CHAPTER 8

CONCLUSION

This thesis has sought to analyse the activities of the New South Wales Branch of the Australian Building Construction Employees and Builders’ Labourers’ Federation - activities that led to the cancellation of the registration of its parent body. Those activities included acts of defiance and contempt for the rights of employers in the form of ‘worker control’ campaigns, acts of intimidation, and the widely known Green Bans. The NSW/BLF conducted its campaigns in association with the NSW/FEDFA, but to the exclusion of the rest of the trade union movement.

This thesis has considered the NSW/BLF activities within the context of the NSW building industry as a whole, and has sought to describe and analyse the responses of the MBA/NSW to those activities. This thesis has also sought to explain, and analyse, the circumstances under which the MBA/NSW and the ABLF finally combined their resources to destroy the incumbent leadership of the NSW/BLF, and under which the trade union movement generally adopted an impassive stance during those later events.

Such analysis has, implicitly, identified various components within Dunlop’s analytical and functionalist model, and described events, again implicitly, related to Dahrendorf’s ‘authority contest’ theory. Further, changes in the variables of Australia’s industrial relations system have been described and analysed, and particular emphasis has been placed on the effect of those changes on the interactions between the actors within the NSW building industry.

The study has been historical and based on five hypotheses. First, that the activities of the NSW/BLF leadership during the years 1970-74 were influenced by the policies of the CPA. Second, that those activities were effective due to the shared political beliefs of the leaderships of the NSW/BLF and the NSW/FEDFA, and the strong strategic position occupied by crane crews in the burgeoning high-rise building sector. Third, that the
leadership of the NSW/BLF were influenced by pressure groups external to the NSW/BLF membership, and by their objectives. Fourth, that the objectives and nature of the NSW/BLF campaigns, and the impaired authority of the federal commission, led the MBA/NSW to ultimately seek the destruction of the incumbent leadership of the NSW/BLF. Fifth, that the NSW/BLF leadership, due to its policies, was isolated from NSW building tradesmen’s unions and from its own federal leadership, leaving it vulnerable to employer strategies.

The Industrial Relations System in Australia comprised four basic parties: Employers, Unions, Governments,¹ and the Arbitration Tribunals - with the Tribunals acting as power stake-holder; and, the Government seeking to underpin the system with laws appropriate to economic growth. Conflicts within the system were resolved through conciliation and arbitration, with sanctions being applied to recalcitrant unions.

During the 1960s the introduction of high-rise construction and the greater use of concrete dramatically affected the technology and the work community environment within the commercial sector of the NSW building industry. Changes in technology created new, and greater, demands on the skill requirements of builders’ labourers. This transferred strategic power at the workplace to builders’ labourers, and particularly into the hands of dogmen and crane drivers. The concentration of workers on those large construction undertakings, within a fairly restricted geographic area, changed the work community environment and made union enrolment easier. The formation of a central Rank and File Committee, by activists within the NSW/BLF, commenced the development of a class spirit among builders’ labourers within the Sydney central business district.

Legislative amendments removed many ‘market constraints’ and opened the way for the building boom. The builder/developers with their ‘hard dollar’ investments, and their construction works unaffected by ‘rise and fall’ contracts, introduced a new (budgetary) factor into the building industry.
The 1969 Clarrie O’Shea Case, the election of a communist to the leadership of the NSW/BLF (and the ultra-left policies espoused by his political party, the CPA), each introduced new elements of dynamism into the industrial relations system.

The external environment had changed dramatically during the latter part of the 1960s. The era of protest had emerged with a war in Vietnam and a racist government in South Africa providing focal points for such protests. Resident Action Groups had formed long before Kelly’s Bush and the NSW/BLF leadership attracted so much attention, due to the failure of the State Planning Authority (SPA) to adequately, and fairly, administer the NSW government’s responsibilities for that function.

This thesis has sought to explain why the NSW/BLF embarked on its aggressive and ultra-left policies and how the social environment provided an additional stimulus to those policies. Spender suggested that the student revolt (in Columbia, the Sorbonne and at Berlin) seemed remarkable and shocking because it happened against a background devoid of any ‘revolutionary situation’. He concluded:-

---what the revolt did show was that people may protest against the society in which they live and even strive for revolution on grounds which are not generally accepted as reasons for revolution.

