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PRELIMINARY FINDINGS ON WATERSIDE WORKERS' RESPONSES TO THE ROLE OF UNIONS FOLLOWING THE 1991 ENTERPRISE BASED AGREEMENT

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HUMAN RESOURCES ON THE WATERFRONT: MANAGING HISTORY

by

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PRELIMINARY FINDINGS ON WATERSIDE WORKERS' RESPONSES TO THE ROLE OF UNIONS FOLLOWING THE 1991 ENTERPRISE BASED AGREEMENT

Abstract

This paper explores pertinent details of the history of the stevedoring industry in Fremantle. The historical perspective sets the scene for examining the responses from both workers and management concerning the role of the unions following the 1991 Enterprise Based Agreement. These preliminary findings have been drawn from the qualitative data gathered in the course of semi structured interviews using general prompts to initiate discussion. A major category dealing with the role of the union emerged from the data. This paper examines the findings based on these responses.

The findings indicate two concerns upon which most other categories of comments hinge. One is that the union is not seen by the workforce to be serving the needs of the members nor the industry. Resulting from this concern are calls to the union to look at itself and revise what it is there for now. Many of the comments reveal a perception held by the members that the union is primarily occupied with matters of self interest and lacking concern for the members. Workers have indicated that they want to have a central role negotiating important aspects of their working lives. The second concern is that these criticisms should not be interpreted as indicating that there is no need for the union. The findings strongly support the idea that the union as it is functioning now is not assisting the industry or the country in achieving international benchmarks of profitability. The categories of comments supporting this data reveal a clear call to the MUA to self-examine, evaluate, modify and then go forward. Clearly a mandate for change.

Title: Preliminary Findings on Waterside Workers' Responses to the role of Unions following the 1991 Enterprise Based Agreement

Introduction

This paper reports the preliminary findings on the effects of the 1991 Enterprise Based Agreement on managers and workers at Conaust Ltd., Fremantle. The categories being reported on were generated by managers and workers as part of the qualitative component of the research. They were concerned with the union and the items were grounded in participants' responses to general prompts.

The Conaust Ltd Fremantle Enterprise Based Agreement, signed and implemented on November 25th, 1991 was the beginning of a new era in the history of the waterfront in Australia and in Fremantle. It was a landmark in the transport industry. The developments which led up to this historical event were the result of several years of enquiry, involving recommendations, counter recommendations, reports and directives at both state and national levels. These developments eventually came together in the late 1980's, resulting in a national movement away from industry bargaining and towards enterprise bargaining.

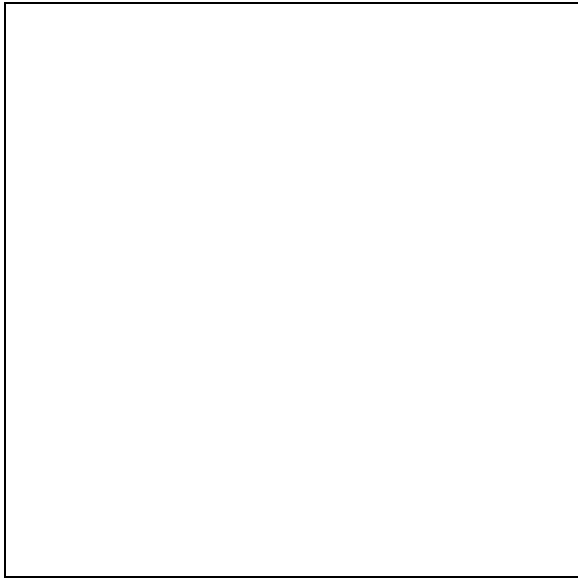
Significant among the initiators of this national movement was former Prime Minister Bob Hawke. The week before he became the leader of the opposition, in 1983, Hawke gave a speech where he outlined what later became the basis of Labor party policy on industrial relations. Later, as Prime Minister, the reform and review process was continued. On December 23 1986 the Federal Minister for Transport gave a directive to the Inter-State Commission to review arrangements for the handling and movement of cargoes through

Australian Ports. (Inter-State Commission

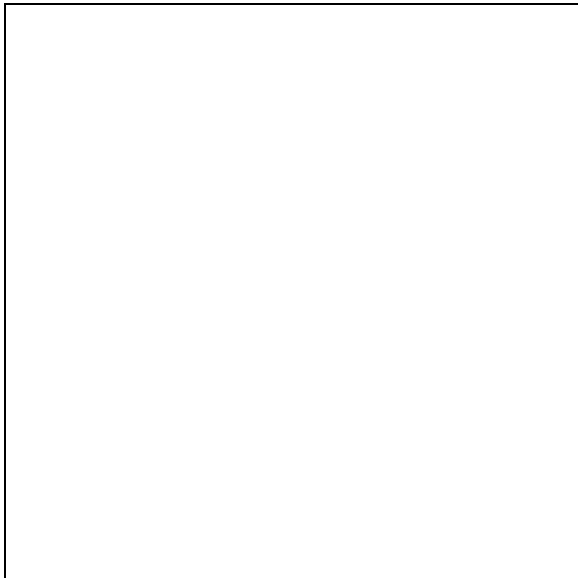
1989a). This national process allowed the Port of Fremantle to begin changing a tradition of industry based operation to private enterprise-like ways of operating. While it took a national movement to allow this change in the industry to happen, the way had long been paved with frustrated efforts to address these issues at a local level.

Waterfront Unions in Context

During the 1960s the full weight of the power of the unions on the waterfront was being demonstrated. As Turnbull



(1992)



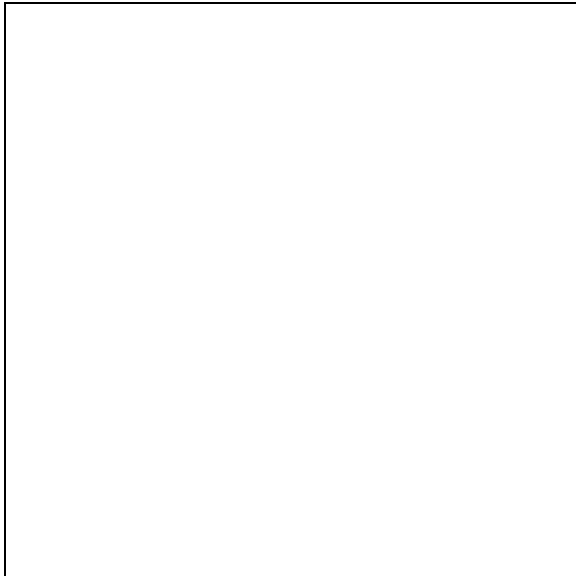
demonstrates was the case in Britain, the waterfront in Australia had operated on a "casual employment" system until the 1960's. A look at the recruitment and selection system shows how this impacted on the workforce. When a ship came in "candidates" would line up at the gates for selection. Those not chosen went home without a job for the day. Constant work was said to be assured for those known and in favour. Others, not so well known or popular could find that being selected was a constant struggle. Those not selected were not paid yet mates would look out for them. There were stories of money collected in a wheel barrow on pay day to give assistance to those not working and in need. Such practices were at the basis of the strong fraternity spirit still encountered among waterside workers. The metaphoric wheelbarrow is still in use. When a

worker has died suddenly leaving a family, wharfies may donate overtime earnings or a day's pay.

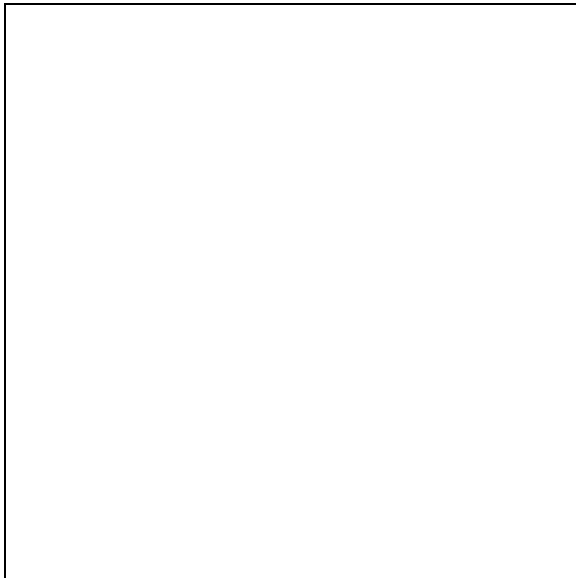
Towards the end of the decade, permanency was introduced to the waterfront. With this came the acquisition of an 'unemployment insurance policy' unequalled in any industry in Australia or anywhere else in the world. This was known as "the job for life" condition that went with employment on the waterfront. Until 1965, a right of inheritance system operated. This system of recruitment was labelled "the lumpers' sons". Sons of waterfront workers were entitled to employment on the waterfront. Anyone seeking employment on the waterfront and not fitting into the lumpers' sons category would find it very difficult to be selected on line up.

After permanency was introduced the lumpers' sons practice theoretically ceased but many interviewees subscribed to the idea that in practice this was not so. Before 1983 people describe their various recruitment experiences as vote catching exercises. After being nominated by a waterfront worker, (the nomination being the application for employment), the nominator had to canvass votes of support for the nominee. The success of a nomination depended on the amount of support a waterfront worker could get from his fellow wharfies. Then, unlike in other industries, candidates' names were given to the union, not the employing organisation. In effect, the union became the employing body, with all the managerial prerogatives that go with this status. All policies relating to recruitment and deployment of labour were handled by the union body. This seemed so natural that in the interviews respondents did not think to compare the union based operation with other enterprise arrangements.

Recruitment was controlled at the national level with little evidence of an open market focus. Prior to the first Enterprise Based Agreement



(1991)



the last intake of new labour on the waterfront was 1986. Before that it was 1983. The union controlled most of the key people management systems. The men were paid by the union. The union handled superannuation, loans and repayments. Most importantly, the union handled discipline but the inability of organisations to terminate meant that the misbehavers were simply moved around the country.

