

## CHAPTER 5

1971

The heightened militancy and Union consciousness amongst the membership which had been a product of the 1970 strike was also a feature of the Union's 1971 activities. However, this industrial activity took place against a background of continually deteriorating relationships with both the B.W.I.U. and the Federal Branch of their own union. Also, during the year the first effective ruling class offensives against the Union began.

Industrial action in general was very high throughout the year. In the first eight months, 2.25 million working days were lost throughout Australia compared to 1.67 million in the same period the previous year.<sup>1</sup> In the first five months of the year three out of every four days lost were lost in N.S.W.<sup>2</sup> But more significantly, about 45% of the total days lost in all industries were lost in the building industry.<sup>3</sup> The record months were May when 507,000 days lost out of a total of 648,100 was caused by the building industry, and September when "more working days were lost in the [building] industry than in all other industries combined".<sup>4</sup>

Radical experiments in industrial strategy were taking place. The most significant of these were work-ins by dismissed boilermakers at Harco Steel in Campbelltown<sup>5</sup> and the struggles taking place on the Opera House over workers' control.

1971 saw the start of many new building projects in the City. The most important were Centrepont, the new Sydney Hilton Hotel, the CAGA Centre, Offices in Walker Street North Sydney, and a \$20 million extension to the Royal North Shore Hospital. However the glut of high rise office space in the C.B.D. was becoming apparent<sup>6</sup> and by the end of the year, a slight downturn in the industry caused bleak predictions for 1972.<sup>7</sup>

1 Sydney Morning Herald, 11 November 1971.

2 Sydney Morning Herald, 4 August 1971.

3 Construction, 2 December 1971.

4 Ibid.

5 For a detailed description of this situation see Lloyd Caldwell and Mick Tubbs, The Harco Work-In: An Experience of Workers' Control, February 1973, A National Workers' Control Conference Publication, 22pp.

6 Gavin Souter, "The Glut in Skyscrapers", Sydney Morning Herald, 7 September 1971. Also The Australian, 1 October and 19 October 1971 and Sydney Morning Herald, 2 October and 15 October 1971.

7 Construction, 4 November 1971 and 18 November 1971; Sydney Morning Herald, 6 and 19 November and 2 December 1971. These predictions never eventuated. 1972 was a boom year in the industry.

In these feverish industrial conditions, the internal organisation of the Union remained remarkably stable. Apart from problems with the ever troublesome Canberra Branch, little of administrative significance occurred during the year.

The Canberra problem came to a head in February when Don McHugh called a meeting and declared the existence of a full A.C.T. Branch of the Federation, exactly as Bud Cook had predicted he would. The N.S.W. officials argued that this "Branch" was "illegal and unconstitutional and cannot represent the B.L.F. in Canberra".<sup>8</sup> McHugh maintained that the question of an A.C.T. Branch "is not a matter for the N.S.W. Branch but for the Federal Executive".<sup>9</sup> Gallagher sought a legal opinion on the matter which advised:

It is our view that this branch has no standing and in fact is not a branch of your Federation at all.

...it is suggested that this is a matter which could only be determined following consultations between the Federal Council, N.S.W. Branch and the Builders Laborers' actually residing in the A.C.T.<sup>10</sup>

The N.S.W. Executive sent Joe Owens to Canberra. He called a meeting in conjunction with Peter Hawke, the Canberra organiser, of all builders' labourers in the A.C.T. to discuss "the formation of a broad A.C.T. Area Rank and File Committee to co-ordinate Union policies in the area..."<sup>11</sup>

The F.M.C. discussed the situation at their March meeting. Morgan from Tasmania and Davies from Western Australia successfully moved: "That the NSW Branch is the only body that the Federation recognises to look after the industrial interests of the Federation and its members in the A.C.T."<sup>12</sup> However the N.S.W. Branch proposed that:

At the end of 1971, the Federal Council, after consultation with the NSW Branch, will review the position and, if the A.C.T. Area Committee has functioned successfully, a Sub-branch will be set up in 1972.

If further progress is made...the Federal Council...will consider the formation of a Branch in the A.C.T. at the Federal Council Meeting in 1972.<sup>13</sup>

8 Document, A.B.L.F.: NSW Branch: Circular to All Members, n.d. (February 1971), lp. roneod. Authorised by Bob Pringle (President) and Joe Owens (State Executive Member) N.S.W. Branch.

9 Correspondence: D. McHugh to N.L. Gallagher, 10 March 1971.

10 Correspondence: Slater & Gordon to the Federal Secretary, Australian Building and Construction Workers' Federation, 10 March 1971.

11 Document, A.B.L.F.: Rank & File Meeting...Monday 15 March 1971, n.d. (March 1971), lp. roneod. Authorised by Joe Owens (State Executive Member) and Peter Hawke (Canberra).

12 Minutes: Federal Management Committee, 23 March 1971, p.4.

13 Ibid., pp.5-6.



Despite these ameliorating proposals, McHugh remained implacably opposed to the N.S.W. leadership. It is obvious from his published remarks that his differences were becoming increasingly more political than organisational. Explaining his resignation from the C.P.A. during the 1971 split McHugh opined: "I don't agree with Munday or his 'direct action' brand of Communism...That lot are too dictatorial and too Trotskyist".<sup>14</sup> Although McHugh joined the A.L.P. rather than the S.P.A. after the split he remained Secretary of the Canberra branch of the Australia-U.S.S.R. Society which signified some sympathy with the Moscow-line grouping. His role within the Federation became increasingly ambiguous until Intervention, when he openly sided with Gallagher.

Another ramification of the ill-will building up between the opposing bodies within the C.P.A. was the B.L.F.'s decision to move out of their Vine House Office and back into the Trades Hall.<sup>15</sup> Although this increased their contact with other unions it emphasised their break with the B.W.I.U. But this was of greater industrial than administrative significance.

In the main, the officials worked in harmony throughout the year. Disruption on the Executive was non-existent and without an election in the offing the "Maoist" opposition was hardly in existence. Maurie Lynch, the moderate A.L.P. member who had failed in his election challenge the previous year, attended few Executive meetings.<sup>16</sup> Because of this he was asked to stand down as Federal Councillor<sup>17</sup> but refused.<sup>18</sup> Consequently he went to Federal Conference but his attendance at meetings did not improve and he eventually dropped out of active Union involvement. His supporter during previous years, John Maiurano, was in conflict with the Union during the year and was eventually charged by

<sup>14</sup> News Weekly, 11 October 1972, p.5.

<sup>15</sup> There has always been much speculation along the lines of "did he jump or was he pushed" about this decision. Ralph Kelly (Interview: 13 December 1977) claims "we were given 24 hours to get out" and another story consistently told is about a B.W.I.U. official being hit on the head with a garbage tin lid by a B.L.F. rank and filer. Certainly there is no prior discussion in the Minutes about the matter. The place of the meeting is noted as 535 George Street (Executive Meeting, 13 April 1971) and then Room 28 Trades Hall (Executive Meeting, 20 April 1971).

<sup>16</sup> His absence was especially noted in the Minutes: Special Executive Meeting, 4 June 1971; Executive Meeting, 3 August 1971; and Executive Meeting, 2 November 1971 (where it was pointed out that he had been absent for the last three meetings).

<sup>17</sup> Minutes: General Meeting, 2 November 1971.

<sup>18</sup> Minutes: Executive Meeting, 16 November 1971.

members employed at Ferndell Engineering with "obstructing the organised and elected delegate committee"<sup>19</sup> and causing thirteen B.L.F. members and fifteen F.E.D. & F.A. members to be sacked.<sup>20</sup> Although rank and filers spoke against Maiurano's membership of the Union Munday argued that "there was some danger in refusing any worker the right to work"<sup>21</sup> - an ironical comment considering later events.

These internal problems were quite trivial when viewed in relation to the problems faced by the Union from outside. The Branch was becoming increasingly aware of the need to combat isolation of their Union within the labour movement on account of their unorthodox industrial and political activity. The Executive regularly contacted other unions on matters of mutual interest and Munday stressed the importance of attending Labor Council and other combined union meetings.

The Executive saw moves to isolate them as coming mainly from the other unions in the building industry. Consequently, when the name of the Federal Union was officially changed on 1 January 1971 to the much more comprehensive title of Australian Building and Construction Workers' Federation,<sup>22</sup> the N.S.W. Branch took little notice of the change and rarely used it officially. When the F.M.C. resolved that the new name should be used in all Union propaganda,<sup>23</sup> the N.S.W. Executive continued to use the old name because they believed the new name would imply the intention to "body-snatch".

