA's (and vice versa) is totally undemocratic. The issues for each of these groups within RailCorp are different. What was the point of making separate sections in each of these groups EBA's if voting for these disparate grouping was lumped in together as comprehensive agreement?

Members must insist that this never happens again. All future EBA's and any other decisions which effect the entire workforce must be decided by secret ballot after a mass meeting of members where the issues are discussed and questions asked and answered. Each sector within RailCorp should be entitled to vote on their own applicable EBA. That is the nature of enterprise bargaining. However there is no compulsion for different craft groups to be voting on a raft of different agreements that don't pertain to them. If there is a generic agreement applicable to all of the craft groups across the board then that would be a far better democratic outcome even if this is less than ideal.

If costs are quoted as excuse for not holding a secret ballot then we must complain that this is a small price to pay for democracy. These costs are paid for by RailCorp. However I suspect the cost for the briefing process with travelling expenses, hall hire, overtime, and accommodation would have cost more than any secret ballot.

A "yes" vote by members, whatever the margin, is not necessarily a ringing endorsement for the reform process proposed by management nor a ringing support of the tactics employed by the Combined Unions.

Now that the decision has been made we expect our Union Leaders to halt the worst aspects of the reform process. It is clear that during the EBA process union members were opposed to any trade-offs for the pay rises, yet were ignored by their leadership. The new year does hold the opportunity for change in this regard with the election of new worker representatives, who, with your endorsement, will be truly representative of members aspirations. Please consider your vote carefully and help us oppose changes which worsen our working conditions or work load.





# RAIL - BUS

## The Waratah Public Private Partnership (PPP) Will It Succeed or Fail?

The Waratah PPP Deal would have to be one of world's most foolish crooked deals ever done in the history of any Government operated railways in the world today. In NSW all previous rolling stock was funded by Govt/Tax Payer funding. All built to strict exacting standards demanded by the then Chief Mechanical Engineer's Design Office with the exception of the Tangara which all true railwaymen know as the "Tangarbage" due to stupid design.

As is well known the NSW Govt wishes to replace all non air conditioned L,R and S sets by 2012, but due to the shonky PPP deal signed over to Downer EDI /Reliance Rail for 626 Chinese built double deck suburban cars stipulated a regular delivery schedule. At least 3, 8-car sets were to have been in service by December 2010. However, only one 4 car and one 8 car train are used and that is only for Test Purposes. None of these cars are internally fitted out.

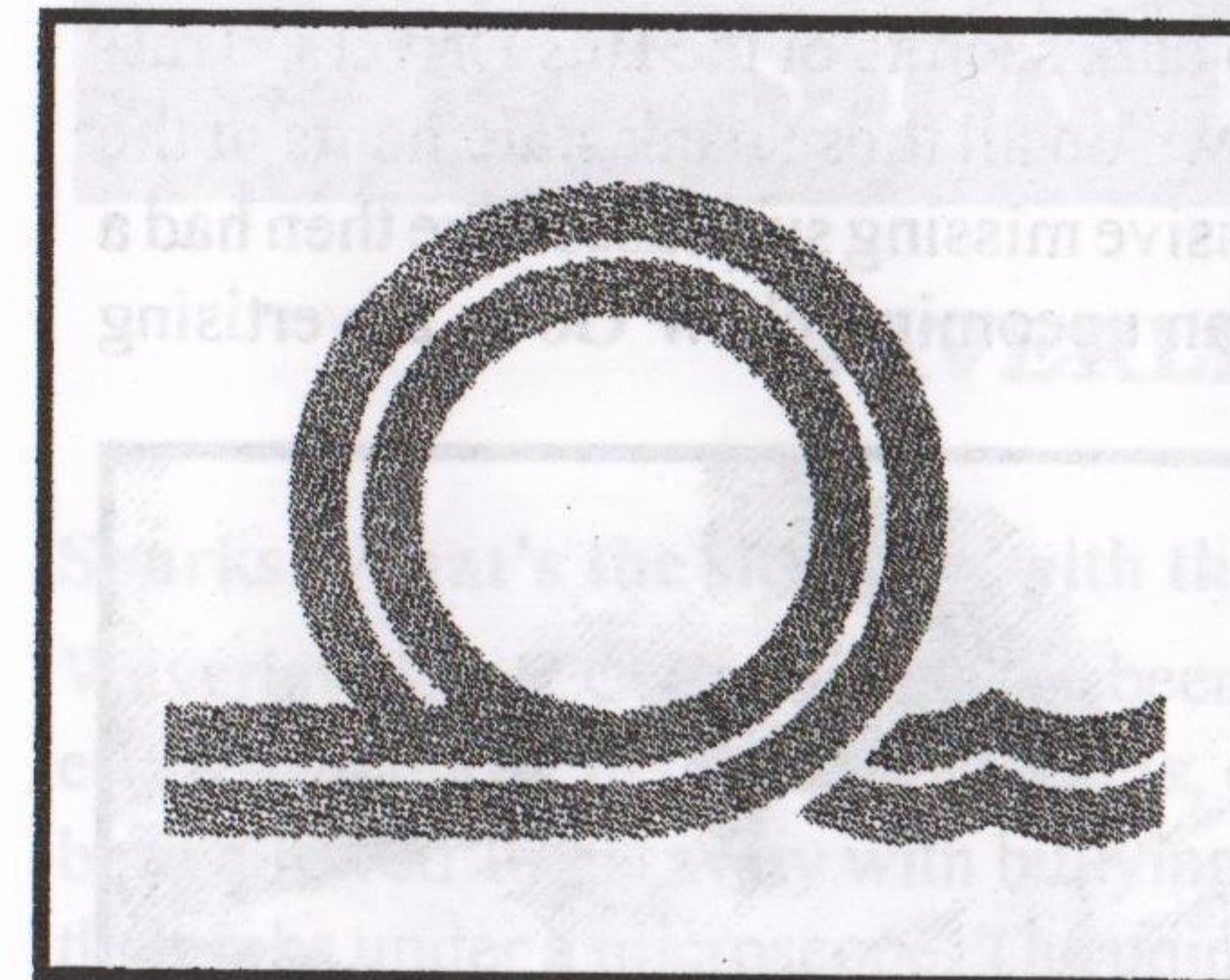
The rather dubious quality of these Chinese-built trains with their 10% crash safety crumple design has thrown RailCorp engineers into safety mode with the Chinese manufacturer insisting its product in progress is safe.