Because of the "job for life" policy, the term "sacking" came to have a meaning vastly different from its usual application in any other workforce. If a stevedoring organisation was dissatisfied with a worker's performance on the job, the individual would be sent to the union office. The union would decide on whether or not that person should be allowed to continue to work for the day or even if he should continue working on that particular ship.

Reasons could typically be for either being excessively drunk on the job or endangering others. For drunkenness the person would usually be sent home for the day and allowed to return to work the next day. In the case of someone whose behaviour was disruptive to the job or calculated to cause problems the company would usually negotiate with the union to have such a person transferred to another job. This meant being assigned to another ship or preferably to another job belonging to another stevedoring company. These procedures were commonly referred to by the men in their interviews as "getting the sack". The men indicated in their interviews that there was provision made for a worker to be dismissed from the waterfront never to be employed there again but no one could remember it happening. Further questioning about the type of conduct that could warrant complete dismissal from the waterfront brought the response that possibly the only thing that could do this would be if a worker was to hit a foreman while he was on the job. Outside the gate it didn't matter but it couldn't be done on the job.

This strong antipathy between workers and foremen was another feature of the workplace before 1990. Those promoted to the position of foreman found that they were alienated from fellow employees and considered as traitors to the "brotherhood" of workers. Life long mates would no longer talk to them. Drinking spots were delineated. One pub was frequented by foremen. Another was used by supervisors, another by workers.

Until the advent of containerisation and with it the associated changes of permanency and the "job for life" policy, the nature of the work done by the men on the waterfront was extremely hard. "Stoop money" referred to penalty rates for not being able to stand upright. Cargo was carried on the back or shoulders. The hook was the standard tool of the wharfie, used to grab a bag of cargo to "lump" it up onto his back for carrying. Hence the term "lumpers' son". While stooping down and working in confined and cramped quarters was one feature of the job there was the added problem of lack of ventilation in ships' holds. Winter brought freezing cold. Being in the metal hold in summer was like working in a furnace. There are

references in the interviews to men drinking on the job. Under these conditions drinking on the job had become a long standing tradition.

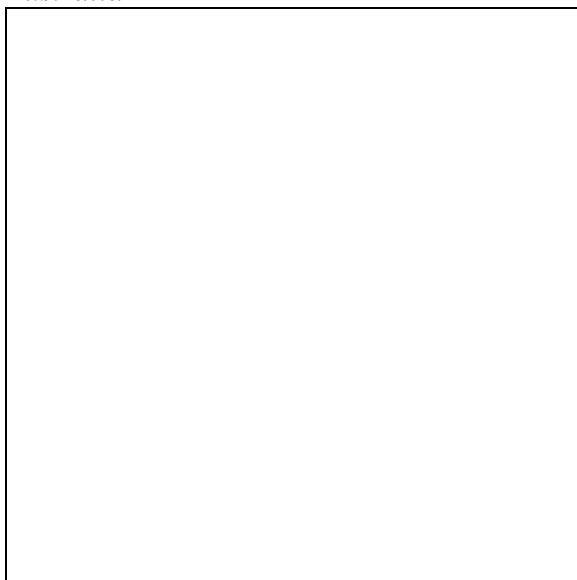
Containerisation of cargo and a more mechanised workplace meant the nature of the work became less manual, suggesting that employment numbers would drop. However, this did not happen. "Job for life" had taken care of that. Work gangs continued to have the same numbers and where a machine released a man from a particular job then another job would be created. Also there appears to have been no compulsory retirement age. The more mechanised the workplace became the more people there were to assign to such jobs as standing behind a door to open and close it or follow a clerk around and check that he had counted properly. Waterfront practices such as these and the general air of uncompetitiveness drew scathing reports from the press and cries de coeur from businesses. By the time Hawke affirmed his intention to see radical reform on the waterfront, it was clear that things could not go on much longer as they were.

A time for critical appraisal

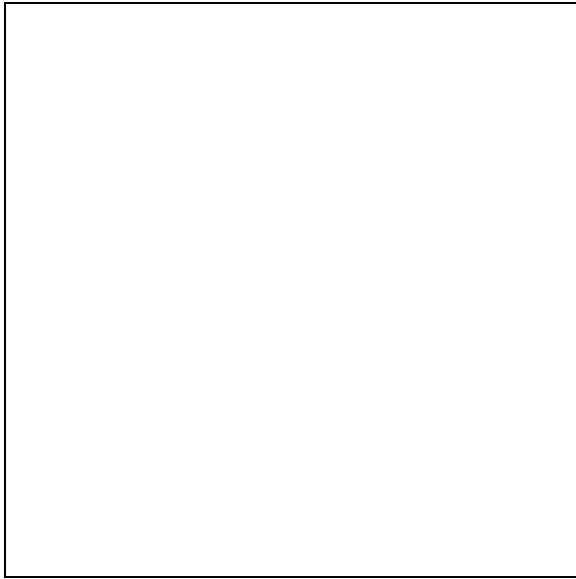
In 1981 there were signs of a critical appraisal of waterfront productivity. *A Study of Western*

Australia

Ports



(1981:xiii)



recommended that "there is a need for a change of emphasis in port developments, away from capital works towards operational improvements." While the recommendation did not directly target work practices and workforce/management industrial relations these issues were key areas of concern. The architects of this report demonstrate a clear and incisive perception of the crucial issues on the waterfront at the time applying enterprise criteria to the problems they faced.

The 1981 report made five recommendations:

***more effective consideration of developments exogenous to the ports themselves, such as air achievement.**

***changing technology and land transport systems.**

***the establishment of financial objectives, together with a modus operandi which permits their achievement.**

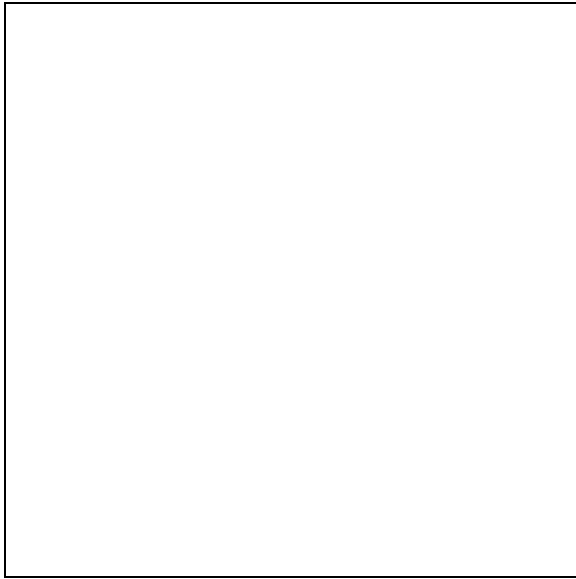
***greater commitment to, and use of, quantitative planning and evaluation techniques.**

***Greater use of commercial pricing principles as an operational tool in addition to simply raising revenue.**

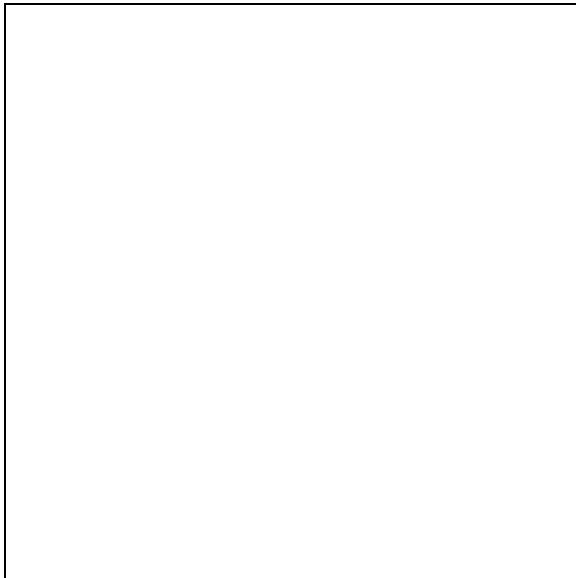
***more intensive use of existing facilities.**

(1981:viii)

*These proposals were the cause of much dissension resulting in a competing report, *A Study of Western Australia Ports: An Alternative View*



(1982)



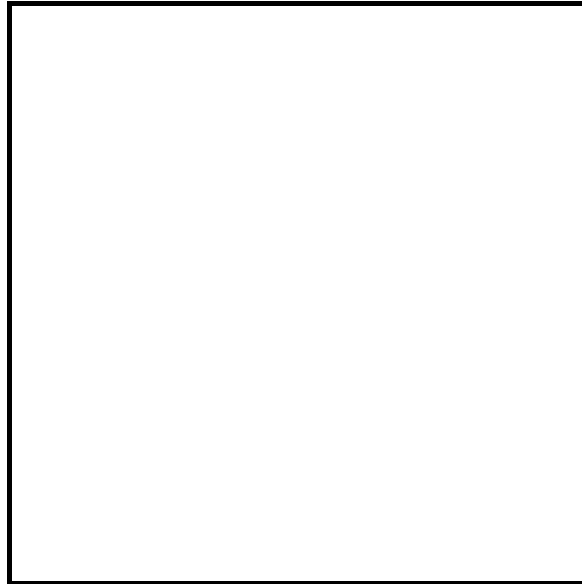
being produced. Whilst this rebuttal was designed to highlight inadequacies in the original report it inadvertently added credibility to the five proposals. The section of this alternative view which deals with the objectives of the original report encapsulates the major issue in addressing waterfront reform nationally and at Fremantle.

