

IR ATTACK/NOV 30 RALLY

Freedom a one-way deal

John Howard should be very happy with his workplace laws. They seem to be working exactly as it was intended.

For example, the union was contacted by a number of workers at a workplace in Wetherill Park.

We met the workers after hours and it was decided to attend the workplace to speak to all the men who had indicated a willingness to join the union. CFMEU Organiser Eddy Harris gave written notice to the employer (24 hours) of our intention to arrive the following day during lunch.

The issues of concern were that the business was being sold. The 'Non-Union' EBA had expired and the blokes wanted the union's assistance in negotiating a new EBA. They were concerned about their jobs, wages and conditions if the business was sold.

Eddy Harris and I arrived at lunch and found less than 10 per cent of workers at the meeting. The workers told us the employer had, after receiving the union's 24-hour notice letter, informed them if they joined the union their wages and conditions would not improve.

Workers approached the union but they were intimidated and threatened by the employer.

Freedom of association is fine providing the freedom is for the employer to impose his will on the workforce. It is okay for the employer to belong to a union (Employers' Association), but not the workers because that may affect the bosses freedom to do whatever they wish to do. Howard's freedom is fine -- providing you're an employer.

Terry Kesby



RALLY ROUND THE DRUM

CFMEU members during the November 30 rally. Bottom right, Denis McNamara and wife, Catherine, made the protest a family affair bringing Niamh, 3, and their newborn son, Ronan

Workers answer call

The streets were flooded with protesters.

On November 30, workers across NSW joined a huge nationwide protest against the Howard Government's industrial relations changes.

In Sydney about 40,000 people shut down the CBD as they marched from Belmore Park and Darling Harbour and joined up at George Street.

In the Illawarra about 6000 joined the protest, with about the same number hitting the pavement in Newcastle and in Port Macquarie.

CFMEU member Munro Jones, from Lidcombe, bought his two children Jessica, 5, and Luke, 12, to show them firsthand the battle to save their future.

"The kids understand what is going on and unless we get rid of John Howard it is going to get worse," he said. "A lot of fellow members are losing

hundreds a week now and a lot of EBAs are being broken by bosses. More workers have to get behind the Labor government movement."

His mate, Ross Walker, of Bexley, said he knew of blokes on a federal government job in the CBD that had lost \$280 a week.

For scaffolder Denis McNamara and his wife Catherine the rally was a family affair.

The Picton couple bought their three-year-old daughter Niamh and newborn son, Ronan, just 12 weeks old. "We came as a family just to show our support and hopefully to make a difference," Catherine said.

Denis added: "WorkChoices is an issue that affects my whole family, the loss of safety at work and the drop in wages affect all the family."



Why Worst Choices suck

AWAs take away your choice:

The laws allow employers to bar workers from demanding a collective agreement and insist they sign an AWA.

AWAs cut conditions:

The Government's own survey of AWAs shows:

- 100 per cent exclude at least one award condition
- 64 per cent erase annual leave loading
- 63 per cent remove penalty rates
- 52 per cent remove shift allowances

AWAs cut pay rises:

Research by Howard Government lawyers, Freehills, confirms workers on AWAs earn less than those on collective agreements.

Collective bargaining reduces unemployment:

The International Organisation for Economic Co-ordination and Development has found that centralised bargaining reduces unemployment.

Australians don't want AWAs:

An ACTU poll of voters in 26 key marginal seats found that 70 per cent believed individual contracts gave too much power to the bosses.

They don't want you to know:

The Office of the Employment Advocate has stopped publishing information on AWAs after its first survey showed how many rights workers had lost. If you've nothing to hide Mr Howard, why keep this information in the dark.

CALL TO ARMS

Julia Gillard, warned workers a re-elected Coalition would "go for broke" in rewriting workplace laws

A fight everyone must join

If John Howard wins the next election the "ugly face" of his industrial laws will truly be felt, federal Labor Workplaces spokeswoman Julia Gillard has warned CFMEU members. In a call to arms to more than 100 workers at a concrete company in western Sydney, Gillard urged them to become involved in the campaign to oust Howard.