The NSW Govt. has not paid productivity allowances to Reliance Rail resulting in a very shaky relationship between Reliance Rail and the 4 major banking corporations who are all exploring legal and political avenues to terminate the PPP deal. If they are successful, this will almost certainly see the demise of the PPP deal Downer EDI/Reliance Rail and the present NSW State Government.

The NSW tax payers will be left to fund the billions of dollars required to terminate the contract. The reparation money will be extracted from us all, by further steep hikes in Government charges for its goods and services. The NSW ALP Govt. will almost certainly self destruct at next year's election resulting in an even more draconian form of NSW Govt. in the form of a Coalition run Government. Elected by the masses, who don't stop to think that there are more alternatives, than just the ALP or the Coalition. I ask all of you, especially RailCorp employees to consider the political ramifications of either a new NSW Coalition or an already stale ALP Govt. As either party will only further decimate the NSW Government Railways.

By

*The Transport Scrutinizer*



## PUBLIC TRANSPORT SALE OF THE CENTURY

Immediately prior to the NSW Police Fraud Squad and Australian Federal Police raid on the union executive's 'pad' at Mathew Talbot Mansions in Woolloomooloo on the night of 1/7/2010, ASIO had been engaging in surveillance of the union officials. Strangely enough they diverted resources from helping manufacture "Terrorism Hysteria" in the interests of getting the Gillard Federal ALP Govt. re-elected and creating a Police State via orchestrating the frame-ups of people of Middle Eastern origin, to assisting the investigation of the roting of the Bus Drivers Traffic Fine Fund by members of the union executive! Amazing!!!

One of their agents a sort of "Mata Hari" had found "employment" at Touch of Class "management consultants" in Surrey Hills. She had managed to attend the "performance based" management workshop which preceded the police raid at the 'pad'. However unknown to ASIO, this "Mata Hari" was a double agent! A Sparks "mole" known as our agent "R08". Her mission from Sparks, was to gather new information about secret Govt and STA plans for privatisation of the Buses and Ferries. In the midst of the "Performance" workshop, the double agent found herself under the crushing weight of the massive beer gut, achieved through many a State Transit Corporate Lunch & Dinner, of a frisky union boss.

During this romantic interlude, she commenced intimate "pillow talk" with the union official commenting favourably about a prominent flaccid aspect of his anatomy. She then cut to the



*A member of the union executive exhausted during the "Performance Management" workshop, oblivious to an ASIO "honey trap" about to be snapped !!!*



chase and whispered probing questions about the deep dark secrets of the Bus Drivers' Traffic Fine Fund. Such as the mysterious withdrawals shown on all those bank statements of the fund going back many decades which would reveal massive missing surpluses. She then had a lively chat with the union official about evidence of an upcoming NSW Govt. advertising blitz for STA privatisation, he had stumbled across near the Conference Room, at Strawberry Hills. During a meeting there, about the next enterprise agreement, the official had been on his way to the gents, stumbled into an Exec. bearing a Clip Board emblazoned with the Veolia Logo and had entered the wrong room. Where he was startled to come across a massive display of snazzy Signage and a mountain of glossy advertising material about a proposed STA fire sale!

Some of the neon signs included:

**"DO WHAT YOU WANT, WITH THE DRIVERS!"**

**"WE LET YOU CREATE THE PRICE YOU PAY YOUR WORKERS! NO RESTRICTIONS!"**

**"LET US SET IT UP FOR YOU!": "LET US MAKE A DEAL FOR YOU!"**

**"POTENTIAL WELL APPOINTED STAFF TRAINING SCHOOL AT STRAWBERRY HILLS- PRIVATE ENTERPRISE ARE YOU LISTENING?"**

**"TOUCH OF CLASS MANAGEMENT - GOING CHEAP!"**

**"KIOSKS GOING FOR LEASE!"**

**"EXPLORER BUSES" SOLD!**

**"FERRIES FOR SALE!"**

**"MECHANICAL SECTION TOW TRUCKS & VANS: A BARGAIN!" SOLD!**

**"RED HOT DEAL!" SOUTH EASTERN DISTRICT FOR SALE INCLUDING PT. BOTANY & RANDWICK DEPOTS & THE STAR OF THE EAST "WAVERLEY DEPOT", THE MOST HIGHLY PROFITABLE!"**

As you can see, behind the scenes, the wheels of privatisation are moving. Whilst, there is an ominous silence in regard to the major parties and the Greens and the media on the issue. In the early 1990's when the Greiner Liberal Govt was on the rampage in NSW threatening all out selloffs of Govt. utilities, there was enormous media coverage on the issue and the Greens were also very active in denouncing it. Today all we have is silence and more silence. With the recent cave-in by the union hierarchy in regard to the selloff of the explorers and outsourcing of mechanical work, only grass roots initiative and direct action can tackle the threat.