"A Study of Western Australian Ports" presents the desire to achieve a commercially oriented port development and operation system as the overriding objective of the Western Australian Port System. However, the report, in the section dealing with the influence of the State Government on the finances of the Port Authorities, shows clearly that this has not been the objective for the ports by governments for the past twenty years.

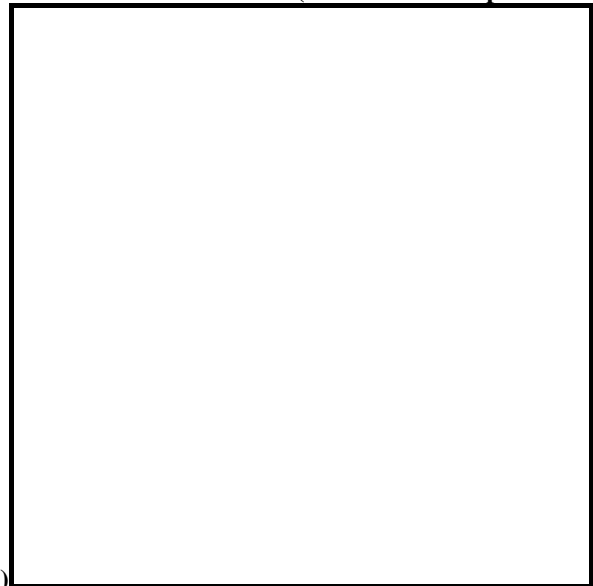
During this period the objective for the ports has been to provide a maritime transport facility which allows the produce of a region to compete on world markets on equal terms with its competitors and the import of commodities for the region at reasonable cost.

Financial considerations were not ignored, but were regarded as a constraint as to the extent to which the primary objective could be achieved.

The Public Works Department considers that this should still remain the primary objective of the port system.



(Division and Department



1982:4)

The original report, *A Study of Western Australian Ports* (1981) was produced by the Bureau of Transport Economics, Western Australia. The later document, *A Study of Western Australian Ports: An Alternative View* (1982) was produced by the Engineering Division of the Public Works Department. Understanding where the two documents originate in terms of authorship allows for an appreciation of the first document's preoccupation with economic

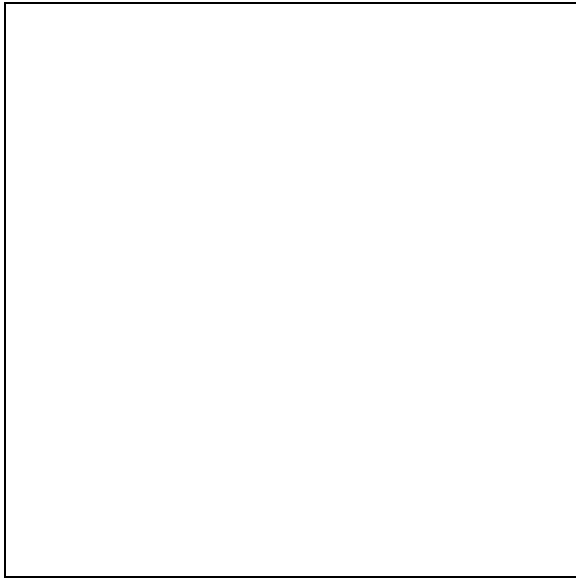
principles and profitability measures. The authors of the second document were aligned with a traditional stevedoring concept of a subsidised industry.

The first objective (in the 1981 document) proposes that ports should be economically productive in their own right thus making the cost of handling goods a competitive element in the cost structure of goods on the open market. In short, they want to make more money than they spend. This is a basic principle for enterprise of any sort that seeks to be successful.

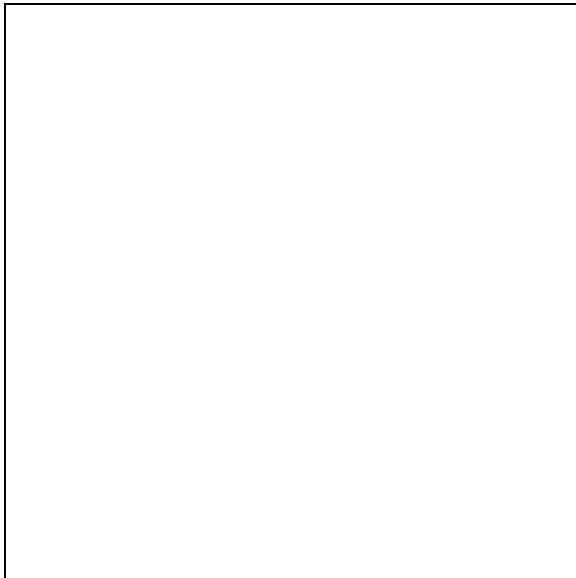
In the second set of objectives (for the 1982 document) the cost of shipping and handling of goods is meant to be absorbed into the economy through some means other than adding the cost on to the price of the product on the market. This principle is basic to the notion of protectionism and subsidising within the economy. While Port Authorities were government agencies operating as stevedores it was possible for the Australian public to absorb much of this expense. However the privately owned stevedoring and shipping companies had to absorb these costs and still try to remain competitive.

In charting the history of change on the waterfront in Western Australia it is important to take into account the local shift in first the espousal and then the pursuit of the two differing objectives for waterfront activity in Western Australia, *competition* and *protectionism*.

An indication of the changes that were to be manifested in the next decade was captured by a
Royal Commission



(1984)



on the Activities of the Federated Ship Painters and Dockers Union. The Commissioner appointed to this Commission was Frank Costigan QC. The Commission's five volume report was presented to Parliament (Parliamentary Papers 284 - 289). It laid bare the issues that were afflicting the waterfront industry. The Commission was not a solution in itself but was a significant step in highlighting the need to address urgent issues with bold and innovative measures. These measures were not immediately forthcoming.

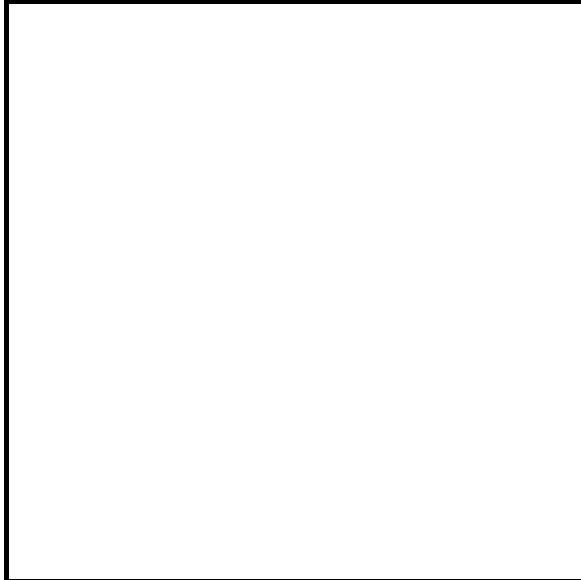
In 1987 the Business Council of Australia released a policy statement entitled *Towards An Enterprise Based Industrial Relations System*. The principle objectives of this policy were stated as:

the creation of an industrial relations environment where:

people can work together most effectively and with greatest satisfaction;

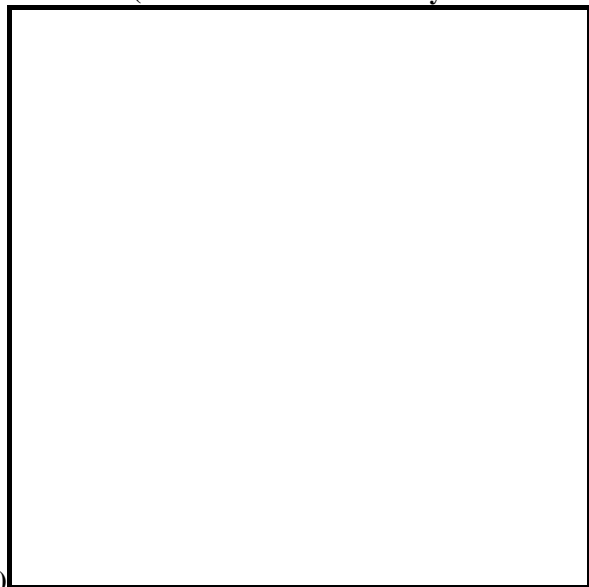
the highest possible productivity becomes the common goal for all;

healthy enterprise performance provides the best outcomes for employers and employees alike.



(Industrial Relations Study Commission

1989:ii)

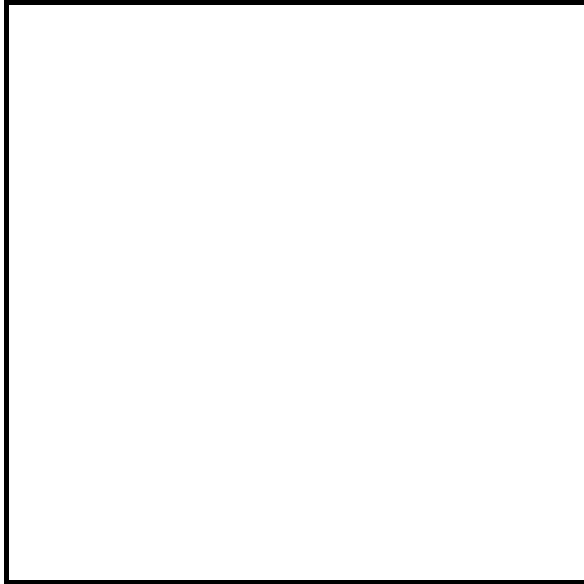


In 1989, the Industrial Relations Study Commission in its *Report to the Business Council of Australia* detailed recommendations in the two key areas of (i) union structure and (ii) the process for making agreements and awards. The report set out three main findings:

1. If more Australian businesses are to compete successfully in world markets, an enterprise-based employee relations approach, where most matters relating to the terms and conditions of work are settled directly by employers and employees in enterprises, must progressively become an alternative to the current, centrally driven, industrial relations approach.