"The simple truth is that at the last election a lot of working people voted for John Howard," she said. "They were probably worried about their mortgage repayments, they were probably worried about interest rates.

"What they didn't know, was what Howard was going to do about workplace laws because he simply didn't tell them. We've now seen the true form of this government. These laws are about making sure workers are left by themselves in matters of employment. It's about ensuring that one at a time you end up on workplace agreements and the boss can put almost anything into it."

Gillard said Labor was committed to introduc-

ing a new system with fairness and collective agreements at its heart. And a federal Labor government would dismantle the Australian Building and Construction Commission. However, she warned there was only one way to get there -- by voting Howard and his cronies out later this year.

"If John Howard gets back in at the next election there won't be any hesitating by employers. If these laws are seen to be endorsed at an election employers will go for broke and the ugly face of these laws will be everywhere."

The deputy leader of the federal Labor Party said the most important thing workers could do was to get out in the community and talk about the effect of the WorstChoices laws.

"It's actually people like you, talking to family and friends, who are the most persuasive," she said. "So you need to make sure you are out there arguing about the laws and why they have to go."

Labor also needed workers' votes to help win control of the Senate back from the Coalition.

Bosses hit low over toilet time

How low can employers go?

That's the question you have to ask after a bricklayer was sacked for refusing to use a portaloos in 40C heat and instead, using a sewerer toilet, some distance away.

While the boss claimed he was sacked for being non-productive, CFMEU Organiser Stewart Edward said the man had been working on the Reed Construction site at Concord Hospital for five weeks and it was only after his complaint that he was deemed unproductive.

Edward said the workers had requested a meeting with CFMEU officials at which the issue of the toilets was raised. Under OH&S laws a sewerer toilet has to be

provided and, Edward added, "you would expect to visit the toilet without being put on a timer".

The worker told the union he preferred to leave the job and the CFMEU is now ensuring all his entitlements are paid. Reed had also assured all portaloos would be replaced with sewerer toilets.

Edward said in another incident, a worker for another company had been escorted to the toilet to make sure he "wasn't wasting any time". "There's a time limit on toilet visits these days," Edward said. He said workers should not be intimidated.

"You can't be sacked for OH&S reasons," he said.



You can help

Ring or email Botany Cranes and demand justice for Barry. Phone 9666 6366 or email: botanycranes@big-pond.com.au

Visit Barry at 3-5 Exell Street, Banksmeadow and demonstrate your support for workers rights.

Donate at Banksmeadow or to the CFMEU on 9749 0400 to support the campaign for Barry's reinstatement.

Sign the campaign petition to restore unfair dismissal laws for Australian workers.

Enrol to vote www.aec.gov.au and kick Howard out of office at the next federal election.

State takes up the fight



THE SANTA CLAUSE

Santa promises Hemsworth that John Howard will be gone by 2008

Barry Hemsworth is not giving up.

And now he has the legal might of the State Labor Government behind him. According to CFMEU Senior Legal Officer Rita Mallia, Hemsworth's case has major ramifications for State laws.

"NSW OH&S laws are exempt from the WorkChoices legislation. Barry was victimised because he stood up for safety," she said. "However, his former employer, Botany Cranes, is arguing the NSW Industrial Relations Commission has no jurisdiction over the matter – and that is why the State Government has stepped in.

"The NSW Government passed a range of laws to protect workers from some of the worst features of WorkChoices, so what hap-

Trivia Quiz Fundraiser

Have fun and raise funds for Barry.

Date June 1 **Time** 7pm **Place** Level 2, 12 Railway St, Lidcombe.

Entry \$20 **RSVP** Michelle on 9749 0480
FREE BBQ Drinks on sale

pens in Barry's case could impact on those."

Hemsworth has mounted a one-man picket outside Botany Cranes' Banksmeadow depot since he was sacked on September 6 last year over alleged insubordination.

But what Botany Cranes' boss Anne Bradstreet, with ties to the Liberals, calls insubordination, Hemsworth calls defending

safety and standards. Speaking on his 160th day of protest Hemsworth said he remained "very strong". "I was quite aware of what I was getting into and quite determined. After some 40 years in the industry one would feel some guilt if you didn't put up a fight for the next generation," he said.