*New ultra modern addition to the Veolia post privatisation "Sydney Buses" Fleet.*

## S.T.A. BUSIE NEWS

### WAVERLEY DEPOT NEWS

#### Sparks: What's the situation with the union rep at Port Botany Depot?

Waverley Busie: Complaints have been received that the union rep isn't doing his job properly. Particularly in regard to cleaners, casuals and other staff at the depot, management has been allowed to get away with bullying them. Involving following them around and putting their jobs under a microscope. The union rep has failed to take any action to curb this behaviour. A good union rep would have a finger on the pulse and be aware of such problems and stir up and encourage the grass roots to take action to curb it.

Chris Mansergh who was elected as union rep at the depot several years back and was subsequently sacked, as he was a defenceless trainee, was much more effective. He took account of the concerns of the grass roots and held numerous yard meetings to discuss issues raised by the grass roots. The bosses in their short sightedness failed to realise that an effective union rep like Chris is an asset on the job, not a liability. The current union rep at Pt Botany gives the impression of being an industrial weakling and whilst basking in cushy union shifts, allows management to throw sand at him. He is like someone wearing one of those T-Shirts which give the illusion of fake pronounced muscles at the front.

#### Sparks: What's news on the environmental front?

WB: Recycling remains a low priority of management in the STA. Higher levels of Govt appear to be failing to put pressure on their STA underlings to take effective action. In stark contrast to Governments in such countries as Germany which are very serious about recycling. Cans and bottles are still being thrown away in the staff areas of depots rather than being collected and channelled for recycling. Despite the STA giving the impression of an emphasis on environmental issues with its operation of gas buses, environmental sustainability remains a low priority. There are no signs around on recycling. The STA isn't serious. Their major focus remains budget cutting. Some time ago an environmental group did an environmental audit on the STA, but little notice was taken by the bosses. Most workers want to see a greater environmental concern in the STA but the bosses won't listen.

#### Sparks: What's happening on the road?

WB: We are continuing to have the problem of push bikes, scooters and taxis running in bus lanes, slowing our trips. Particularly Oxford Street at peak hour is affected. You have a highly dangerous situation of apparently back packers weaving in and out of traffic on push bikes. The police are failing to address this issue. It's important to get push bikes into back streets and to ride in car lanes. Whilst taxis constantly pull up in bus lanes. We are also continuing to have problems with pedestrians walking in front of buses at intersections in Bondi Junction. The STA needs to sit down with the police to tackle these issues. One way forward on the issue would be for police to monitor the busiest intersections in Bondi Junction. So far nothing has



happened. We don't want to kill anyone on the road. Already this year there have been several cases of Waverley depot buses clipping pedestrians who were listening to their mobiles or walkmans and totally unaware of buses in the Bondi Junction surrounds.

**Sparks: What's the situation with the mechanics?**

WB: The bosses are moving to outsource part of their work. On the road bus maintenance is being handed over to a private company to perform. It includes the morning peak hour maintenance van and the tow truck. As a result, the mechanics can't get out and mix with drivers and have to stay in the depot yard and the variety in their work is being diminished.

The mechanical section has also been hard hit by management corner cutting with now only one mechanic in the workshops on Sundays. Previously there were always 2 mechanics posted on a shift. How will the one mechanic cope with wiper problems on many buses during wet weather and overheated air conditioning and engines on buses during hot weather? Are we to call the Waverley Ghost Mechanic?

**Sparks: What are your thoughts on drivers' wages?**

WB: An interesting fact is that in 2004, Australia had the highest per capita of overtime worked in the Western industrialised world. I've noticed in the buses that over the years we are working ever longer hours to cope with rising prices. Consequently we are often dead tired and exhausted after a day's work. We are urgently in need of a decent wage rise to cope with rising rents in Sydney. Whilst bus drivers wages are roughly the same interstate, the rents are much higher in Sydney. In this city you are looking at paying say \$500 pw for a two bedroom unit whilst in Brisbane for a hell of a lot better place in certain areas, the rent is only \$350pw. I believe an important explanation for the spiralling rent increases in NSW is that the Real Estate Institute is paying off both major parties to go along with their agenda. Recently the Lib-



eral Party was caught out receiving electoral donations from a developer, despite exceeding the deadline for the banning of these donations. Latest news is that donations to the major political parties from the alcohol, tobacco and gambling sectors have been banned. The weakness of the current ALP NSW Govt must be seen in the context of the ALP's reliance on donations from lobby groups.

Additionally the STA is splurging its budget on the free 555 city bus service and the \$2.50 each weekend family ticket. These are good ideas in regard to encouraging patronage of public transport, but they cut into the budget monies which could provide us with a decent pay rise. Needed to meet the rising cost of living in Sydney,

**Sparks: What's the latest in regard to management policy toward accidents?**

WB: Some important news is that the bosses recently sacked a driver after having 4 accidents of which one only was caused by himself. They have breached the policy that has existed for many years that after 4 accidents in a year a driver would only be retrained. Are the bosses selectively using drivers accident records to sack those which they are targeting? If this is the case, it is a very silly idea.