This may explain the emergence of student activists and, when joined to the frustration created by policies of the State Planning Authority, provide an explanation for the formation of Resident Action Groups. The relationship between the attitudes of student activists and those within the Women’s Liberation movement has been outlined in this thesis. The interest of the CPA in attracting members of those movements to the ranks of its ultra-left, and the relevance of that interest to the NSW/BLF leadership, has also been explained. This thesis has also provided evidence of the relationship between the ultra-left policies of the CPA and the activities of the NSW/BLF.

1 Dunlop’s model has been expanded to include governments as participating actors within the industrial relations system. Certainly the attitude and responses of the Whitlam Labor government (to the de-registration strategies of the MBA/NSW) were an inhibiting factor.
3 Ibid
The NSW/BLF sought to justify its first ‘sortie’ into violence on the basis that the standard of the amenities provided on the building site were inadequate. There were, however, remedies at law available to the NSW/BLF which they chose not to pursue. This, does not excuse the failings of the employers, nor the ineffectual role played by the MBA/NSW in seeking to encourage employers to redress those failings. It does, however, provide prima facie evidence that the NSW/BLF was more focused on confrontation than on achieving solutions within the framework of the law. The actions of the NSW/BLF leadership appeared to be a revolution looking for somewhere to happen, and the employers failure to meet many of their obligations lent plausibility to their actions. They appeared to pursue what ever revolutionary objective appeared - a sort of opportunist approach to objective-setting. This thesis has described Mundey’s explanation that the NSW/BLF imposed the green ban on ‘Kelly’s Bush’ because the union was asked. The accidental manner in which the NSW/BLF became involved in the Women’s movement has also been described. This thesis concludes that the objectives behind some campaigns merely provided the NSW/BLF with a vehicle through which to pursue the ultra-left policies of the CPA. That those campaigns were also related to the objectives of ‘political competitiveness’ is a further conclusion offered.

The MBA/NSW, in responding to the NSW/BLF activities, sought protection from the Summary Offences Act and attempted to restrain the NSW/BLF through the provisions of disputes settlement procedure designed to remove their right to pursue wildcat strikes. The MBA/NSW was determined in its opposition to the worker control objectives of the NSW/BLF. There was some cynicism in the MBA/NSW insistence on a settlement procedure which required the NSW/BLF to negotiate, rather that take strike action, over demands that the MBA/NSW had already resolved to reject.

In essence, the argument over the Disputes Settlement Procedure summed up the entire confrontation between the MBA/NSW and the NSW/BLF. The NSW/BLF wanted ‘worker control’ and pursued that objective (and other objectives proposed by groups external to the NSW/BLF membership) within the framework of the ultra-left policies of the CPA. That the NSW/BLF was effective in that process was due to the shared
political beliefs of its leadership and the leadership of the NSW/FEDFA, and the strategic power of the crane crews. The MBA/NSW, on the other hand, wanted the NSW/BLF to relinquish its ultra-left policies, and its worker control objectives, by committing itself to a restrictive set of procedures.

The NSW/BLF, in line with CPA policy, abandoned the ‘united front’ concept that the union movement generally supported, and pursued a ‘one-out’ approach. That approach, its demands for many builders’ labourers to receive wages equal to that of tradesmen, ‘political competitiveness’, and the violence at a meeting of the Labor Council of NSW, isolated the NSW leadership from its own federal leadership and from the NSW union movement.

The application by building tradesmen’s unions for a National award provided the MBA/NSW with an opportunity to exert pressure on the ABLF leadership. That pressure was in the de-registration of the ABLF, and in using its loss of registration as the basis for denying its leadership access to the negotiations and hearings related to the tradesmen’s unions’ claims. The price demanded by the MBA/NSW for withdrawing its opposition to the ABLF being involved in that historic award-making event, was the removal of the incumbent leadership of the NSW/BLF. The animus that had developed between the leaderships of the ABLF and of the NSW/BLF was an important factor in the MBA/NSW achieving the agreement of the ABLF to such an action. Due to its isolated position within the NSW union movement, the NSW/BLF was vulnerable to the combined attack of the MBA/NSW and the ABLF.

The thesis also described how the unilateral responses by the MBA/NSW placed it in conflict with others within the MBA movement and with national contractor members. While that fact had limited impact on the events analysed by this thesis, it had great significance for the MBA/NSW over subsequent years.

For that reason, a short epilogue has been included with this thesis.