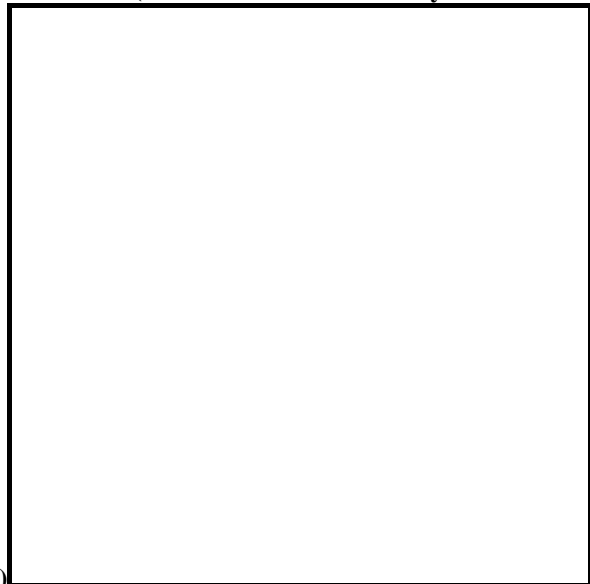
2. For that to happen, major changes in the structure of unions will be needed, so that there is ultimately only one union - most likely a branch of a larger union - represented in each workplace and enterprise.

3. Changes to allow employers and employees greater freedom to contract with respect to the terms and conditions of work also will be required.



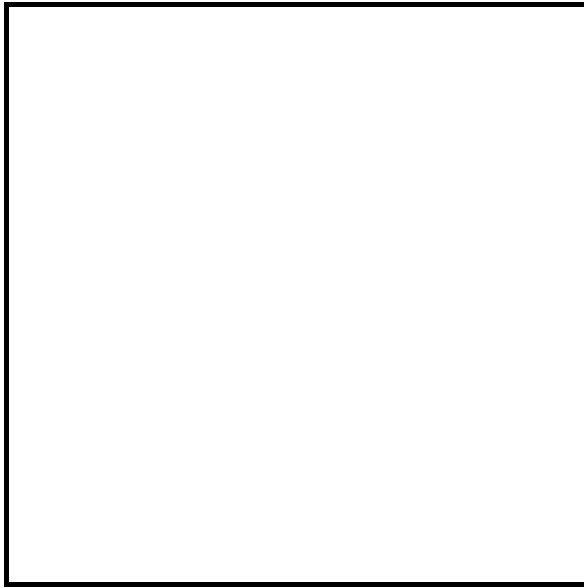
(Industrial Relations Study Commission

1989:ii)

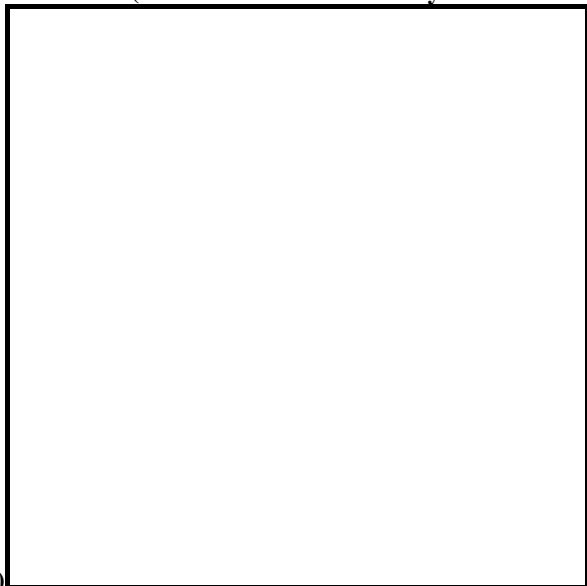


The report then recommended that:

Achieving these changes will require action not only by the governments that regulate work but also by managements and union leaders.



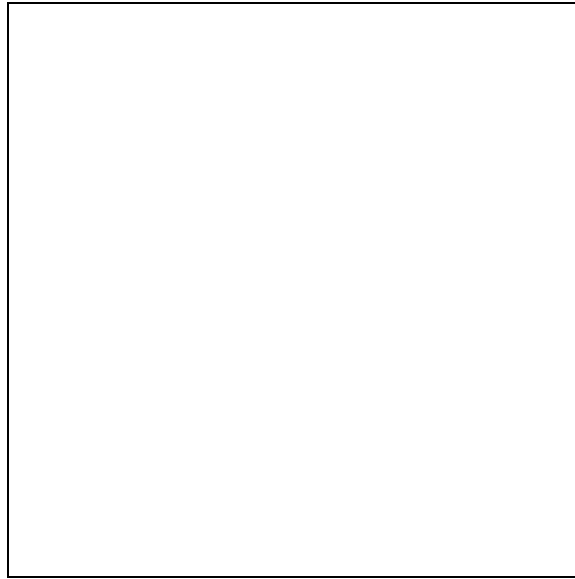
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1989:ii)

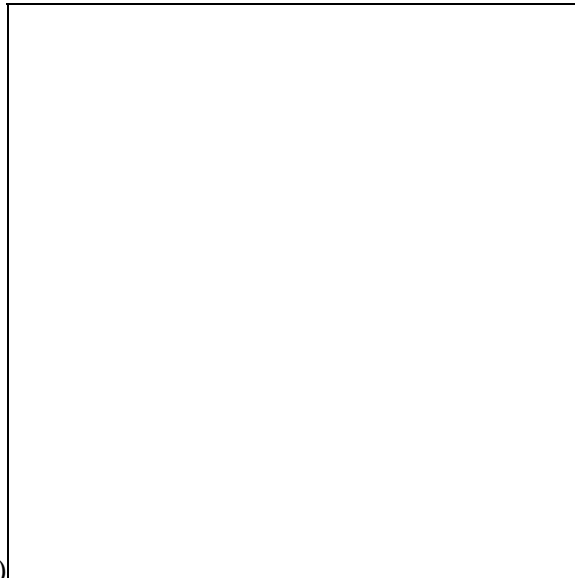
By 1989 the course was set for economic reform on a national scale. This would require micro-economic reforms within the various industries. On the waterfront these developments appear to have kept abreast of the national movement. In March 1989 the Inter-State Commission's *Waterfront Investigation Conclusions and Recommendations* was published.

The commission



(Inter-State Commission

1989b:41)



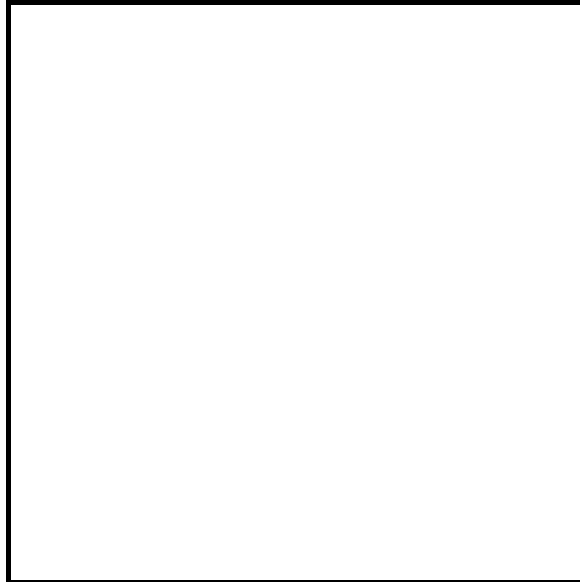
had set as its primary objective "to

eliminate waterfront-related transport impediments to Australia's trade and to achieve reliable, cost effective transport for exporters and importers." The Waterfront Industry Plan which the Inter-State Commission proposed, addressed several key areas of change. These changes were perceived to be crucial to putting in place any strategy which would secure the successful pursuit of the above objective.

The commission's proposed strategy was to be known as the Waterfront Industry Plan. This plan had seven essential elements:

- *to achieve effective management and a well motivated workforce;**
- *to strengthen the influence of exporters and importers;**

- *to increase industry transparency and accountability;**
- *to improve industrial relations and dispute settlement procedures;**
- *to ensure market-oriented provision of infrastructure and services;**
- *generally, to remove anti-competitive practices;**
- *to establish a body to coordinate and manage the strategy.**



(Inter-State Commission



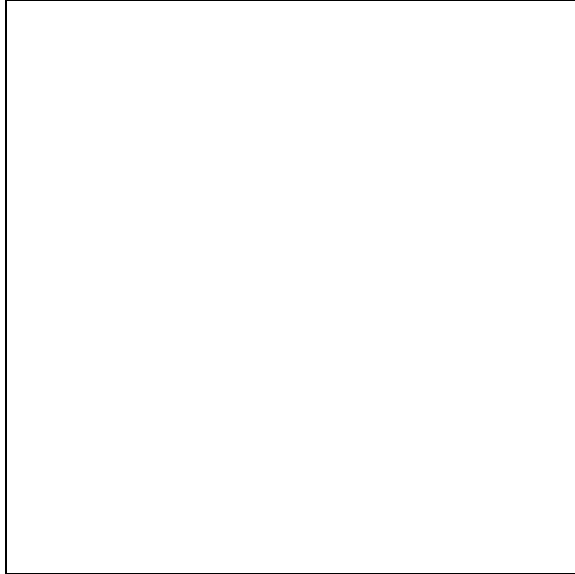
1989b:141)

Such a plan called for widesweeping changes. The first strategy proposed in the Waterfront Industry Plan was called the In-Principle Agreement (IPA). The interested parties agreed in principle to a plan which necessitated change before the details of the changes were determined. This meant that when the respective parties came to a point in discussions where there was little or no agreement they were committed to arriving

at a mutually acceptable solution. They could not retreat to an entrenched position within traditional practices as all parties were already committed in principle to change the traditional situation. In-Principle Agreement was defined in the investigation report as follows:

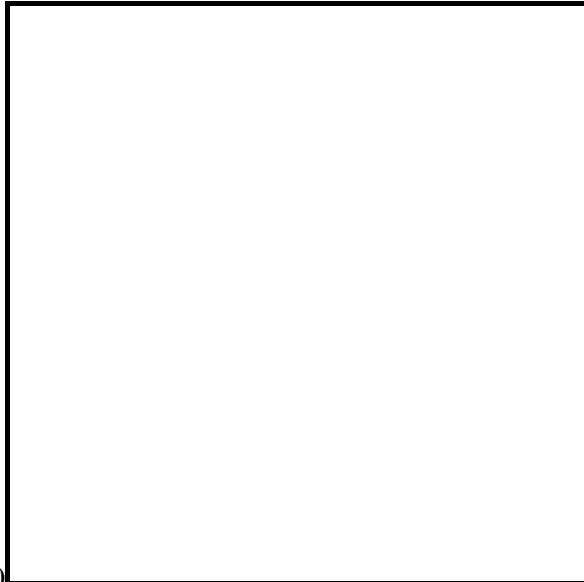
In-Principle Agreement

The Government and the parties to the Stevedoring Industry Review Committee should agree in principle to implement those parts of the Commission's plan to restructure the waterfront industry that relate to operations in stevedoring companies and international container depots.