Coupled with the B.W.I.U.'s uneasiness over the B.L.F.'s renewed campaign on the 100-90% wage formula, all the ingredients for poor relationships in the building industry were present. Munday's disquiet was evident at the Special Executive Meeting in April:

Bro. Secretary suggested...that the 100%-90% formula should be put forward. That the change of name and what it means should also be on the agenda, and that other Unions' attempts to isolate us should be explained...That amalgamation and genuine industrial unionism should be fought for...<sup>24</sup>

The Union consistently tried to interest the other unions, especially the building unions, in an issue they considered of great importance.<sup>25</sup> This was the attack on a union's right to organise

19 Correspondence: Dick Cooper to J.B. Munday, 28 March 1972.

20 Document, Draft 28/3/72, lp. typed.

21 Minutes: General Meeting, 14 December 1971.

22 Reported in Minutes: Executive Meeting, 19 January 1971.

23 Minutes: Executive Meeting, 30 March 1971.

24 Minutes: Special Executive Meeting, 1 April 1971.

25 The issue was raised 32 times at Executive and General Meetings during the year (Minutes 1971).



presented by the activities of the police in general and the N.S.W. Summary Offences Act in particular. The leadership produced five different pamphlets on the issue,<sup>26</sup> circularised all the other unions,<sup>27</sup> wrote to the B.T.G. twice requesting support,<sup>28</sup> contacted Bob Hawke,<sup>29</sup> raised the matter at Labor Council,<sup>30</sup> called job-site meetings,<sup>31</sup> organised stoppages<sup>32</sup> and demonstrations<sup>33</sup> and even set up a Defence of Trade Unionists' Rights Committee.<sup>34</sup> The major issue in their campaign was the arrest of Tom Hogan under the Summary Offences Act for "remaining on a building" but most of the publicity material also mentioned the arrests of builders labourers on the Leighton Industries site at Baulkham Hills and even the arrest of Norm Gallagher over the Carlton Park ban.

When Bud Cook was fined \$1,000 over the Baulkham Hills incident,

- 26 N.S.W. B.L.F., National Stoppage of All Builders' Laborers on February 4, 1971, n.d. (January 1971), 4pp.; N.S.W. B.L.F., Defeat Anti-Union Law, n.d. (February 1971), lp.; Document, Protect Your Trade Union Rights: Act...Before its Too Late, n.d. (February 1971), 2pp. Authorised by J. Owens for the Defence of Trade Unionists' Rights Committee; N.S.W. B.L.F., All Builders' Laborers: 24 Hour Stoppage, Friday 26th February, n.d. (February 1971), lp.; and N.S.W. B.L.F., Circular To All Job Delegates No. 2/1971, 17 February 1971.
- 27 N.S.W. B.L.F., To the Secretaries, All Affiliated Trade Unions, 22 February 1971, 2pp. roneod.
- 28 Correspondence: H. Cook, Acting Secretary to L. Boyce, Secretary, B.T.G., 8 January 1971; J. Munday to L. Boyce, Secretary, B.T.G. n.d.; J. Munday to L. Boyce, 17 February 1971.
- 29 Correspondence: J.B. Munday to R.J. Hawke, 22 February 1971.
- 30 N.S.W. B.L.F., Recommendation: Mass Meeting 4th February, Sydney, Wollongong, Newcastle, Canberra, lp. roneod. Tom Hogan's case was discussed by the Labor Council Disputes Committee (Minutes: Executive Meeting, 16 February 1971). Labor Council's involvement consisted of obtaining an adjournment of Hogan's case until June, a decision hotly opposed by the B.L.F. (Tribune, 3 March 1971). Munday reported that Hogan's case was "weakened" by this action (Minutes: Executive Meeting, 2 March 1971). After the Union's suspension from Labor Council in May, the Council took no further interest in the matter despite its serious implications for all unions. Even The Australian referred to Hogan's trial as a "test case" for unionists. (The Australian, 18 November 1971).
- 31 Minutes: Executive Meeting, 16 November 1971.
- 32 Stoppages were organised for 4 February (Minutes: General Meeting, 19 January 1971) and 26 February (Minutes: Special Executive Meeting, 7 February 1971).
- 33 Demonstrations were organised whenever Hogan or the Leightons cases appeared in court. One particular mass meeting organised a delegation to the Premier and threatened State-wide black bans against Leightons. (Document: 4 Resolutions Carried Unanimously at Mass Meeting at Parramatta 30/11/70, n.d., lp. typed. Unauthorised.)
- 34 See footnote 26.

the Executive issued a press statement pointing out that Cook<sup>35</sup> was fined the same amount as B.H.P. had recently been fined for polluting the Hunter River but B.H.P. did not receive a bond and could pollute the river again whereas Cook had "a savage restrictive five year bond imposed on him":

In the Executive's opinion, the B.L.F.'s industrial activity of the last two years was on trial. With the penal powers being rendered inoperative, we are seriously concerned with the increasing use of the Crimes Act and the Summary Offences Act in industrial disputes, and call upon all Unions to join with us in demanding that the Crimes Act and the Summary Offences Act not be used in industrial affairs...

We will not be intimidated and state emphatically we will continue our militant policies in support of improved living standards and a higher quality of life.<sup>36</sup>

Munday told the Executive that "considering the climate, all those charged were fortunate not to have received prison sentences".<sup>37</sup> The Executive expressed disquiet about putting the matter in the hands of Labor Council<sup>38</sup> although Dick Prendergast did observe that "in view of Unsworth being ordered off a job it could mean that the Labor Council would give more support".<sup>39</sup> The Executive resolved to send letters to "all left wing unions highlighting the Crimes Act, Summary Offences Act etc.", to hold job meetings on the subject and to contact the B.T.G. again, although Cook warned that "B.T.G....support would not be automatic".<sup>40</sup>

The Cook and Hogan convictions were both appealed against with little support from unions other than the C.P.A.-influenced F.E.D. & F.A., and the Teachers' Federation.

It is interesting to compare the actions of the N.S.W. and Victorian Branches of the B.L.F. over the issue of police interference in union affairs. As mentioned in the previous chapter, there was some

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35 Cook actually "took the rap" for Tom Hogan. The police confused the two officials because they are of similar build and appearance. Cook was held in remand at Parramatta Gaol and provoked threats of retaliation from the warders when he refused to salute them (Interview: Pete Thomas, 25 June 1980).

36 N.S.W. B.L.F., Press Statement, 2 December 1971, lp. roneod.

37 Minutes: Executive Meeting, 2 December 1971. By this comment he was referring not only to the hostility of the judge but also to the prevailing antagonism towards the Union caused by Askin's accusations of corruption and Labor Council's lack of support over the issue.

38 The Executive's attitude towards Labor Council changed fairly abruptly after the May incident. Previously a serious union issue such as this would have automatically been referred to Labor Council.

39 It did not.

40 Minutes: Executive Meeting, 2 December 1971.



scepticism on the part of the N.S.W. officials about Gallagher's eagerness to incarcerate himself. This attitude was implied in Munday's private comments to Hawke:

We intend to use the Court as a platform, and have obtained the services of a barrister, thus following a different tactical approach to that of the Carlton issue and the arrest and gaoling of Norm Gallagher.<sup>41</sup>

Munday put the N.S.W. position bluntly at a Federal Management Committee Meeting. After reporting that N.S.W. had organised a 24 hour stoppage in support of Gallagher he added that:

...the stand had been endorsed by 80% to 20% at each of the Meetings held. The main argument against endorsement centres on the question of Appeal... (42)

His opinion was that there had been an over-estimation of the response by the Workers and that errors in tactics helped the Press.<sup>43</sup>

Munday's criticisms were echoed by other State representatives. Norm Wallace reported that in Victoria, "it was quite evident that some explanatory work had to be carried out amongst the Workers".<sup>44</sup> Davies said the position in Western Australia "was not as well developed as in Eastern States, and that he had problems in explaining the position to his Members". Robinson said it was "beyond the capabilities of the South Australian Branch to 'stop out' until Comrade Gallagher was released".<sup>45</sup> All states also reported little support from other unions on the issue. Munday in fact was the most insistent that the issue should be pursued:

He said the position of the NSW Branch was that they should support the strike on Monday and remain on strike until Gallagher was released...

