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What the Dickens will workers do when the spotlight turns off?

By Richard Glover
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EACH day this week we've been treated to another Dickensian tale from Australia's workplaces. Reading the newspaper has been like flipping through the pages of *Hard Times* or *Bleak House*. Get Lionel Bart to add music, and the whole thing could give *Oliver Twist* a run for its money.

Dickens, of course, has sometimes been accused of laying on the pathos a bit thick. Would a workhouse boss really turn on a starving child who simply held out his empty bowl and asked for "More, please"? Would any employer be as hard-hearted as the vividly drawn Ebenezer Scrooge in *A Christmas Carol* - being so beastly to Bob Cratchit and poor crippled Tiny Tim?

Thank God the Australian industrial relations system is now rushing to rescue Dickens's literary reputation. After this week's news, even his lachrymose storylines are starting to look restrained.

Take the tale of the Melbourne construction workers who paused in their work to take a collection to help a family in need. Christos Binos, a fellow construction worker, was killed last month when he was crushed by a concrete slab, leaving a wife and three children. The workers, in one of the fine traditions of the industry, stopped work for 15 minutes to take a collection to help Binos's widow.

Their employer was quite happy about the stoppage, yet because it was "unauthorised" in terms of the act, the boss has been forced to dock each of the workers four hours' pay. If the firm failed to dock the workers, it faced fines of up to \$33,000 under the new workplace rules, and so - reluctantly - the employer acted.

The result was that the employees worked for no pay for 3¾ hours - punished for their act of communality and generosity. For all the good it did them, they might as well have downed tools for the full four hours.

Beat that, Charles Dickens: a storyline in which a government agency steps in to force an employer to be less compassionate.

Or there's the case of the 70 coalminers in Queensland. They arrived at a new job, only to find the accommodation was infested with fleas and feral cats, and built atop an overflowing septic tank which had contaminated the site.

They refused to work until the fleas and cats were removed and the flow of raw sewage staunched - a process which took three days. For this act of unreasonable self-regard and luxury-seeking, the Government's Office of Workplace Services has been suing these 70 workers for \$20,000 each in fines for unlawful industrial action; with their union fined

\$100,000. The Government agency backed off this week, no doubt disliking the glare of bad publicity.

Read it, Charles Dickens, and weep. Suddenly Josiah Bounderby in *Hard Times* looks like a bit of a pushover; Scrooge himself a softy.

Dickens always liked to feature some younger characters. He may have warmed to the story of Amber Oswald, the 16-year-old juice bar worker whose case was highlighted this week by the *Herald*.

Made redundant and then rehired, her pay for a seven-hour Sunday shift has gone from \$99.89 before tax two weeks ago to \$59.99. Amber might work in the juice business, but it's not just the oranges and lemons that are being squeezed dry.

Her employer, when approached and photographed by the *Herald*, sensibly claimed to be someone else. Meanwhile, on radio, her manager claimed there had been a mistake and she would now be given more money.

You'll notice the pattern: every day a new shameful story emerges. And every day there is some sort of temporary backdown by either the government agency or the employer. Whether it is the Cowra meatworkers or the Queensland miners, the glare of publicity brings a backflip.

Yet the backdown is always specific to that case; at no time does the Minister for Workplace Relations, Kevin Andrews, confess that the new laws might be at fault. At Cowra, for example, the employer had sacked its entire workforce and was proposing to rehire the bulk of workers at lower rates. It backed down after three or four days of bad publicity. Yet, when asked about the case, the minister hasn't been willing to hazard a guess as to whether the company's proposed action would have been legal under the new laws.

Why this shadow dance? The Government and its cheer squad are just waiting for the media to tire of the story. Those mistreated under the new laws will get a good hearing - but only while they can secure some media coverage of their plight. Once that stops, as it inevitably will, so will the backflips.

Which leads us to the real question: what the Dickens will Australian workers do then?

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