(Inter-State Commission 1989b:143-

144)



This strategy required a significant change in communication patterns and presumed that the parties involved would be able to operate from a position of mutual trust. In order to facilitate the implementation of this principle, a monitoring body was created

with a life expectancy of three years. This body became the Waterfront Industry Reform Authority (WIRA).

The proposed change from industry employment to enterprise employment was a dramatic shift in operational practice on the waterfront where the de facto management was conducted at an industry level by unions. A massive adjustment in employment procedures could only be achieved if the mutual trust implied by the In-Principle Agreement became a reality. Enterprise employment is described as follows in an investigation report on the In-Principle Agreement,

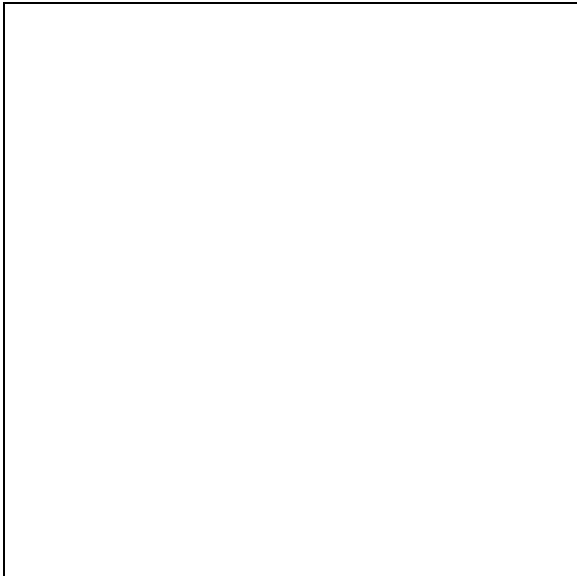
Enterprise Employment

Transfer of employment responsibilities to employers

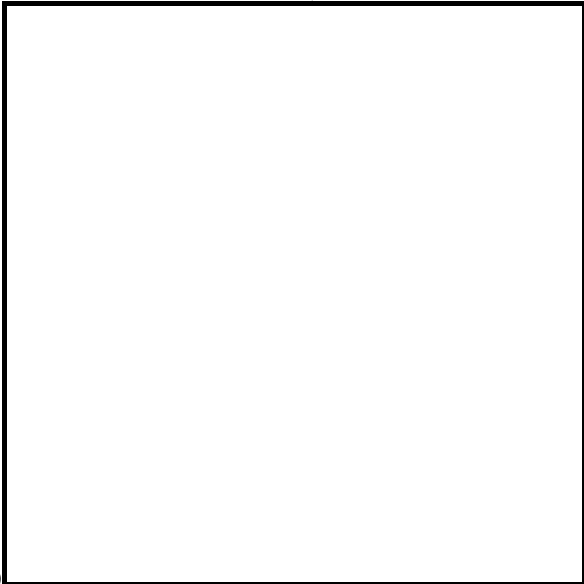
As part of the in-principle agreement, employer and employee representatives should agree to change the industry from the present industry-based employment arrangements to enterprise-based employment arrangements within three years. Enterprises should take responsibility for the employer obligations normally met by enterprises in other industries.

Management

Each enterprise should introduce organisational structures appropriate for the proposed enterprise employment arrangements. Foremen and supervisors should be incorporated in these organisational structures as an integral part of management. Responsibilities at each level should be closely defined and recruitment and training should be appropriate.

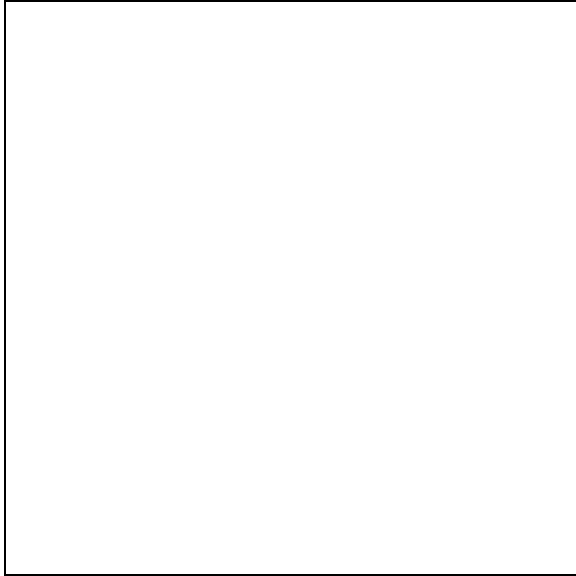


(Inter-State Commission

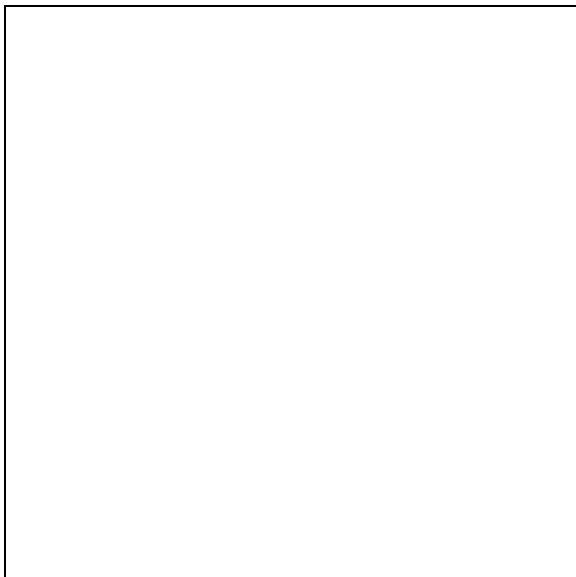


1989b:144)

In his parliamentary address "Building A Competitive Australia", Hawke,



(1991)



as Prime Minister, delivered his challenge for the foreseeable future "to produce more than we spend" (1.2). In the course of this address he refers to "a new agreement that will deliver breakthroughs in waterfront productivity" (1.11) and quotes Mr Richard Setchell, Chairman of Conaust, who claimed "it was a win for the economy and the international competitiveness of Australia" (1.11).

In this atmosphere of change, the Enterprise Based Agreement was introduced to a workforce that was predominantly middle aged. Some workers had been on the waterfront most of their working lives. Consequently their experience of a workplace culture was restricted to the waterfront. They had not previously seen such fundamental change and, because they had always been represented by unions, were not used to having their views canvassed by those

not connected to the union. In order to chart key aspects of change “from the inside” a research was set up with the following aims.

To investigate the perceptions of key groups involved with strategic change.

To inform the research organisation of the effectiveness of its transformation strategies.

Considering the highly subjective nature of the union group, the data needed to be collected in several ways, as shown below.

Data Collection Method

A three-stage approach was taken, preliminary fieldwork, in depth interviews and survey. In figure one these three stages are the building blocks for the project and the emerging issues prompting further study.

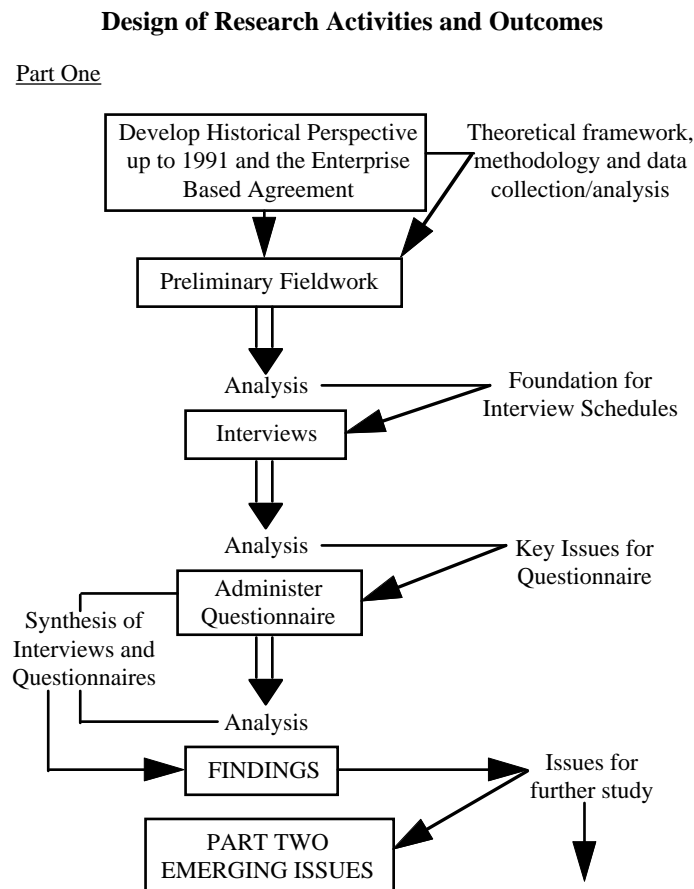


Figure 1 Design of Research Activities and Outcomes

Preliminary Fieldwork

The preliminary fieldwork was designed to familiarise the research team with both the "outside in" and the "inside out" story of Conaust. It included research activities such as being present at the newly convened Site Consultative Committee meetings, designed to provide employees with the opportunity to make contributions to decisions affecting themselves and their working environment, to improve employee relationships and avoid industrial disputation through increased communication, information sharing and consultation. These meetings were observed not with a view to collecting any particular data but more to experience the climate and conventions of "inside" communication.