...the Dispute was a bigger issue than the A.B.L.F....or the Victorian Unions, but was an Australia-wide issue.<sup>46</sup>

N.S.W. had taken the strongest industrial action of all the states over the issue. Despite private reservations about Gallagher's tactics and motives they never publicly opposed his actions. One of their leaflets made oblique reference to the situation but did not elucidate further:

Learning lessons from the gaoling of Norm Gallagher, the F.M.C. has called on all unions to conduct a grass-roots campaign of explanation and to obtain massive support for the charges against Hogan to be withdrawn and...[the] law repealed.<sup>47</sup>

41 Correspondence: J.B. Munday to R.J. Hawke, 22 February 1971.

42 The N.S.W. officials still believed that to go to gaol voluntarily without appealing would not arouse sympathy from the average worker. Minutes: Special Executive Meeting, 7 February 1971.

43 Minutes: Federal Management Committee, 5 February 1971, p.2.

44 *Ibid.*, p.1.

45 *Ibid.*, p.4.

46 *Ibid.*

47 N.S.W. B.L.F., Defeat Anti-Union Law, n.d. (February 1971).

The real difference between N.S.W. and Victoria was that in three out of five leaflets<sup>48</sup> produced by N.S.W. about the Tom Hogan case, Gallagher's arrest was given publicity. Another leaflet was produced which dealt exclusively with Gallagher's arrest<sup>49</sup> and support motions were passed at stop work meetings held over other issues.<sup>50</sup> Even Tribune ran two sympathetic stories on the topic.<sup>51</sup> In contrast to this treatment only one<sup>52</sup> out of four Victorian pamphlets<sup>53</sup> about Gallagher even mentioned the N.S.W. problem with the Summary Offences Act. The Victorian pamphlets also drew the facile analogy between Gallagher and O'Shea, with no distinction being made between optional gaol over an assault charge and compulsory gaol under the penal clauses. In fact a more analogous comparison with O'Shea would have been the Hogan case where an official was arrested for trying to speak to Union members in the course of his duty.<sup>54</sup>

Although the N.S.W. leadership regarded the Summary Offences Act as "the burning working class question in the building industry"<sup>55</sup> during early 1971, the other industrial issue which preoccupied them was the erosion of the 100%-90% wages relativity established after the 1970 strike.

The Mass Meeting held on 4 February, demanded "the restoration of the 100%-90% Watson formula"<sup>56</sup> and threatened further stoppages on the issue. The Branch produced a leaflet calling on all lower paid workers to join with them in a "vigorous campaign of direct action...to win new higher wage contracts":

Whilst all workers are exploited under this social system of capitalism, the degree of exploitation is highest amongst the

48 See Footnote 26.

49 N.S.W. B.L.F., Norman Gallagher Gaoled, 4 February 1971, lp., roneod.

50 For instance, Document, 4 Resolutions Carried Unanimously at Mass Meeting at Parramatta 30/11/70, n.d., lp. typed. Unauthorised.

51 Tribune, 3 March 1971, p.2 and p.10.

52 Document, Workers Under Attack, n.d. (early 1971), 4pp. Authorised by A.B. & C.W.F. (Victorian Branch), formerly A.B.L.F.

53 The three others were, Document, Free Gallagher!, n.d. (February 1971), lp. Authorised by Builders' Laborers; Document, Who's Law and Order?, n.d. (February 1971), lp. Authorised by 28 Victorian Unions; and Document, Workers' Rights are People's Rights!, n.d. (February 1971), lp. Authorised by Builders' Laborers.

54 The policeman who arrested Hogan agreed with the Union barrister, Jim Staples, "that the 'bone of contention' was that Hogan wanted to speak to the men privately and was not allowed to do so". The Australian, 18 November 1971.

55 Correspondence: J. Munday to L. Boyce, 17 February 1971.

56 N.S.W. B.L.F., Recommendation: Mass Meeting 4th February.



biggest section of so-called semi-skilled workers.

In 1970 the leaders of the NSW building tradesmen's unions supported our claim to establish this 100-90% relativity.

Unfortunately, some of the more 'craft conscious' building tradesmen's Unions' leaders now oppose this relativity, claiming the rate for the skilled versatile builders' laborer is too close to the tradesmen's rate...

The time is not for narrow craft differences, but for more say by the workers and their unions, in running the industry...

Craftism Out - Genuine Industrial Unionism In.<sup>57</sup>

Mundey wrote to the B.T.G. asking to be "involved in a united campaign around increased wages". He informed them that: "The only real obstacle appears to be the immediate margins claim and the tradesmen's Unions' approach to our 100%-90% relativity proposals."<sup>58</sup> He told the F.M.C.: "that the Tradesmen's Unions in N.S.W. would not accept the Federation's Wages Formula".<sup>59</sup>

Because of the tradesmen's attitude, Mundey informed the members in March "our Union is not involving itself in the tradesmen's campaign at this stage":

Our central demand is for the 100%-90% formula...and nothing short of the complete restoration of this formula will satisfy us.

We are emphatic that we will not allow builders' laborers to be treated as second class building workers, and we believe the attitude of some of the leaders of the tradesmen's Unions is against the best interests of not only builders' laborers, but their own members as well.<sup>60</sup>

In order to distinguish the \$4 that the B.L.F. was claiming, from general building industry demands, the Executive decided to refer to the \$4 as a "restoration" claim.<sup>61</sup> The other nine unions in the B.T.G. had gone ahead with their wages campaign without the B.L.F. As the B.W.I.U. explained: "The B.L.F. leadership still declined [to join the campaign] on grounds that their margins demand had to be part of the campaign before they would join..." These views were not acceptable to the other unions.<sup>62</sup> The nine tradesmen's unions, in a joint statement, were even more explicit, "...we cannot accept the B.L.F. 100%-90% concept,

57 N.S.W. B.L.F., An Urgent Call From Builders' Laborers to All Workers!, n.d. (February 1971?), 4pp.

58 Correspondence: J. Mundey to L. Boyce, 17 February 1971.

59 Minutes: Federal Management Committee, 23 March 1971, p.7.

60 N.S.W. B.L.F., Circular to All Job Delegates, No. 4/71, 8 March 1971, 1p., roneod. This viewpoint was also expressed by Mundey at the March Branch meeting (Minutes: General Meeting, 2 March 1971).

61 Minutes: Executive Meeting, 9 February 1971. The Southern States carpenters' margins had been delayed which affected the B.L.F.'s flow on.

62 Building Worker, Vol. 23, No. 11, May June 1971, p.6.

believing that it will not give proper recognition to the skill of the tradesmen".<sup>63</sup> [my emphasis] Why the B.W.I.U. supported the B.L.F.'s margins demand in 1970 and not in 1971 can only be explained in terms of what was happening within the C.P.A. at the time.<sup>64</sup> There seems no industrial rationale for the change.

The B.W.I.U. claimed that "when the other building unions said... that accident pay was the main question, the BLF said the Summary Offences Act was the main question".<sup>65</sup> This was not strictly accurate. Whilst the B.L.F. was certainly trying to interest the building unions in the Summary Offences Act Campaign, it was also involved in action around the Accident Pay issue. The 4 February Mass Meeting carried five resolutions. The first was on restoration of the "Watson formula", the second was on accident pay and the third was on police harassment of unionists. The Accident Pay resolution pointed out that three employers had already agreed to full accident pay and added: "We now demand all employers in the industry agree to full accident pay".<sup>66</sup> Don Crotty maintains that it was the builders' labourers on a Mogul Construction job in North Sydney, where he was the delegate, who were "the first workers in Australia to win full accident pay".<sup>67</sup> The other building unions did not actually place the emphasis on accident pay that they later claim to have done. The leaflet produced by the nine unions was headed "...Intensified Struggle for \$6 and Accident Pay".<sup>68</sup> There is even some evidence that the strike began unintentionally. The B.W.I.U. described

63 Statement issued by the nine tradesmen's unions on 23 February 1971. Reprinted in Building Worker, Vol. 23, No. 11 with the explanation: "It indicates the desire for unity and how it could be established on a principled approach". Craft consciousness was obviously the principled approach.