**Sparks: What's the latest on the railways?**

WB: I was recently down at Country Link at Central Station and spoke to one of the booking clerks. In the conversation, the derailment on the Sydney to Melbourne line at Albury Wodonga which had occurred two weeks earlier, came up. It involved the ripping up of 800 metres of track. According to the clerk, there had been a considerable delay in repairing the track by the privately owned track maintenance company, which has had a reputation for inefficiency. The Country Link bloke considered that if Rail Corp had been handling the repairs, the track would have been repaired within a much shorter length of time with better ballast. I remember before I joined the buses, in South Australia, a friend of mine who worked in the Main Roads Dept, mentioned it had outsourced road maintenance to a private company which had a reputation for shoddy work in the interest of saving dollars. In one case, the company put on a thin layer of bitumen for resurfacing a main road, which eventually worsened the problem. As a result, the work had to be redone.

**Sparks: What's the situation with traffic in Bondi?**

WB: I was recently on a bus going through Bondi and noticed the huge amount of people going to see the "Sculptures by the Sea" exhibition. The buses certainly weren't coping with the influx of people. It's been reported that 2 million people have gone to see it. This fact emphasised to me, the importance of inspectors intervening and phoning in and calling for more buses on routes, as they were able to do in the past. Such action is particularly important on afternoons and weekends. So as to avoid passengers being left behind and an associated delay in catching buses.

**Sparks: What's the latest with violence and abuse against drivers?**

WB: Recently on ABC News I was listening to, it was mentioned, there has been an approx 1/6th increase. It seems to me, an important contributing factor has been the prepaid tickets. I have noticed some drivers reacting in an aggressive fashion toward passengers who don't have these tickets and want to buy tickets on buses. They are refusing to take the passengers



on the bus and sell them a ticket, and directing them to a shop to buy a prepaid. As a result they are being drawn into confrontations. The STA is failing in its responsibility to clarify to drivers how to tackle such situations. It is also failing to follow up if shops run out of tickets.

## BURWOOD DEPOT NEWS

There is movement in Burwood Depot union office. I think the elections are near. I heard a rumour that the md in the union office reinstated a disgruntled, exiled ex union member to the ranks of membership under the nose of the used car salesman. What sneaky tricks can be achieved when an aspiring bus union secretary puts his back into actions so as to have an alliance in the depot he hopes to leave behind. The object of the actions is so Mr Sandshoe is welcomed back to the union fold. I hope the bus union secretary reads this article, so he can rant and rave about the trick. What about allowing all the other ex-union members to rejoin??

When the new manager joined the depot, we dubbed her ok and ko. Well I made a mistake, ko is not quite right. The depot manager in MR knockout. I hope the coming bout will result in a first round defeat. At the moment ok is ok.

I was informed, we might be getting a new bus route from Macquarie to Hurstville. THE TIMING WAS DONE ON TUESDAY afternoon, MELBOURNE CUP DAY. These were quick times as there was no traffic on the road. I call this a fault. It needs to be re run on a Friday afternoon.

The yard supervisors review is still dragging on. It seems the used car salesman stepped in and with usual stupidity delegated it to a STA stooge. When this slowed to a snail's pace, it was handed to an ex-shed driver to pressure Malone. WELL THINGS GOT SLOWER and ground to a full stop. It seems the union officials are on their busy election rounds trying to win at the next election. I hope they lose, as we need more bus drivers.

The union needs dedicated drivers to displace the free loaders currently holding union positions. These positions do not take up much time but give insight into how the union works. If interested, please email sparks with your details. You have 15 days to act.

## LEICHHARDT DEPOT NEWS

### Sparks: What's the latest with the trainee drivers?

Leichhardt Busie: They are very much taken advantage by the bosses. I have noticed certain cases recently where trainees have not been advised by the bosses to book up overtime for late running. They are very much intimidated to meet the unrealistic running times, putting them under tremendous stress. Leading them to get into more trouble via involvement in accidents. Despite one trainee recently completing his 2 year probation with a good record in regard to accidents and other criteria. He was sacked. As the bosses didn't like his attitude. Meaning he had spoken out against them. The subsidising of the trainees which the bosses re-

ceive is also an important contribution to their hard line on even experienced drivers on disciplinary matters. As there are always more trainees which the bosses can replace them with.

### Sparks: What are your thoughts on the bus running times?

LB: There is quite a scam which the bosses are getting up to on this issue. They are particularly worried about runs being cancelled due to drivers being unwilling to do late running. As they face fines of \$1000 per run cancelled. Consequently rather than tackling the real issue of the unrealistic running times, when a driver calls in and says he can't run late. The bosses just get someone on WAD (Work As Directed) to do the run again at any other time. As a result the bosses can look good on the paperwork in regard to meeting service requirements.

### Sparks: What's happening with the union rep?

LB: Following Marta being discovered performing management work, she was spoken to and resigned as our union rep. Austin who was the vice union rep has taken over the position. With union elections coming up in Feb. 2011, we need someone who is a bit gutsy to be elected into the position.

### Sparks: How are things with the prepaid tickets?

LB: Despite the introduction of the prepaid tickets we still have to issue cash tickets. This just creates an additional headache for us. With the prepaid tickets being widely available at shops, why do we still have the cash tickets?

## MARITIME TRANSPORT NEWS

### Brisbane MUA delegate sacked

Steve Cumberlidge, an MUA delegate at Brisbane POAGS, was sacked on July 30. Local management have used the charge of an alleged safety breach in order to get rid of "Cumbo", an outspoken delegate highly committed to safety on the job.

The Queensland MUA branch is working for Cumbo's reinstatement through the new Fair Work Act. On September 2 an unsuccessful conciliation hearing between the MUA and POAGS took place. The matter has now gone to arbitration, with a meeting to be held in November.