An interview with Mr Hawke, Prime Minister at the time of waterfront reform and a key figure in reform design was held with the objective of seeing the situation from the outside. Interviews and meetings with other stakeholding groups including the [then] Waterside Workers Federation were held to gain another perspective.

A most important part of this stage was the focus group interviews held with workers and managers respectively. These were recorded, reviewed and sent back for clarification and acceptance by the respondents. This was seen to be an invaluable part of the preliminary fieldwork because there were many complexities about the nature of the industry and its operations that needed to be understood before relevant questions could be identified for the interview stage of the study.

Interviews

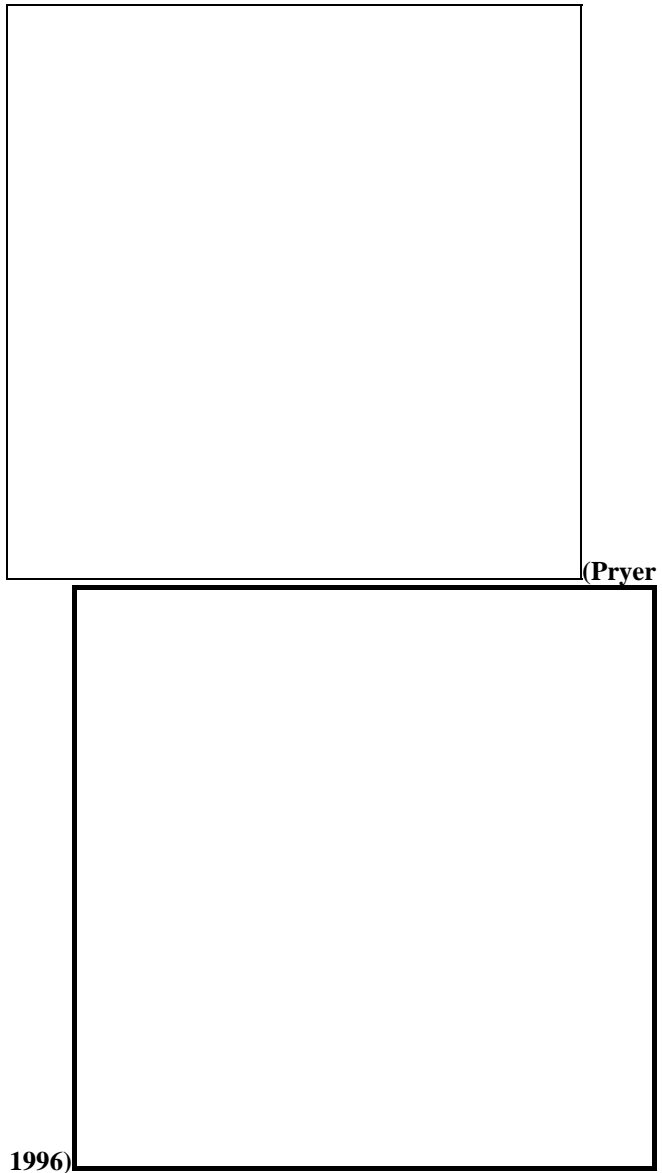
Prior to the changes discussed above, the position held by the Waterside Workers' Federation was unchallenged. The In-Principle Agreement overseen by the Waterfront Industrial Reform Authority was the instrument of accountability which brought pressure to bear on all parties espousing the concept of waterfront reform. As would be expected the position of power held traditionally by the union on the waterfront was to undergo some dramatic changes. What was not so clear, however, was what the changes meant on the shop floor, how they would be

interpreted by both shop floor and enterprise management for whom the locus of power had shifted.

To investigate this, semi-structured, in-depth interviews were held with workers. A target of 25% of the workforce was set, with everyone, except those who were not absent, having the opportunity to be interviewed. Availability was a challenging constraint in the interview phase because each day work was allocated for the next twenty four hours. Work groups rotated, five groups spread across two ports. Because of these limitations individuals were not able to predict when they would be available for interview. Various events impacted on the data collection. A union directive meant that for several months only supervisors could be interviewed. Workloads made it difficult to access people. Mistrust kept some people away. The fact that in time the target of 25% was achieved is an indicator that the process that was used for soliciting interviewees was not only appropriate but it also assisted in breaking down some of the mistrust that was demonstrated in the early stages. Interviews were recorded except for three non-recording preferences. There was an indication from the union, which was itself going through an amalgamation, that it was not a good time to be investigating from the union's view the change processes. Added to the sensitivity of workers perhaps having to choose sides between unions and researchers, the union key stakeholding group was kept informed but no further effort to interview the leaders occurred at this stage.

The main impact on the research of the union reluctance to facilitate interviews was that of time. For example, it took thirteen months to collect interview data for the second stage of the investigation. Variables such as the inaccessibility of foremen in outer ports, extra ships coming in, sudden sickness and so on account for some of this time. However disruption as a result of industrial relations events increasingly characterised the second stage of the project.

Last year, the MUA closed WA's ports for two days over the State Government's decision to allow non-union employer and building magnate Len Buckeridge on to the Fremantle wharves. It took further strike action when a vessel tried to use foreign labour, The MUA also stopped the nation's ports last year to help mining unions in their fight against CRA - the company which unions say embodies the use of individual contracts.



Preliminary findings on the union

In the course of the interviews it was decided to let any responses pertinent to the union to come naturally. The prompt in the semi structured format was to ask about the role of the union in the current enterprise based climate. The main reason for this was to ensure that findings included the key stakeholding groups, that meant unions as well as workers and management.

As can be seen from the following quotes, there are two strong perceptions. These concern the declining strength and power of the union in the enterprise based environment, and the attitude or approach of the union to the new arrangements.

There seems to be a feeling that the union worked on control not only of employers but also of workers.

... the union told you what to do. They had control on safety, they had control politically and they had control of your welfare, with their welfare system that they had in place if you were injured.

Sometimes this was vehemently criticised *They were trying to browbeat us in this company...They were giving other blokes a good go but they were giving us a bad time as though we were criminals.* The belief at the time was that this 'brow-beating' was directed at them because they were Conaust employees. At the time they saw the union as giving preferential treatment to the only other stevedoring company operating in Fremantle at the time

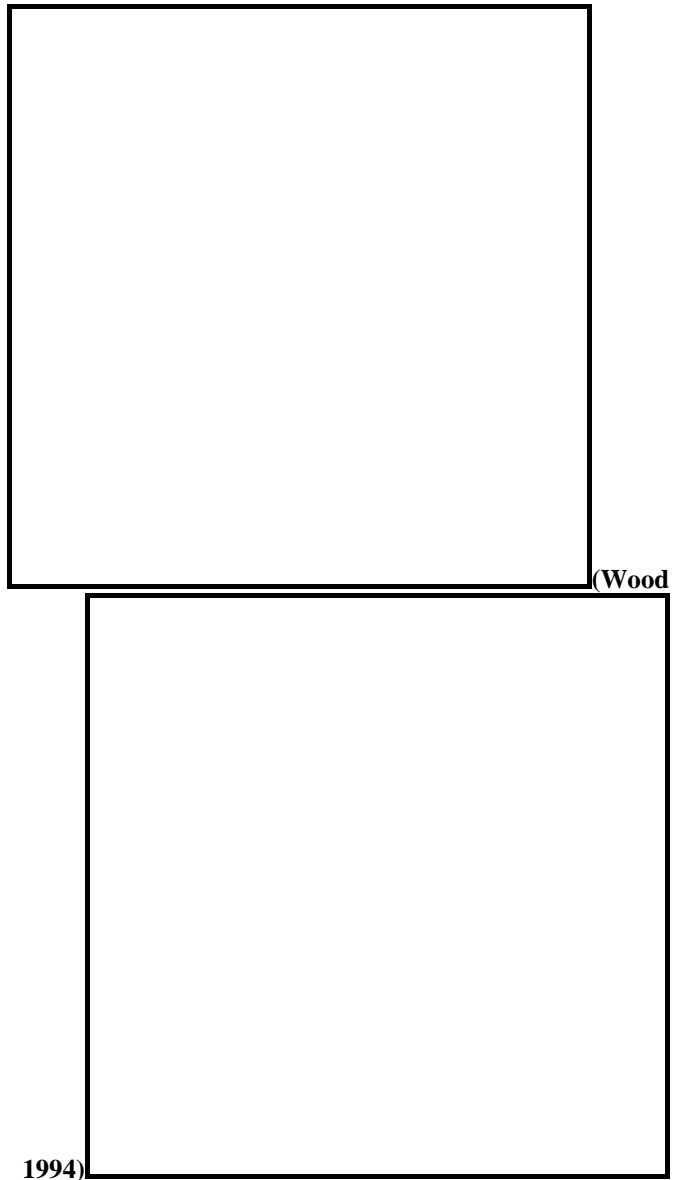
There seemed to be a perception that the union was standing fast in the old ways, perhaps employing old methods and strategies for new situations.