64 Discussed in chapter 10.

65 Building Industry Branch of the S.P.A., Six Turbulent Years, p.28. This was a deliberate misreading of the B.L.F. letter to the B.T.G. The letter did not pose accident pay against the Summary Offences Act. The letter was about the wages campaign and the B.T.G.'s refusal to accept the B.L.F. restoration formula. Accident pay was not even mentioned. Correspondence: J. Munday to L. Boyce, 17 February 1971.

66 N.S.W. B.L.F., Recommendation: Mass Meeting 4 February.

67 Interview: Don Crotty, 7 March 1978.

68 Document, Strike Actions - Demonstrations: Intensified Struggle for \$6 and Accident Pay, n.d. (March 1971), 2pp. roneod. Issued by L. Boyce, Secretary B.T.G. on behalf of B.W.I.U. (N.S.W.); Operative Painters and Decorators Union of Australia (N.S.W.); Operative Stonemasons' Society of N.S.W.; A.S.C. & J.; Bridge Wharf and Engineering Construction Carpenters' Union; Operative Plasterers and Plaster Workers' Federation of Australia (N.S.W.); Slaters, Tilers, Shinglers and Roof Fixers Union of Australia; Tilelayers Union of N.S.W.; P.G.E.U.A. (N.S.W.).



the haphazard way in which the industrial action took off as a "rolling strike technique". Jack Munday was less delicate:

It began when Don McDonald [B.W.I.U. organiser] led the workers from the Opera House across the harbour bridge to Hornibrooks. Then they wouldn't return to work. The Opera House went out. He'd triggered off an accidental accident pay strike. We said we'd join the campaign if they'd agree with our ratio but they went ahead and started the strike one-out.<sup>69</sup>

As a result of the "rolling strikes" the B.L.F. Executive decided that "if labourers are dismissed we are then in dispute for the \$4 plus accident pay".<sup>70</sup> Munday repeated that "craft attitudes of other building unions on our 100-90% formula was the reason we were not in the campaign".<sup>71</sup> When the tradesmen's campaign became a fully blown strike on 3 May, Munday told the Executive that "it was impossible to work for long without impinging on other work". He also made it clear that "we should not erect formwork while the tradesmen were on strike",<sup>72</sup> an important decision because formwork was a disputed area of work between the B.W.I.U. and the B.L.F. By 4 May, the Executive made the difficult decision to join the struggle on the tradesmen's terms and defer their own campaign for restoration of the 100-90% ratio. The Executive advised the Branch that "...the new situation had the tradesmen acting on social issues and that the builders' laborers should unite with them in action".<sup>73</sup> By 7 May, when the B.L.F. entered the dispute, the leadership's recommendation to the Mass Meeting was an exemplary expression of unity:

This meeting fully supports the current B.T.G. campaign for full accident pay and \$6 per week over-award payment increase...

We re-state our determination to restore the 100%-90% wage relativity with building tradesmen, but in the interest of united action of building workers, around accident pay in particular, we set aside our margins campaign at this time.<sup>74</sup>

As soon as the Builders' Labourers joined the strike, organisational problems among the building unions began. These problems stemmed from differing industrial outlooks. From the outset, the B.W.I.U. insisted on dominating all decision making, and all industrial action. Instead of adopting the B.T.G. procedure where voting strength was roughly equal to union size, the B.L.F. was forced to accept a decision-making

69 Interview: Jack Munday, 3 April 1978.

70 Minutes: Executive Meeting, 26 April 1971.

71 Minutes: Executive Meeting, 3 May 1971.

72 Ibid.

73 Minutes: General Meeting, 4 May 1971.

74 N.S.W. B.L.F., Recommendation to Mass Meeting, 7 May 1971, lp. roneod.

formula where each of the ten unions had one vote.<sup>75</sup> This meant that organisations such as the Stonemasons with 300 members had the same voting strength as the B.L.F. with 9000<sup>76</sup> members. But more importantly, the B.W.I.U. with its flotilla of tiny "associated" unions, artificially kept alive for just such occasions, controlled seven votes to the B.L.F.'s one. Only the A.S.C. & J. and the Plumbers were outside the B.W.I.U. ambit and both these extreme right-wing unions regularly voted with the B.W.I.U. against the more radical proposals of the B.L.F. So when the B.W.I.U. spoke of unity, or the disruption of unity, they were meaning that the B.W.I.U. and the B.L.F. had disagreed on a particular issue. A good example of a simple disagreement over tactics, being publicised by the B.W.I.U. as a "threat to unity" occurs in the B.W.I.U. journal. Under the headline "Two threats to Unity" it described the concerted anti-Communist campaign against the strike which was being waged by the extreme right-wing,<sup>77</sup> but then attacked the B.L.F. in the same terms:

The other threat to unity came from the Builders' Laborers' Federation leadership who sought to inject into the campaign tactics used during their 1970 5-weeks strike.<sup>78</sup>

This was the crux of the disagreement. Not only did the B.W.I.U. disapprove of destruction of property but they disapproved of the way in which it was organised. What the B.L.F. saw as democratic rank and file participation, the B.W.I.U. saw as an unorganised rabble. No amount of consultation could have reconciled these two viewpoints. Tom Hogan described the dilemma:

It was in the 1971 strike that our real ideological differences with the B.W.I.U. began to show. The B.W.I.U. leadership were frightened to death of the action we'd taken in 1970 so they organised the whole thing [the vigilantes] from the B.W.I.U. offices. They made rules. There must be an official in every car and the official must be the spokesperson. The B.Ls were so used to vigilante action that

75 Building Worker, Vol. 23, No. 11, May June 1971, p.10.

76 Neal Swancott estimated that there were 9,000 labourers and 25,000 tradesmen involved in the strike. The Australian, 8 May 1971.

77 The Sun-Herald, 16 May 1971, reported that Anti-communists had "pasted up 3,000 leaflets on building sites in the city and certain suburbs". One leaflet produced during 1971 claimed: "To promote his adventurous policies Jack Mundey (if this is his right name or was he known in Nth Queensland under another name?) formed a group of Strongarm Vigilantes to terrorise the bosses and keep his own members in line". It also claimed he had "formed the vigilantes securing the help of certain criminals". It demanded: "No political strikes without ballots of Union members". (Document, Trade Union or Haven for Gangsters, n.d. (1971), 2pp. Authorised by The Committee to Defend Trade Unions against Communism.

78 Building Worker, May June 1971, p.10.



they weren't quite waiting for an official. They were just as proficient as any official to deal with it because they'd done it so many times before.<sup>79</sup>

Jack Munday explained the B.L.F. position:

The majority of workers on the strike committee were builders' labourers. We had had the rich experience of 1970 and they [the B.W.I.U.] had none. We were better equipped to do things. Our style was to encourage rank and filers to show their initiative while at the same time remembering that unity was important. We didn't pose one argument against the other. You want unity at the top but more importantly you want action by workers down below.<sup>80</sup> [my emphasis]

This basic conflict of philosophies between the two unions was described by the B.W.I.U. as "efforts by ultra-left elements to establish a duality of leadership".<sup>81</sup> Munday saw the problem as more complex and encompassing important questions of democratic practice:

We were allowing shop committees and area strike committees to be set up and allowing strike committees in areas like Parramatta to make decisions affecting their own area. The B.W.I.U. saw anything like this as a challenge to their own centralised leadership.<sup>82</sup>

The B.L.F. Executive continued to discuss the problem that these differences created throughout the strike. Munday advised that "the conduct of pickets or vigilantes could cause friction within the Group" and that "we should fight against sectarianism in struggle, and other problems must be secondary".<sup>83</sup> The leadership regarded sectarianism amongst their membership as an attitude to be opposed:

He [Munday] reported that Newcastle and Wollongong meetings on Friday had rejected the call to strike. Anti-tradesmen attitudes did not assist in the decision. Yesterday, Newcastle and Wollongong meetings reversed their decisions which means now that all are on strike. Some attempts at isolation by tradesmen's leaders had been made but the positive side was greater.<sup>84</sup>

Munday also made the point that vigilante activity meant more than policing job-sites: "We say destruction of jobs is not paramount. The first big action will be the march on the M.B.A. this Thursday after the mass meeting". Brian Hogan, possibly the most enthusiastic destroyer of scab construction, also agreed with this estimation:

He thought that opposition in this strike was less than the last. That we couldn't artificially create a highlighted situation... He thought the concept of marching on the M.B.A. on Thursday would highlight the struggle.<sup>85</sup>

<sup>79</sup> Interview: Tom Hogan, 28 October 1977.