The Queensland MUA branch has printed "I support the reinstatement of Cumbo" T-shirts to help raise funds for Cumberlidge and his family.

The sacking of MUA delegates is becoming all too common. Relying on the Fair Work Act and its complicated legal mechanisms is not good enough. The MUA needs to take whatever industrial action necessary to win the reinstatement of any sacked delegate.



## Sick leave policy is crook

On September 8, wharfies at DP World Botany were advised in writing of changes to the local Absence Management Policy.

These changes include a) statutory declarations for sick leave and carer's leave will no longer be accepted; and b) wharfies "with poor absence records" will be placed on an absence management plan whenever "the Company suspects that [an] employee is not using sick leave for genuine illness (despite the production of a medical certificate)".



However, by law DP World cannot refuse to accept a form of legal document (a statutory declaration) and judge whether another (a medical certificate) is legitimate or not.

Management need to re-read the Stevedoring Industry Award (2010), in particular Clause 23.4 which reads:

"a) The employee will, if required by the employer, establish the production of a statutory declaration, that the employee was unable to work because of injury or personal illness.

b) In the case where the absence is extensive or where the employee failed to report for duty in circumstances where, in the employer's opinion, a requirement for confirmation for the reason for the absence is justified, the employer may require the employee to produce a legally qualified medical practitioner's certificate that the employee was unable, in the medical practitioner's opinion, to attend for work through personal illness or injury".

The Award spells it out. Statutory declarations and medical certificates are acceptable and adequate legal documents for proof of illness or injury. DP World has overstepped the mark with these new Absence Management Policy changes.

## DPW hits record volumes

The last few weeks have seen container volumes at DP World Botany hit record highs – over 15,000 container moves a week. In the lead up to Christmas, these volumes are only likely to increase further.

In order to meet its increased labour needs, management has hired dozens of new supplementaries.

This increase in supplementary labour has pushed the permanent to casual labour ratio dangerously close to the minimum 51:49 mark. With record volumes and a large influx of casual labour, now is the time to begin a new union push for more permanent jobs. (Articles from "Vigilance" No.49 Sept 2010) "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

In previous issues of Sparks mention has been made of Human Resources trying to take over the operations of V/Line. In this issue persons from Head Office, Locomotive Division, Daily Paid Section and the Salaried area have once again combined to talk about the issues. Once again names have been changed.

**Sparks:** Once again it is good to see unity amongst employees.

**Clarence:** You are correct in the last two months Human Resources are dictating to Service Managers that they are in charge.



Sheona: Working in Head Office you see what happens day to day. This department is controlled by a group of women who disregard the Railways Operations such as disciplinary issues and try to impose their own rules.

Rascom : As a conductor I hate this department. It stinks!

Rastus & Roscoe: As drivers we have said in previous issues of Sparks that he Drivers Supervisor hasn't the guts to stand up to this department.

**Sparks: It is obvious that Human Resources is trying to get the Managers to get rid of long term employees.**

Bascom: I would like to make mention of an incident at a Country Depot where a conductor was given a random drug test.

Clarence: There is random drug and alcohol testing in the Railway industry.

Rastus: This has been in force since 1996.

Rascoe: Correct but we don't like the way this conductor was treated.

Bascom: You see this conductor was tested because some passenger or fellow employee alleged he was taking drugs.

Rastus: The way the test was carried out was disgraceful. The conductor was taken off the train, he was running. In front of the Regional Manager, a conductor supervisor and a person from Occupational Health and Safety Department told the conductor he was being drug tested. They did not tell him why he was being tested. They left him under observation in a room and waited for the person who held the testing equipment to arrive. The conductor was tested and the test was negative.

Bascom: The conductor was quite upset after the event and in my opinion he should sue V/Line for false imprisonment.

**Sparks: It is obvious that management is out to get this conductor.**

Sheona: You are correct. You see this conductor had the guts to stand up to Human Resources. You see one of the women in this department has taken a dislike to this conductor. The conductor applied for a conductor supervisor position years ago. He was told by this particular person that there were no avenues of appeal and that Human Resources was running the show.

Clarence: You see why they hate this department. Regarding the drug test, they should have told him why he was being tested and a union representative or another person should have been there to witness the test.

Sheona: This conductor was victimised by these people and if it was a passenger complaint or a complaint from a fellow employee, then it was obvious management wants to sack this conductor. You see Human Resources has a hit list of names of employees who they want to terminate. These employees do not fit in with the new V/Line image. If they get rid of these employees, then it will frighten the other employees.

Bascom: In other words they want yes men. If Human Resources think they can ride rough short over employees they can forget it.

Rastus & Roscoe: If a fellow employee has doxed in this conductor, then we drivers if we find out who he is will blacklist him.

**Sparks: I think that under the Industrial Relations Act, if you refuse to work with these employees, then you can be taken to Court.**

Rastus & Roscoe: To hell with the Industrial Relations Act. These cretins should be driven out of the industry. In fact some drivers have said if they find out if it was a fellow employee who doxed in this conductor, they will make it hard for them in future.

Clarence: Managers haven't the guts to solve problems and as for the women who run this department, I say that if you have to front them don't turn up. If they suspend you for failure to turn up, then fellow employees to refuse to cover the shift they were working.

Rastus & Roscoe: Yes we drivers have a policy. If a driver is stood down, we do not cover his shifts. In other words, the train the driver was rostered on does not run.

Clarence: I wonder what Human Resources do. The worker who work in the department stay for a few months then leave.

Rastus: They use V/Line as a training centre, then go onto better paying positions. Where they further bully workers.