At the 100-day anniversary of his picket, Hemsworth was joined by CFMEU, MUA and NSW Teachers Federation members.

Unions NSW boss John Robertson used the event to launch a petition for the reinstatement of unfair dismissal laws.

"The rogue bastard bosses out there think they've landed in heaven," he said. "But we will win the longer-term struggle to get rid of WorkChoices."

Moral win gives boost to WA107

Mal and Bernadette Peters paid a high price for their August 2006 national tour to highlight the plight of the 107 West Australian workers and their families being persecuted by the Howard Government.

Shortly after returning to work as the last remaining health and safety rep on Leighton's Perth-Mandurah rail project, Peters was sacked for "operational reasons".

Peters and his wife had just returned from their two-week tour to raise support for the WA107, who are facing \$28,600 fines for taking industrial action in support of sacked union delegate Peter Ballard. But according to Peters, his sacking has helped the 107 secure their first court victory.

In January, Leighton's agreed to an out-of-court settlement after the WA Industrial Relations Commission earlier found the claim it had dismissed Peters for operational

reasons "did not appear genuine".

"I am quite happy," Peters said. "Even if I didn't get a cent out of it, the victory for me was the commissioner saying I was unfairly dismissed. It's a moral victory."

Peters' win has been followed by another legal "victory" with the case of the 107 being delayed again. The workers are hoping the trial can be held back long enough to impact on the federal election, due late this year.

Peters said the 107 had also now become the 106, with one of the workers agreeing to a deal with the Australian Building and Construction Commission. He said most of the 107 had found other work as the West Australian economy was booming.

"Once the boom's off what's going to happen then," Peters asked. "If Howard gets in again he'll just up the ante on workplace agreements and we'll lose all our rights."

What can you do

Donate to the ACTU Mandurah Dispute Fighting Fund. The fighting fund will help ensure the 107 families can cover legal costs and fines without losing their homes. Contact the CFMEU to make a donation.

Send a message of support. The 107 c/o The CFMEU WA Branch, level 1, 82 Royal Street, East Perth, WA, 6004 or visit the website www.cfmeuwa.com/cfmeuwa

Pass resolutions at work. Speak to community groups. Ask what your local MP has done. Sign up for the ACTU campaign at www.rightsatwork.com.au/campaigns/supportthe107

Send a letter to Workplace Relations Minister Joe Hockey (email: joe@joehockey.com or phone 9929 9822) and ABCC CEO John Lloyd by phoning 1800 003 338 or mail GPO Box 9927, Melbourne, VIC 3001.

ROCKIN' FOR RIGHTS!

your rights at work
worth fighting and eating for

PROTEST MARCH
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Assemble Hyde Park Nth.
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Secretary Unions NSW and printed by Prografica
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LIVE Concert Entry \$5 Wristband
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CFMEU members have been urged to get up and Rock for Their Rights at an extravaganza of Aussie rock talent organised by Unions NSW.

CFMEU NSW State Secretary Andrew Ferguson said Rockin for Rights was a great way of having a day out with mates and/or the family while putting the boot into John Howard and his workplace laws.

"Since the introduction of WorkChoices in March 2006 some bosses have been doing everything they can to prevent workers from participating in the ACTU national days of action," Ferguson said. "This time all workers and our supporters have the chance to come along and have their voices heard."

On Sunday April 22, protesters will assemble at Hyde Park north at 11am for a rally, followed by

a concert at the Sydney Cricket Ground where top acts such as **The Whitlams**, **Beasts of Bourbon** and **Hoodoo Gurus** will be Rockin for Rights.

All performers will be playing for free, giving their time on April 22 so that we can all have our weekends, jobs and rights protected. There will also be an area to entertain children.

There is a limit of 40,000 places at the SCG. Entry will be by the purchase of a \$5 wristband, which can be obtained at the Lidcombe CFMEU office or your local union organiser/delegate.

"We want everyone out to have a good time and to make sure we fill the SCG and send a message to Howard that we don't want these new laws and we are going to vote him out," Ferguson said.