<sup>80</sup> Interview: Jack Munday, 3 April 1978.

<sup>81</sup> Building Industry Branch of the S.P.A., Six Turbulent Years, p.22.

<sup>82</sup> Interview: Jack Munday, 3 April 1978.

<sup>83</sup> Minutes: Special Executive Meeting, 6 May 1971.

<sup>84</sup> Minutes: Special Executive Meeting, 11 May 1971.

<sup>85</sup> Ibid.

The Thursday Mass Meeting was a huge success. The resolution put to the members was that: "The employers' refusal to agree to our claim that a building worker be paid award wages when off work injured, leaves us no alternative but to continue the strike."<sup>86</sup> Tom McDonald estimated that only 24 out of the 3,500 who attended the meeting voted against continuation of the strike.<sup>87</sup> The meeting was addressed by Betty Mawdsley, wife of a B.W.I.U. striker and Paula Rix, wife of a B.L.F. striker.<sup>88</sup> Leaflets about women's participation in the strike were distributed. They argued:

Building workers involved in this strike must realise that it is not a problem for them alone...We feel that all building workers wives should be invited to all mass meetings and be permitted to take part in discussion, so that we can be made fully aware of the issues involved...By our inclusion in the strike we feel we could strengthen the fight.<sup>89</sup>

The crowd of unionists, some in wheelchairs, then proceeded from Wentworth Park to the N.B.A. Offices in Newtown, where they held a noisy demonstration. The Herald printed a large photograph of the demonstration under the caption "The multi-lingual March"<sup>90</sup> because of the numerous placards printed in foreign languages.

The A.C.T.U. came out in support of the strike<sup>91</sup> and Federal building union leaders hinted at the possibility of a National stoppage if the N.S.W. workers' demands were not met.<sup>92</sup> N.S.W. Labor Council also unanimously supported the struggle.<sup>93</sup>

The unions had agreed upon exemptions for those builders who

86 Document, Resolution: Meeting of Striking Building Workers Employed in the Building Construction Industry, Wentworth Park, Thursday May 13, lp. roneod. Unauthorised.

87 The Australian, 14 May 1971.

88 Tribune, 19 May 1971 mentioned both female speakers whilst Building Worker, May June 1971, p.9 only named Ms Mawdsley as having spoken.

89 Document, This Leaflet is For You - and your Wife, n.d. (May 1971), lp. roneod. Signed by building workers' wives: Beverley Hogan, Paula Rix, Maureen Owens, Jill Pringle, Kath Ball, Dorothy Lane, Judy Munday, Chris Marshall, Joy Ashton. Although the signatories described themselves as "building workers' wives", all were married to builders labourers or rank and file plumbers who were members of the C.P.A. The B.L.F. and Tribune always used the expression "building worker" where possible because it implied a commonality of interest and solidarity amongst the building unions.

90 Sydney Morning Herald, 14 May 1971. Mick McEvoy (Interview: 10 October 1977) believed the march "scared hell out of the builders... although we lost a few BLs in the Pubs along the way".

91 The Australian, 13 May 1971.

92 Sydney Morning Herald, 13 May 1971.

93 Sydney Morning Herald, 26 May 1971.



consented to pay the \$6 increase and insurance cover for full accident pay.<sup>94</sup> The operation of this strategy caused some comment from the B.L.F. leadership who believed the exemptions were not being properly handled. Munday commented that "criticism had been raised by our Union with blanket lifting of bans without real knowledge of whether subbies have signed the agreement". Owens also pointed out that "our agreements were far more stringent than tradesmen's".<sup>95</sup> The Executive believed that mainly small builders were signing for exemptions<sup>96</sup> and Bud Cook argued that "big insurance companies were stopping Master Builders from insuring".<sup>97</sup>

Another difference of opinion arose over whether the dispute should have been contained to the construction industry or broadened to involve building workers in other industries. Munday believed that:

The struggle should have involved all workers. It was such a basic issue. Accidents can happen to anyone. It shouldn't just have been left to the construction workers to fight around the issue.<sup>98</sup>

Darcy Duggan, a P.W.D. worker exempted from the strike, believed that, "no BLs should have been exempted...a big discussion went on within the B.W.I.U. and the B.L.F. about it".<sup>99</sup> The B.W.I.U. regarded the B.L.F. suggestion as sinister:

They [the B.L.F.] sought to turn it into a strike involving building workers in all industries. This would not have adversely affected their position, as they are basically a one-industry Union. The other unions [had members] in...various industries. This course would have cut their membership to ribbons.<sup>100</sup>

Yet another difference of opinion occurred when the inevitable media attacks began. Press hysteria reached a crescendo towards the end of the strike when vigilante activity was really taking its toll. The Telegraph ran, two days running, full page spreads on the strike. Sample headlines were "Thugs at Work", "Strike Mob Raid House" and "Brick Wall Kicked Down"<sup>101</sup> on 19 May, and on 20 May, "70 Strikers Storm Building", "Trail of Wanton Damage on Sites" and a huge front page picture of two rather laconic vigilantes leaning against a wall,

94 Companies agreeing to sign had to take out immediate insurance cover. (Document, Strike Agreement Signed by Employers, 6.5.71: For Insurance Cover Ring E. Larkin, 2pp. roneod.

95 Minutes: Special Executive Meeting, 11 May 1971.

96 This view was also expressed in Sydney Morning Herald, 12 May 1971.

97 Minutes: Special Executive Meeting, 11 May 1971.

98 Interview: Jack Munday, 3 April 1978.

99 Interview: Darcy Duggan, 12 July 1977.

100 Building Industry Branch of the S.P.A., Six Turbulent Years, p.28.

101 Daily Telegraph, 19 May 1971.

presumably about to topple, with the banner headline "What About It Mr. Allan and Mr. Askin?"<sup>102</sup>

Even the Sydney Morning Herald caught the spirit of things with a front page headline "New Raids By Roving Gangs of Strikers".<sup>103</sup> Askin called the strikers "hoodlums...[whose] destructive and arrogant activities are completely foreign to our way of life".<sup>104</sup>

In the face of these onslaughts, B.T.G. President Col Bignell read a statement from the Group:

We state our rejection of violence as the policy of the building trade unions. The test that this policy is accepted by our members is the fact that during this struggle only isolated instances have occurred.<sup>105</sup>

The B.W.I.U. later claimed that the B.L.F. had "secretly planned and implemented their policy of violence against property".<sup>106</sup> The S.P.A. labelled the destruction of property as "...anarchist not Communist and...destructive of unity".<sup>107</sup>

The B.L.F. remained unrepentant about their vigilante activities. Questioned about an incident on a Lane Cove building site Munday replied:

There was scab labour performing our work on the site during an industrial dispute. Our men went to the job yesterday and asked them to leave. There was no physical violence to any individual.

One shed that more rightly belonged to the nineteenth century was demolished. It has been used as a change room. We make no apology for this - the shed was not in accord with the law of the State and it was an insult to expect workers to use it.<sup>108</sup>

Basically, the argument which waged between the tradesmen and the labourers was the same as that which occurred during the 1970 strike. The B.W.I.U. refused to accept the legitimacy of vigilante tactics as part of industrial action.