**Sparks: We have wondered, but I know how you people feel about the department. The way the conductor at this country location was treated was disgusting. He was not told why he had to take the test and a union representative should have been there. If not, another conductor as a witness.**

Rastus & Roscoe: In having the final say. This conductor should sue V/Line for false imprisonment. He could get a court order and obtain the names of the persons who complained and sue them as well. Finally if you have to front Human Resources. DON'T TURN UP.

## International Transport Workers' News

### UK: PUBLIC TRANSPORT NEWS

August 2010

#### Bus strikes in Liverpool

Bus workers have begun a four-day strike in Liverpool over pay. Workers at Stagecoach Liverpool have been offered a 2% pay offer by management, which represents a real-terms pay cut when inflation is running at 4.5%. The action, backed by the Unite union, involves hundreds of staff and stands to hit one in five buses in the Liverpool area. The strike began on Friday, and is running until Tuesday.



### London Underground Strikes Announced

200 Alstom-Metro maintenance workers on the London underground have voted for strike action over a management pay offer. According to the RMT union, which organised the strike ballot, the offer on the table is significantly lower than comparable pay offers for other parts of the London Underground workforce. The first strike will take place on the 5th of September, with further 24-hour strikes to follow in October and November. The announcement follows an overwhelming strike vote from RMT and TSSA union members over plans to close ticket offices around the capital with the loss of around 800 jobs. 10,000 workers including drivers and station staff stand to take part in the strike action. The first of four one-day strikes is due to start on September the 6th. An indefinite overtime ban will also apply as part of the action.

### London tube workers in 24-hour walkout

The 4th of October saw 11,000 London tube workers stage a 24-hour walkout over Transport for London's plans to cut over 800 jobs, mainly ticket office staff. Since then, an additional 800 job cuts were announced, which include the sacking of 400 existing workers. The striking workers have also expressed concerns about the safety implications of staff shortages for those using London's tube network. In response, Mayor Boris Johnson has called on government ministers to bring in new anti-strike laws. Further action has been planned throughout November.

*Thanks to "Resistance"*

## HONG KONG BUS NEWS

*Monday, 11 October 2010.*

*J. M. Roy*

On 3 October representatives of Hong Kong bus drivers were guest speakers at the Socialist Action weekly meeting. The drivers, Chung Tsung Fai, Cheng Kam Hung, are active members of the HKCTU (Confederation of Trade Unions) and have been instrumental in organising other drivers in the recent and ongoing disputes with four bus companies. The drivers' demands are straightforward:

- \* A 2.2% pay rise (equivalent to HK\$176 per month)
- \* The same rights and benefits for all bus drivers (contract workers are discriminated against)
- \* A 'thirteenth month' bonus to be paid in accordance with normal Hong Kong employment practices

### Support for strike

Recent strike action in August was widely supported by drivers. The first action involved 200 striking drivers. All 1800 KMB (Kowloon Motor Bus Co) drivers supported the strikers by

stopping for an additional 10 seconds at each bus stop. The action might not seem significant, but the level of support shows the disgust that the drivers have with the company's actions.

The company has used typical tactics to paint the drivers as unreasonable and try to weaken their campaign. They have ignored the most important demands concerning contract workers and the end-of-year bonus and have instead focused on the pay claim. They offered a 1.8% pay rise to the drivers. They claim the drivers are being unreasonable as the difference between this and the demand for 2.2% only amounts to HK\$32.

This has been the main focus of the media: bus drivers causing disruption for the sake of HK\$32. It ignores the fact the bus companies refuse to negotiate on the fate of contract workers, who receive inferior health care and no job security. It ignores the fact the employers are only offering a HK\$1,800 end of year bonus as opposed to a full month's salary as is the norm in most Hong Kong companies. The dispute is not over a HK\$32 difference in demands, which is an insignificant amount to a company (KMB) which made HK\$680 million in profit. It is about equal and fair treatment for all workers and solidarity in the face of the bosses' divisive tactics.

Chung and Cheng explained that because of the erosion of labour laws and lack of workers' rights in Hong Kong, the bus companies have been able to employ several underhand tactics to counter the threat of strike action (at First World Bus and City Bus):

- \* They have offered bribes of HK\$300 to drivers willing to work on strike days.
- \* They have transferred drivers from other bus companies to work on strike days (there are four privately-run bus companies in Hong Kong).
- \* They have called drivers out of retirement to work in place of striking drivers.
- \* They have been conducting talks with the CCP [China's ruling Communist Party] backed FTU (Federation of Trade Unions), which has little or no support amongst drivers.

### FTU: Bosses' union

In Hong Kong there are two union bodies. There is the HKCTU, and there is the FTU. The HKCTU has been instrumental in supporting the drivers in their dispute with the company. The FTU opposes strike action and has urged the drivers to accept the company's offer. The FTU is pro-Beijing and affiliated to the ACFTU in China – the same union which regularly uses violent attacks on striking workers inside China, most recently in the Honda strikes.

Chung described how the FTU can maintain a sizeable membership for two reasons, the first is that they offer large insurance incentives and discounted services to new members. Workers soon come to realise that the FTU does not represent their interests. In a recent survey of bus drivers, 80% said the FTU does not support them. However this does not matter because workers cannot leave the FTU. All membership is lifetime membership. This gives the FTU the advantage of claiming a large membership while having very few active or real members. This gives the bosses the advantage of being able to negotiate with a 'union' safe in



the knowledge that they will never endorse strike action and will acquiesce to the company's demands.