The people who are around in the Union now ... they've been around for many years. Most people in the industry are around ... for 20 or 30 years. So they've been indoctrinated with their thoughts of the industry, not yesterday or when the EBA was negotiated but when they joined the industry maybe 10, 15, 20 years before that. So they've got their ideas.

It is a step backwards again in that instead of having a reasonable and sensible way of discussing things you then have this dictator over things. We're not going to do that bla, bla, bla...

This view held by the workers echoes the words of John Ralph,

Whilst as a nation we have successfully managed many changes in the last decade or so, there are worrying signs of reform fatigue. The nation is poised on the brink of achieving great things, but at present there are too many emerging no-go areas for the hard won gains of the last decade to be locked in. The industrial relations system is a case in point.



The perception of union power is clear. Workers felt that the union depended for its power on numbers and as the numbers were decreasing, so was the power.

a Union survives on numbers. The more numbers they have the more power they've got. And that's what's happening today of course. The numbers are going therefore the power goes and all the way down the track the employer had problems with the Unions because they could see that with mechanisation their power was going to go because their numbers were going to decrease

Hawke (1991) predicted the same trend,

I think the realities are for the waterside workers generally around Australia and including in Fremantle - they will never, and like a number of other unions, will never have the clout and the power in a sense, that they used to have. But having said that, I think it is to the great credit of the waterside workers' union that they have come to an understanding that the world at the end of the twentieth century is not the world of the middle of the twentieth century.

There was very little reference to any particular strategies or moves the union made during the Enterprise Based Agreement negotiations. Workers seemed to think in a way promulgated in the traditional union movement, so that what was counted was strength rather than ability. There were some appreciative comments such as the ones below.

the company sent me a letter saying I was finishing and everything like that and then the union fought a little bit harder and seven of us were taken back into the company. On my last day that I was supposed to work, a supervisor just walked up to me and says, "You're not leaving now. You're staying on." Now I never got anything off the company to say that I'd been put back on or anybody from management.

The men trust them [the Union]. They don't trust management.

They still don't trust management and you should. That's the idea of the EBA ... the men are supposed to trust the management. If they have got problems come up to the management and say I've got problems. And say, "I don't think this is right" and get a fair hearing. But they don't.

I still think they're required. Sometimes to save the blokes from themselves, safety wise. Safety is their main concern now I think as far as the union is concerned.

Well the union's still there. They had to fight, cos where would we be without the union? The company say oh we'll look after you but which guidelines will we go along. Wage rises - who'd set them? Conditions, they'd want to take them away. Who'd you turn to?

Tass Bull's (1994) contribution to this discussion gives the same perspective of traditional loyalties being soundly set and resistant to the forces that are likely to erode them.

The nature of this industry and indeed the nature of the employers in this industry, more than anything has guaranteed the loyalty of the members to the Union.

However it seems evident that little has been done to alleviate the idea of the corporate battlefield and the union role as contender. An important question is whether union loyalty under these conditions has bound the men more closely or whether there is a sense of eroding

loyalty. Comments such as the ones below suggest that loyalty is shifting *When I first joined the industry your allegiance was to the union and so you stayed with the union to the inclusion of the company as having a claim on loyalty but now you've got a responsibility to the union because you've got to have some sort of social conscience and you've got a responsibility more to the company than to the industry.* The shift seems to be not only from the union itself but from the old confrontational ways of doing things. A new questioning seems to be emerging. A strong message from the workers was that they did not see the usefulness of going back to the old days. This same point of view was predicted by Kelty (1991)

The new bargaining strategy is a strategy designed to create more interesting and financially rewarding jobs, by stimulating greater worker involvement in all aspects of the way their industry and working place operates, thereby driving enterprise reform and pushing up enterprise levels.

There did not seem to be support for the unions focussing on strength rather than ways to make the Enterprise Based Agreement work.

But it is going back to the old thing, that's what they did of course in the old days ... and the union official(s) would love it because they would get back more power.

They (the unions) were gradually losing power and having to give in to demands that a lot of the time were quite reasonable but the ship owners were putting in; but still finding it very hard to convince the unions to go that way. The unions were very stubborn and fighting to survive I suppose and trying to maintain as many men on the work force as possible.

The Enterprise Based Agreement was designed to bring the worker into the decision making process. However, the union position as the men saw it, could cause divided loyalties as this quote below shows.

Well, I think that people like the management and the workers, I think they can get on all right. Cause we, - the Unions drummed into us and we got on by the Unions too see. Sometimes we're in the middle. Union tells us something's going on, you've got to - off, on strike, walk off the job and the next thing we get a letter from Conaust to say that you know, you're being warned. All that sort of thing. So you're in the middle. You don't know which way to turn.

This was a very important finding because from a human resource management point of view, the situation, if it was true, would serve to siphon off energy, cause such dysfunctional

activities as restrictive information-sharing and deflect workers and management from the shared goal of achieving recognition as a competitive organisation. Worker as "meat in the sandwich" would produce confusion instead of clarity and a blurring of purpose, in the sense of whose to be followed. *At the moment there seems to be a bit of a vendetta running which we find a little bit strange, between our union and the company.*

Among respondents there was a commonly held view that the union did not focus strongly on providing clarity of information or taking up an educative role for workers needing to understand the intricacies of the Enterprise Agreement

Because the other thing that was very confusing too, ... we had a lot of union meetings over at the passenger terminal but you never came out of the meetings any wiser than when you went in. In fact you came out more confused because a lot of the stuff was told to bamboozle you and it was only one sided and you got to the stage where you just didn't know who to believe or what to believe

One respondent talks about not being able to reach the union. *Yeah. I mean I'm sure they can come if we ring them but I mean they make it bloody hard to see them. Which is a bit disheartening ... The unions dropped us. The union's completely non existent at the moment even with the men and all... really dropped off.* However there is still the feeling of support from the union *but they still got their role to play they are still our backup when we need them* The unique place that a union movement has in working life was expressed in response to a prompt about what could be the union role *To look after the interest of the workers on the ground in the sense that traditionally the workers without a union feel that they've got nowhere to go.*

The most telling category, and that most strongly supported was that of the union attitude. These comments include both attitudes to the workforce as well as work practices fostered by the union. For example, if a worker reached foreman level it appears that he became "one of them".

The only thing I can think of is that there was a lot of bad blood between foreman and waterside workers. You were basically an outcast as a foreman, you weren't allowed to touch anything, do anything otherwise the union would be in there trying to get you put off the job. ... Once you'd left the waterside workers and became a foreman, that

was it. You were a deserter. You'd deserted the cause. They wanted nothing to do with you.

People remembered things like the "sour milk" syndrome which seems to mean that unions were concerned with ranging against management as an end in itself.

The Union got me the job in the first place, you know because that was the way it was those days to get in. Because it was the only way to get in. You had to be a Union member. I've been a Union member all my life, ever since I was 15 when I started but I don't condone stupidity, you know, for instance striking over sour milk and stuff like that. It used to be on in the old days. Stupid things.

At the same time what could be considered wasteful habits were encouraged by the union.

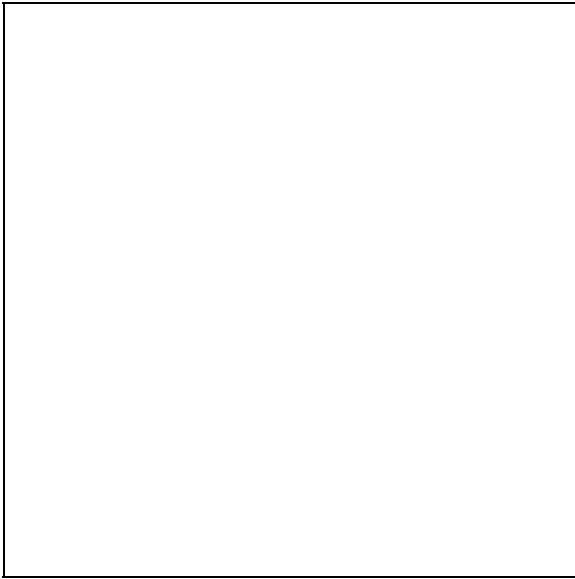
And you have more of an argument with the union and all that type of thing ... Have you locked that ---- a certain way. There was a lot of, what do you call it - they padded. ... You had two and three men for the one job. One bloke to hold the brush and one bloke to hold the shovel. A clerk is sitting beside him and counted how many shovel loads he got and the foreman was beside of him to make sure they all went together. That's the sort of thing that went on ...

Because they're still pulling the same stunts they pulled twenty years ago. Twenty years ago they were an effective organisation. We wanted a rate of pay or we wanted something, we had a couple of days off and we got that rate of pay. The mentality is still the same in management, in the unions.

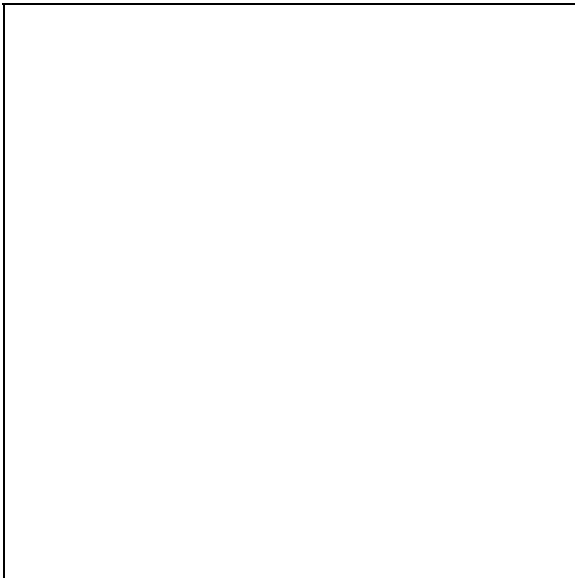
One structural device in the Enterprise Based Agreement, the Site Consultative Committee was seen as an alternative way for workers to communicate with management, rather than through the union which, traditionally was the only formal channel of communication. What did the men think of this? Responses supported the more general statements about unions, and that was that the union was fighting which was not appreciated. However recognition that the union was appreciated as a back up was still in evidence.