The argument in 1971 was slightly confused by an obvious ambivalence on the part of some of the tradesmen towards the vigilantes. Both Bud Cook and Jack Munday believed that Tom McDonald was "much more sympathetic to actions like that [vigilantes] than was Clancy".<sup>109</sup>

The vigilantes got going then mainly because Pat Clancy was away and Tom McDonald could see the positiveness of it. Tom McDonald, free of Clancy's influence was a much better person, so he allowed

102 Daily Telegraph, 20 May 1971.

103 Sydney Morning Herald, 20 May 1971.

104 The Australian, 20 May 1971.

105 Daily Mirror, 19 May 1971.

106 Building Industry Branch of the S.P.A., Six Turbulent Years, p.28.

107 Australian Socialist, June 1971.

108 Sydney Morning Herald, 13 May 1971.

109 Interview: Jack Munday, 3 April 1978.



it to go on. As soon as Pat Clancy got back he ended the strike. He settled terms with the Master Builders which weren't the terms we wanted and he stopped the vigilante action in the name of the B.T.G.<sup>110</sup>

Both the B.L.F. and Tribune stressed the fact that rank and file tradesmen were involved in vigilante activity. The B.L.F. broadsheet produced after the strike had a front page photo captioned: "A vigilante team (including members of both tradesmen's and builders' labourers' unions) close down a scab job..."<sup>111</sup> Tribune began a lead story with the words:

"For 25 years", a B.W.I.U. veteran told last week's Sydney Town Hall meeting of striking building tradesmen, "the boss has been telling me what to do. Now I'm a strike picket and I'm telling him what to do. And he doesn't like it."<sup>112</sup>

There was also some confusion as to terminology. Tom Hogan who had definite views on the subject speaks with delicacy of the B.W.I.U. approach to the situation, "...Ray Wheeler, a B.W.I.U. official, led a large group of somethings. I don't know what they were called, he wouldn't let them be called vigilantes..."<sup>113</sup> Sometimes the B.L.F. referred to the groups as "pickets" presumably in deference to their fellow unionists but mostly they used the word which had become so popular amongst their membership since the Margins strike. There was little doubt in the minds of the B.L.F. leadership that it was the vigilante activity which had once again eliminated scabbery and helped to win the strike. Their tactics were actually more effective because of the example set in 1970.

The 1971 strike was not as hectic as 1970 because we'd already made our position clear. If they wanted to use scab labour, they knew what we were going to do with it. So the scabbery was nowhere near as severe.<sup>114</sup>

In the third week of the strike, Clancy held discussions with Judge Sheehy of the State Industrial Commission who promised to hear the accident pay case in one day if the strikers returned to work. On 19 May the B.T.G. drew up a proposition to return to work on this basis. Munday opposed the resolution at the B.T.G. but it was carried 9-1.<sup>115</sup>

<sup>110</sup> Interview: Bud Cook, 5 March 1978.

<sup>111</sup> N.S.W. B.L.F., All Workers Will Gain If...Building Industry Workers Unite!, n.d., (June 1971?), 4pp., broadsheet, p.1.

<sup>112</sup> Tribune, 12 May 1971. The following week's Tribune (19 May 1971) reported: "Picketing teams have been made up of officials and rank and file of both the tradesmen's and builders laborers' unions".

<sup>113</sup> Interview: Tom Hogan, 28 October 1977.

<sup>114</sup> Interview: Dean Barber, 18 December 1976.

<sup>115</sup> Minutes: Federal Management Committee, 2 June 1971, p.4.

Discussions amongst the B.L.F. leadership and activists revolved around the fact that nothing at all definite had been promised, and that the members were in excellent fighting spirit and were prepared for at least another week on the grass.<sup>116</sup>

Bud Cook remembered: "I told Jack that there was more in it for us if we held out longer, but once Clancy had settled there was nothing we could do".<sup>117</sup> Consequently, on 20 May:

When Mr. P. Clancy (B.W.I.U.) put the Group proposition to the Sydney mass meeting, there was some angry reaction. Many unionists felt that they were not being told the full story, and that the mere fact of an arbitration judge agreeing to hear and decide the case the next day was not sufficient reason to drop their guard and go back to work.<sup>118</sup>

Mundey moved an amendment which accepted the B.T.G.'s proposition for a return to work but sought to have mass stopwork meetings the following week to consider the outcome of the arbitration case, with power to resume the strike if necessary. In fact, the Sydney meeting carried a rank and file amendment to stay out on strike for another week. Neither the Mundey amendment nor the B.T.G. proposition was put to a vote.<sup>119</sup>

The Sydney militants, believing they had voted to remain on strike were stunned to discover later in the day that the B.T.G. was tallying the voting figures from all the stopwork meetings throughout the State. Not only did many B.L.F. members disagree with this tactic but they disagreed with the way the votes were tallied:

It was said that at Gosford (given as 46-1 for the Group proposition) a further motion had been overwhelmingly carried for a stopwork meeting this week (as Mr. Mundey had proposed in Sydney). At Newcastle (shown as 430-20 for the Group proposal) a further decision could be interpreted as being for a stopwork meeting. At Wollongong (shown as 84-40) there had been considerable confusion and no actual count.

Also the 618 minority in Sydney was counted as being all for the Group proposal, whereas a number of these were undoubtedly in favour of Mr. Mundey's amendment.<sup>120</sup>

By this procedure the B.T.G. officials estimated that "the overall N.S.W. percentage for a return to work was 63 percent".<sup>121</sup> This decision was made despite Clancy's admission that: "While the recommendation was accepted on a state basis, the feature at each meeting was the strong

<sup>116</sup> Interview: Ralph Kelly, 13 December 1977.

<sup>117</sup> Interview: Bud Cook, 5 March 1978.

<sup>118</sup> N.S.W. B.L.F., All Workers Will Gain If...Building Industry Workers Unite!, p.3.

<sup>119</sup> Ibid.

<sup>120</sup> Tribune, 26 May 1971, p.4.

<sup>121</sup> Daily Telegraph, 21 May 1971.



expressions of opinion that the strike should continue".<sup>122</sup> Anger at what many workers believed was a sell-out mounted throughout the day. "We felt bitter" recalled Ralph Kelly.<sup>123</sup> Bud Cook remembered that the strikers gathered in hotels during the afternoon:

We went round to our members and criticised the terms. We shouldn't have done that because that increased the divisions and some of the divisions became personal, between individual organisers in individual unions.<sup>124</sup>

The B.L.F.'s belief that the outcome of the strike would have been more definite if they had remained on strike was substantiated the next day when, although Sheehy granted the unions' claim for accident pay loading, a large group of employer organisations<sup>125</sup> took immediate Supreme Court action to prevent the decision being carried out.<sup>126</sup> The position was not clarified until 22 October<sup>127</sup> when the final appeals were dismissed, and the relevant clauses were not written into the Builders' Labourers (Construction on site) Award until 6 December 1971.<sup>128</sup>

But a more important issue than this delay was the decision made by Sheehy to restrict full accident pay to six months. Joe Owens explained that, because the B.L.F. had been suspended the previous night from Labor Council,<sup>129</sup> the Union was barred from participation in these negotiations with Sheehy:

Now the point we took contention with was that if any worker is off for six months or longer, then that worker is seriously hurt and he's the one that needs full pay when he's on compo, much more than anyone off work for a lesser time...We would have certainly opposed such a resolution. We would have demanded that a mass meeting take place in order that the workers could have a further discussion on it. No mass meeting did take place.<sup>130</sup>

122 Construction: Building, Structural Engineering, Contracting, 24 May 1971, p.1.

123 Interview: Ralph Kelly, 13 December 1977.

124 Interview: Bud Cook, 5 March 1978.

125 The group included the M.B.A., Employers Federation, Chamber of Manufacturers, Master Plumbers' Association, Master Painters' Association and the Australian Federation of Civil Engineering Contractors.

126 Sydney Morning Herald, 22 May 1971.

127 Industrial Commission of N.S.W., No. 251 of 1971, Building Trades Dispute re Pay of Injured Workers, 22 October 1971.

128 Commonwealth Conciliation and Arbitration Commission, C.No. 1902 of 1971, 6 December 1971.

129 See details later in this chapter.

130 Joe Owens: Interviewed by Pat Fiske, 1980. Rank and file labourers obviously saw this as a major drawback to the scheme. Bob Petty (Interviewed by Pat Fiske, 1980) referred to the six month limitation and argued "We could have got more if we had stayed longer". Ralph Kelly called the decision "the final nail in the coffin of co-operation with the B.W.I.U." (Interview: 13 December 1977).