The FTU is merely an arm of the CCP in Hong Kong, said Chung. They are used to ensure that labour disputes are settled on the bosses' terms. After the handover in 1997, laws were passed to outlaw collective bargaining, one of the cornerstones of workers' rights. The FTU was instrumental in the passing of these laws, and its president, Cheng Yiu-tong sits on both the unelected Executive Council of Hong Kong and the People's National Congress in Beijing.

## Action

The main objective for the drivers is to spread awareness and solidarity among other drivers. Many drivers are understandably worried that they will lose money if they go on strike and will not be able to support their families. For this reason a fund has been set up to support future strike action. Bus drivers will try to forge links with workers in other sectors whose rights are also under attack.

*Thanks to RevLeft*

## Greek Transport Strikes

After the August thaw between the Greek government and the fuel carrying truck drivers, the latter are once again showing their teeth, while railway workers defy court ruling and strike.

The thaw between fuel carrying truck drivers and the Greek government lasted little more than a month, and that month being August, it has proved to be but a tactical move by the union which brought Greece to a standstill for a week last July and forced the government to employ civil conscription against strikers.

The new strike has led to new worries about the availability of fuel across the country, more so as it coincides with a strike by petrol station owners who protest against price controls imposed by the government. The truck driver's strike began on Monday with hundreds of trucks blocking much of the national highway entrances to Athens on North and South. The so called 'siege of Athens' was not resolved as the government was hoping today as the union reps declared the bilateral talks "some more of the same old stuff". The president of the union declared that the mobilisation will continue as drivers had no longer anything to lose. Although the drivers have declared they will provide fuel for hospitals, airplanes and boats, the Minister of Infrastructures Mr Reppas retorted today that "civil conscription does not involve only the means of transport but also the service itself", indicating that the government will seek to persecute drivers who simply allow their vehicles to be used by the State but refuse to drive them themselves. Drivers responded to the Minister's belligerent stance by occupying his political offices in Tripoli.

At the same time, despite a High Court decision that declared their labour action illegal, the Railway Union stopped all train transport on Tuesday while announced rolling stoppages for today, in response to plans of privatising OSE, the State rail monopoly as part of the austerity measures. During yesterday's strike railway workers occupied the headquarters of OSE in Athens.

15/9

The news reported that Mr Repas asked the police not to intervene, fearing an escalation of the crisis. The truckers squatting his office left in the early hours of the morning.

At the same time policemen have been trying to stop the trucks from moving into Athens. This has led to some fights on the Athens-Peloponnesse highway gates. However dozens of trucks have managed to slip through and are currently lining across Vouliagmenis Avenue in Athens itself. This despite the fact that Mr Repas has effectively tried to bribe the drivers by means of a directive that increased the value of their licenses by almost a half of its original value (27,000 from 20,000). Drivers have brushed aside the arrogant and imperial gesture of the Ministry claiming the only goal of the ministry is to split them. Instead the drivers moved to a complete immobilisation of their vehicles.

The drivers have opted to provide fuel for hospitals, planes and boats as these fall within health and security vital sectors that allowed the government to conscript them last July.

16/9

Meanwhile the truck drivers have toughened their position by demanding from the Ministry of Infrastructures a total withdrawal of the austerity law concerning their trade. Long lines of trucks are blocking more and more sections of the highways across the country creating serious jams. In a typically Greek bully way of doing politics, the Ministry has warned that if the situation continues it will in revenge implement the legislation immediately scraping the three-year transition period

17/9

Update: trucks continue to block much of the highway in and out of Athens, leading, according to news agencies, to serious difficulties in supplying the market. Meanwhile OSE railway workers have announced a motorised march to the road tolls of Afidnes which they intend to open to the public, in solidarity to the anti-toll developing movement.

18/9

Update 2: Truck drivers have today reinforced their blockade of Athens, causing the first shortages in the market. Many industries have halted their engines as a result of the shortage. All major routes in and out of the Greek capital are lined with trucks, cranes and other heavy-load vehicles which have reduced traffic to a painful slow trickle. At the same time a similar situation is developing in Salonica. The truck drivers intend to keep the blockade at least until Tuesday when they will hold a protest march in Athens. Strong police forces are lined at every truck blockade in order to prohibit a motorised march to the capital.