... before '91 the union had more control over the company groups now ... we have our own site consultative committees and ...they[unions] have lost a certain amount of grip and I think they know it and they are trying to fight it but they still got their role to play they are still our backup when we need them.

Even so the Site Consultative Committee seemed to have gained strength in the relatively short time it was in existence



(1994)



has a given a signal of awareness within the union that the old ways need to be abandoned. He comments, *one would like to think that problems no matter how great they are could be solved by some method other than that very traditional and old-fashioned way.*

Another strong theme coming through is that of union adaptation to change. This comes across in two ways. Firstly, there are many references to the union not changing its attitude from the confrontational ways, as the workers say “going hammer and tongs”. Others are more like the following *if there's somehow the Unions can understand - if they can change, if they can adapt, because I think it's a question of adaptation, I don't think they've adapted to where we're at...* which is basically saying that unions have not been making use of their time

to learn the newly required ways of communicating and negotiating. Views like the following would not need to be too widespread for the union to end up with a serious credibility problem. *I think that a lot of employees are getting pissed off with the union and with the interference and all that sort of stuff. They're beginning to see that they have an interfering rather than a supportive role.* So what do employees want the union to do? Comments about the lifestyle of the workers provides much evidence that the social welfare of members is an area that requires attention. Talking about a management initiative to help the men *if they've got family problems they can go to a consultant*, there was a feeling that providing help and support to employees would be a valued union role.

Conclusion

It seems evident that things have changed in the way the union is perceived by the workforce as it sits within the Enterprise Based Agreement framework. In particular, there appears to be a shift in thinking away from the exclusive concern with the “who has the most power at present “dialogue one would expect to see in post-reform times. Released from the situation of being ‘spoken on behalf of’ workers give the impression of being willing and able to articulate their own views about working conditions. This is a significant finding and it signals an important way in which the employee / employer relationship could evolve.

Members are critical of the way in which they perceive the union to be operating, They see much of the what the union does as promoting its own self interest as distinct from the needs of the members. The 1995 strikes cited above were both intrusive and disruptive to the operations within the industry. While these events were reminiscent of industrial activities prior to November 1991 they have not been followed up with the same intensity of industrial disruption that were the hall mark of the industry at the time.

The findings do not, however, suggest that the union is redundant. Far from it. Not one worker indicated this. However the traditional union role which appeared to include restrictive practices, sometimes unreasonable disputation practices, activities aimed at

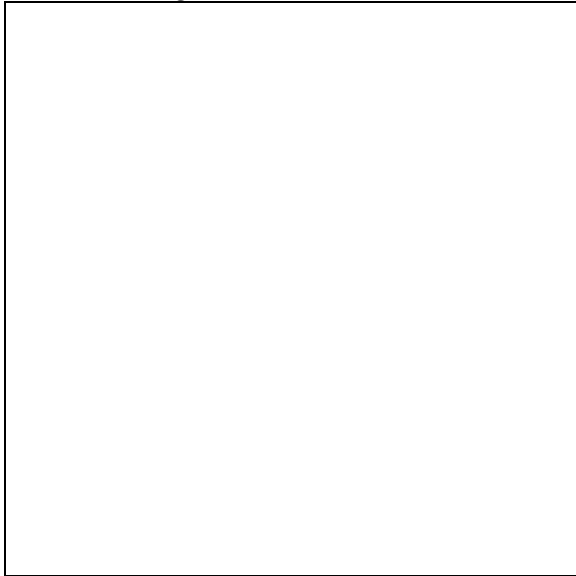
promoting control rather than efficiency were seen to be redundant. They were no longer welcomed in the eyes of the respondents. Adhering to these practices was viewed as contributing to assessments of industry performance such as that found in *International*

Benchmarking

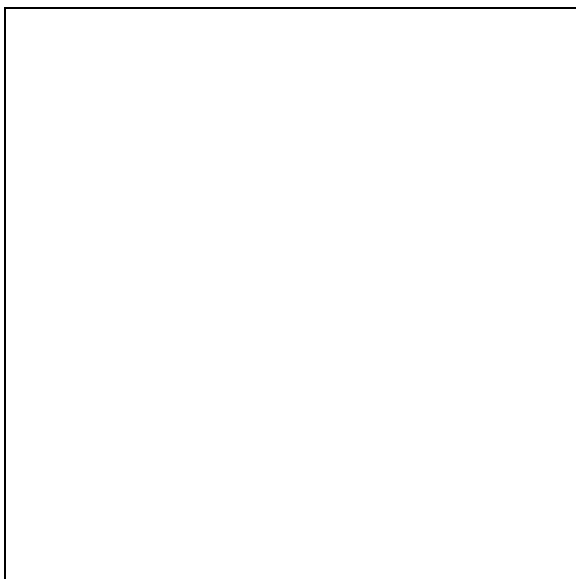
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Waterfront

1995



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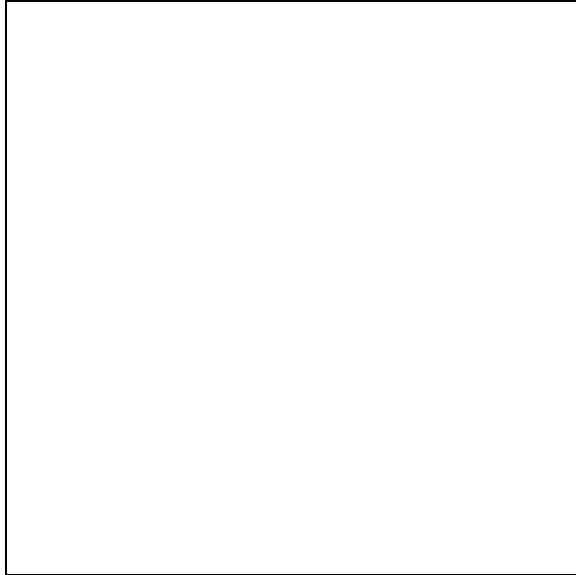


“In particular, Australian ports are not performing well in terms of speed and reliability. ... Consequently the gap relative to world’s best practice has not been closed.” It would appear from these preliminary findings that workers want to have a central role in negotiating important aspects of their working lives.

The findings signal a need for the union to self examine its role in the light of the expectation of its members. It is proposed at this point in the project to initiate this self examination

process by interviewing key union personnel with a view to discussing their vision for the future role of the union in an enterprise based arrangement on the waterfront.

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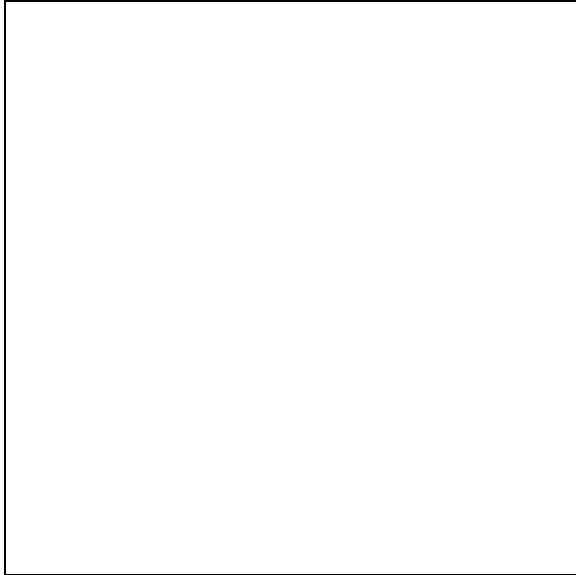
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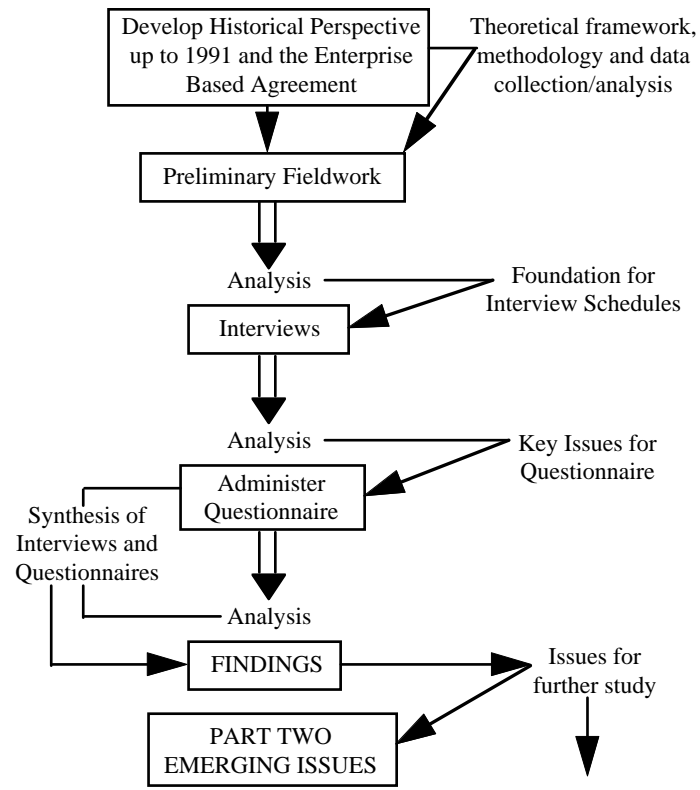
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Part One



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