The Employers obviously saw this concession as an enormously important aspect of the accident pay decision. The M.B.A. circular to members on Accident Pay underlined the clause referring to the six months period and added the explanation, "e.g. If the injured worker is absent on workers' compensation for 9 months then he would only receive accident pay for 6 months of that time".<sup>131</sup> If given the option, Joe Owens believes

...the workers would have fought again in my view. They were ready to go, there was a lot of feeling. It was a highly emotional issue. There wasn't one who hadn't been on compo in previous years and they would have struggled and achieved a much better deal than they got.<sup>132</sup>

Why the employers fought the issue so hard was because of its significance for all industries. Even before the strike was over, the Metal Trades Federation of Unions had decided to seek full accident pay on behalf of 130,000 metal tradesmen.<sup>133</sup> The M.B.A. believed that the issue was one which affected all workers in N.S.W. and not just the building industry, so they argued that the State government should legislate to increase workers compensation payments.<sup>134</sup> The Financial Review summed up the position:

The revolutionary character of the NSW building workers' claim is what accounts for the strength of employer opposition, and, of course, for the enthusiastic support of other unions.<sup>135</sup>

Munday had stated this position early in the strike: "I personally think that employers in other industries think our campaign on compensation is a spearhead which will affect them too".<sup>136</sup> The Herald agreed:

A breakthrough by the unions in obtaining their demands of full pay for building workers off duty through injury could open the floodgates to other industries.<sup>137</sup>

And open the floodgates they did. As Digby Young commented, "...the results of the accident pay strike flowed to every other worker in N.S.W. and then in Australia".<sup>138</sup>

However, as usual, the B.L.F. was embroiled in another major

131 N.S.W. M.B.A., Circular No. 36/1971, Accident Pay, 14 July 1971, 3pp. roneod.

132 Joe Owens: Interviewed by Pat Fiske, 1980.

133 Sydney Morning Herald, 25 May 1971. The State Executive of the Boilermakers and Blacksmiths Society had decided on 18 May to call on the M.T.F. to serve such a claim. The Australian, 19 May 1971.

134 The Australian, 18 May 1971.

135 Australian Financial Review, 21 May 1971.

136 Sunday Telegraph, 16 May 1971.

137 Ian Dick, "Full Pay for Accidents?", Sydney Morning Herald, 14 May 1971.

138 Interview: Digby Young, 1 March 1979.



controversy before the strike had even ended. The anger and resentment felt by some of the strikers after the Wentworth Park meeting caused an incident that was to have long lasting and important ramifications. Descriptions of the brawl which occurred in Labor Council that night are confusing and often contradictory. Joe Owens had attended Labor Council as delegate with Tom Hogan and made a detailed statement the next day:

After the minutes had been read, a report was read from the Labor Council Disputes Committee on the Building Strike. A number of observers (approx 15) entered the visitors gallery...there was some heckling. Remarks were being made about a sell-out, and references made to Wentworth Park.

A Union delegate at the rear of the hall said something to one of the observers and a scuffle started. The fight then developed within a matter of seconds. It raged all over the hall...Tom Hogan and myself made attempts to stop the brawl...Finally we did get the observers out of the hall. The Brawl went on for approximately 15 to 20 minutes.

I recognised several of the group as builders' labourers, but... there were plumbers and carpenters(139) as well as people who I did not recognise.140

During the fracas, an elderly Rubber Workers' union delegate was injured and taken to Sydney Hospital by ambulance.<sup>141</sup> ('ANIMALS' screamed the Mirror banner headline.)<sup>142</sup> "Two guests from the United States<sup>143</sup> who were on the official platform were physically threatened."<sup>144</sup> The police were called and four labourers were arrested outside Trades Hall and charged with offensive behaviour, malicious injury and assaulting police.<sup>145</sup>

In the debate which followed the brawl, Secretary Marsh moved that the B.L.F. be suspended "until such time as there is an investigation

139 Joe Owens continued to assert that "the statement that no other union members were involved in the brawl was false. Some delegates to Council turned a blind eye that night as a matter of convenience", Letter to the Editor, Tribune, 8 September 1971. He never named the other unionists.

140 Full detailed Statement by Joe Owens, attached to Minutes: Special Executive Meeting, 21 May 1971.

141 Sydney Morning Herald, 21 May 1971.

142 Daily Mirror, 21 May 1971. He only had one leg which was emphasised by the media. He received four stitches in the chin.

143 They were the Labour Attache to the U.S. Consulate in Melbourne, and the Director of Trade Union training at Harvard. Quite coincidentally these are two positions generally regarded amongst "left" unionists as synonymous with C.I.A. activity. An interesting report would have been made.

144 Labor Council of N.S.W., Findings of the Committee of Enquiry into Events Associated with the Suspension of the A.B.L.F. - on May 20th 1971, n.d. (July 1971), 7pp. roneed, p.1.

145 Daily Telegraph, 22 May 1971.

and a report...back to Labor Council".<sup>146</sup> The Herald reported that:

Mr. J. Munday, who had arrived late and after the fighting was over, said he would like to oppose the motion. "I deplore any physical violence, but builders' labourers are a bit tough", he said. "They haven't got any university degrees and they have worked their way up in the world."

He thought it was an embittered motion, made in an emotional atmosphere. No one was certain whether the trouble makers were BLF members or not.<sup>147</sup>

Although nobody claimed that B.L.F. officials were involved in the actual fighting both Marsh and assistant Secretary, Ducker, alleged that the Union leadership was responsible. Marsh had greeted Munday's arrival with the words, "you have organised all this, Munday, and you are responsible for everything that has happened".<sup>148</sup> Ducker informed the meeting that, "Mr. Munday does not come to Council with clean hands". Marsh said he had been told before the Council started that the builders' labourers would be down to disrupt the meeting. "I accuse Jack Munday of coming in late deliberately, when it was all over, so that it would appear that he was not involved."<sup>149</sup> These allegations were repeated in the press by both Marsh<sup>150</sup> and Ducker. Ducker announced that: "Thugs who invaded the trade union movement tonight were on Christian names terms with Brother Munday".<sup>151</sup> He also confused the incident with the issue of vigilante action:

The policy statement of Mr. Munday...in the Australian Left Review in which he advocated deliberate tactics of violence, makes it difficult to understand his trying to wash his hands of the bloody consequences of his leadership.<sup>152</sup>

Despite an amendment which called for investigation without suspension moved by Ivor Lancaster (Teachers) and seconded by Pat Geraghty (Seamen), the suspension motion was carried,<sup>153</sup> although half the delegates had already left the hall.<sup>154</sup>

Munday was much less charitable towards the brawlers in private

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<sup>146</sup> Sydney Morning Herald, 21 May 1971.

<sup>147</sup> Ibid.

<sup>148</sup> Minutes: Special Executive Meeting, 21 May 1971.

<sup>149</sup> Sydney Morning Herald, 21 May 1971.

<sup>150</sup> Sydney Morning Herald, 22 May 1971.

<sup>151</sup> Daily Telegraph, 21 May 1971.

<sup>152</sup> Daily Mirror, 21 May 1971.

<sup>153</sup> Pete Thomas, "Why They're Attacking the Builders Laborers' Union", Tribune, 26 May 1971, p. 4.

<sup>154</sup> Minutes: Special Executive Meeting, 21 May 1971.



than he had been in public.<sup>155</sup> At the Special Executive Meeting called hastily the next morning he asserted:

This is the most critical meeting I have been to since I have been Secretary of the Union. I will have no truck with K. Galloway and Dick Keenan.(156) I stand for militant unionism not hooliganism... right-wing delegates will [always] blame us. These people went in deliberately to attack the Labor Council. Apart from provocation, we cannot justify, nor should we attempt to justify workers attacking other workers physically. It is revolting and they should be condemned for doing this...I believe if we don't suspend them we will be accused of white washing it.<sup>157</sup>

The other Executive members expressed similar points of view. Brian Hogan stated, "...we must publicly dissociate ourselves from these attacks on fellow unionists". Tom Hogan agreed:

I think the rank and file of this and many other unions accept a great deal what the leadership of this Union stands for...What went on at the Labor Council is contrary to the views held by this leadership. We would cease to exist as a union if we turned a blind eye.

Don Crotty claimed that these actions "...brought our Union's reputation to an all time low with other unions and the public. We should deplore violence whether against trade unionists or anyone". Ron Donoghue maintained that:"This has been culminating for some time...the attack made on Jack Munday. The action at the Council destroys our union and its image. Why did the doorman let in intoxicated people?" Bob Pringle probably summarised the leadership's dilemma most succinctly: "Whatever we do will be misconstrued. [It] will be worse if we do nothing".<sup>158</sup>

The Executive then unanimously carried the following resolution:

We decide that the nine members involved in the brawl at the Labor Council Meeting on the night of May 20th, 1971, be suspended(159) pending an investigation by a Committee of Inquiry to investigate the conduct of these members.