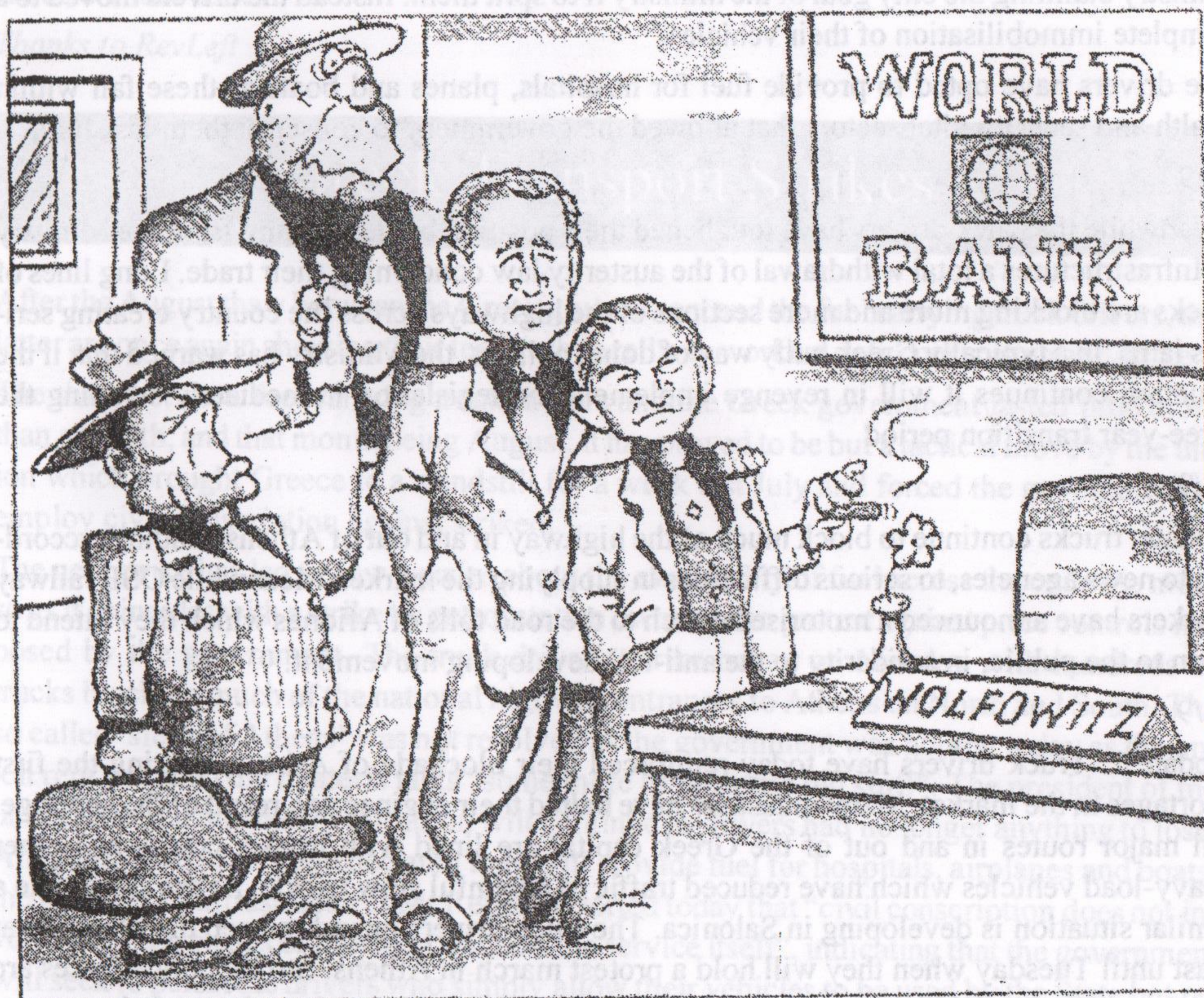
27/9

Update: This is a quick note to mention that the truckers mobilisation is continuing with more than 6,000 containers stuck in customs and the market experiencing some serious shortages. The drivers are meeting today to decide on their next move. Meanwhile railway workers have announced a 48h strike. On the anecdotal side of things, one trucker has been arrested during fighting with the police at the Metamorphosi blockade after biting the hand of a brigadier...

29/9

Update: during their national assembly, the truck-drivers have by a huge majority voted for the continuation of their strike and blockades despite pleas by the government for a few days ceasefire so that harbours are emptied of accumulating containers. The government has expressed its distress at the decision and has warned for a full on war against the truckers. It must be noted that a blockade yesterday came under fire by an unidentified source.

Thanks to Libcom



*Pauly, you's done such a good job as a hitman dat me and da boys decided to put you in charge of da loan sharking operation.*

## Work is bad for your health

Chronic overwork has become a significant health problem in Australia according to a recent study by the Australia Institute. The study reveals almost half of 1360 people polled said work stopped them from exercising, while 35 per cent said it stopped them from eating healthy meals. The poll also found that 27 per cent were too busy to go to the doctor even though they needed to, and 44 per cent admitted to avoiding GP appointments because of a lack of time.

These findings have been published by the Australia Institute to coincide with the think tank's second Go Home on Time Day on 24 November, 2010. The report has prompted the Public Health Association to call for Australian workers to slow down to ward off obesity and depression as well as deal with more immediate illnesses.

Melanie Walker, the deputy chief executive of the Public Health Association, said the results were worrying: "If these things are happening, it has an impact on people's long-term health and their ability to prevent the onset of serious illness. We do the hard yards compared to a lot of other countries."

A study by the Australia Institute last year revealed that Australia has the longest working hours of any country in the developed world with one third of workers failing to take a single day of their annual leave in the preceding twelve months.

"In France there are people rioting in the streets at the idea they have to work over the age of 60", Ms Walker said. She said employers could do more to help national health by encouraging workers to take sick leave to see a doctor. "Employers have to create the opportunities for people to realistically take up the conditions that are enshrined in legislation," said Ms Walker.

Australia Institute's deputy director, Josh Fear said that in Europe regulations prompted by health and safety concerns stop people from working more than an average 40 hours per week. Part of the problem of overwork in Australia was caused by a culture of unpaid overtime, he said. "A lot of workers in the typical office environment, doing the standard business work day are working unpaid overtime and it is unregulated," Mr Fear said

Increased workloads due to restructuring, reforms and non back-filling of staff are key reasons for employees feeling more pressured in their daily work life. NSW government policy currently requires any pay increase above 2.5% to be funded by savings measures, offsets and productivity increases.

More than 200,000 people took part in the first Go Home on Time Day last year. The website to register for this year's protest, to be held on November 24, can be viewed at [www.gohomeontimeday.org.au/](http://www.gohomeontimeday.org.au/).

by Max Stirner

sourced from SMH