That the Committee of Inquiry to consist of all Executive members, the Federal President and Federal Secretary, and fifteen (15) job

<sup>155</sup> Apart from his speech at the meeting, Munday was quoted in the Daily Telegraph, 22 May 1971, "'We deny emphatically that the leadership was in any way implicated in the brawl.' Mr. Munday said...that his Union would not indulge in terrorism. But his Union believed it had the right to struggle and lift the standards for its workers." In The Australian, 22 May 1971, the Executive's press statement was quoted: "Although there was some provocation at the meeting, it in no way justifies worker striking worker".

<sup>156</sup> Two of those involved.

<sup>157</sup> Minutes: Special Executive Meeting, 21 May 1971.

<sup>158</sup> Ibid.

<sup>159</sup> Pringle explained that suspension meant the members would still have the right to work in the industry, but no right to come to meetings "in the interim period". Ibid.

delegates from the largest building projects in N.S.W.<sup>160</sup> Although this decision was covered by the media, it was given little prominence in comparison with the spectacular events of the previous night or with the almost as spectacular verbal onslaughts of other unionists on the B.L.F.

These accusations and allegations about the B.L.F.'s "thug tactics" and "violence towards fellow unionists" continued to be made for years afterwards, whenever B.L.F. militancy or even union militancy in general embarrassed or annoyed a union official.<sup>161</sup> It was in fact, a feature of the strategy of co-operation that was emerging among the conservative union leaders and the anti-Aarons faction within the C.P.A. to isolate the Aarons-line unions, particularly the B.L.F. During the brawl Ducker accused Harry Hatfield, a delegate from the Sheet Metal Workers' Union, "...this is your mob, the Laurie Aarons' line would be behind this sort of violence".<sup>162</sup>

Tribune, firmly in the Aarons camp, reported the incident in detail:

Reports say that, at the time of the brawl, it was noticeable that persons far over on the Right and also some individuals associated with the minority faction in the C.P.A. quickly showed an identity of viewpoint in using the affair to attack the...[B.L.F.] leadership and also CPA leaders and policies.<sup>163</sup>

Pat Clancy, who was not at the meeting, issued a press statement in which he claimed that the action of the brawlers was supported and planned by "certain officials" of the B.L.F.<sup>164</sup> He also attacked the builders labourers and their union's role in the building industry strike on a radio program the next day.<sup>165</sup> The B.T.G. issued a statement which claimed that "a study of events showed that the leadership of the BLF bore a heavy responsibility for the events of Labor Council".<sup>166</sup> The

<sup>160</sup> Ibid.

<sup>161</sup> For instance Laurie Short (Secretary F.I.A.) referred to the Trades Hall brawl in a speech to the Canberra-Woden Rotary Club and likened that action to "union harassment of the last Springbok football tour and the attempt to 'sabotage' the sending of supplies to Australian troops in Vietnam". Daily Telegraph, 28 October 1971.

<sup>162</sup> Statement from Tom Hogan. Minutes: Special Executive Meeting, 21 May 1971.

<sup>163</sup> Tribune, 26 May 1971. Similarities between this suspension and the 1981 suspension of the B.L.F. from Labor Council are hard to escape. The B.W.I.U. instigated the suspension move in 1981 and were heartily supported by the bloc right-wing vote.

<sup>164</sup> B.W.I.U., Press Statement, n.d. (May 1971).

<sup>165</sup> Tribune, 26 May 1971.

<sup>166</sup> Cited in Building Worker, May June 1971, p.12.



anti-Aarons line paper Australian Socialist drew the same comparison as Ducker had, and equated vigilante activity with the brawl:

Now, destruction of property may be considered to be one thing, and attacks on Labor Council delegates another but both are anarchist, not communist, and both are destructive of unity.<sup>167</sup>

In fact, none of the alleged brawlers were in the leadership of the B.L.F. Four were well-known opponents of the Union leadership<sup>168</sup> and had either stood for election against them in the past or did so in 1973. Of the others only one<sup>169</sup> was ever identified, even vaguely, as a leadership supporter; and not one was in the C.P.A.<sup>170</sup>

The Herald still ran a story reporting that:

Senior trade union officials said...that for some time they had been expecting violence like that which occurred...They claim the episode was the inevitable result of a meeting in Sydney in April, 1969, when a large number of communists, Trotskyites and super militants held a "conference for Left action" at [which]...Mr. L. Aarons called for "strikes, demonstrations, civil disobedience, defiance of unjust laws..." and "to draw the mass of people into confrontation and struggle".

The report then quoted Laurie Carmichael and large sections of Munday's controversial Australian Left Review article.<sup>171</sup>

This article produced two different rejoinders. Laurie Aarons announced that the C.P.A. rejected "unscrupulous" attempts to implicate it in responsibility for the brawl and that: "Right-wing union officials and others had used the event as a pretext to attack militant unionism in particular the NSW leadership and other activists of the BLF".<sup>172</sup>

A second statement headed "Hooliganism at Labour Council condemned by communists" was signed by thirteen union officials and delegates

167 Australian Socialist, June 1971.

168 John McNamara, Dick Keenan, Kevin Gledhill and Pat McNamara. All except Pat McNamara were appointed Federal officials by Gallagher during intervention.

169 Bobby Baker.

170 Many builders labourers believe the brawl was "a deliberate plan to discredit Munday...We began to see the continuing pattern of Gallagher working to bring about the downfall of the N.S.W. Branch". (Interview: Ralph Kelly, 13 December 1977) I do not subscribe to this view but I can understand why others do.

171 Sydney Morning Herald, 22 May 1971.

172 Sydney Morning Herald, 25 May 1971. Tribune, 26 May 1971, reported another newspaper item which had the "senior union officials" linking the brawl with a decision by "certain people" in the C.P.A. to have Clancy defeated as A.C.T.U. Executive member. Tribune railed: "This is an invention. Such a false story, whatever its source, comes from either ignorance or prejudice or both". The author obviously is implying that the "senior union officials" were anti-Aarons liners.

aligned with the anti-Aarons faction of the C.P.A. The statement said the use of physical violence against council delegates was "totally unwarranted, unjustifiable and inexcusable".<sup>173</sup>

It is more than coincidence, indeed it is of enormous significance that these statements were reported in the media on the same day that the press recorded the expulsion of Bill Brown from the C.P.A., for "establishing a party within the party".<sup>174</sup> Brown's expulsion led to the final split within the C.P.A. and the formation of the S.P.A. The bitterness of Clancy's attacks on the B.L.F. can only be understood when viewed from this perspective.

Even Rydge's reported that the looming split and the ensuing tension accounted for much of what was happening in the building industry. Writing of the brawl and the strike, Rydge's theorised: "It was not builders' labourers versus the Master Builders' Federation but Munday versus Clancy".<sup>175</sup>

In the face of such widespread hostility the Executive agonised over the procedures to be adopted in its own Committee of Inquiry.<sup>176</sup> When the Inquiry was held on 26 May, six of the nine charged members were present.<sup>177</sup> Gallagher and Delaney were not present as Committee members and no reason was given for their absence. The fifteen job delegates were part of the Committee and all B.L.F. members had the right to attend but not to speak. The press were excluded to protect the suspended members from possible police charges.<sup>178</sup>

Apart from the leadership's arduous attempts to maintain democratic procedures,<sup>179</sup> the most interesting points to arise out of the prolonged question and answer sessions were that the charged members felt sold out, both by Munday's compromise amendment and the B.T.G. resolution at Wentworth Park; that some of the accused had attended a meeting in Trades Hall that afternoon but that no one there suggested attending Labor

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173 Sydney Morning Herald, 26 May 1971.

174 The Sydney Morning Herald actually ran the stories side by side with no interrelation or comment.

175 "Disintegration of Communists Causing Industrial Havoc", Rydge's Construction, Civil Engineering & Mining Review, 1 September 1971.

176 Minutes: Executive Meeting, 25 May 1971.

177 K. Galloway, R. Puckeridge, J. McNamara, P. Langeman, P. McNamara, and P. Wharton attended. D. Keenan, K. Gledhill and R. Baker were absent.

178 N.S.W. B.L.F., Minutes of Committee of Inquiry Hearing Held on 26.5.71, 16pp., typed.

179 The Inquiry lasted  $4\frac{1}{2}$  hours and over 100 members attended. Tribune, 16 June 1971.



Council; that the decision to attend Labor Council was made in the Sussex Hotel in a discussion which included plumbers and carpenters but no B.L.F. officials; that Joe Ferguson had advised them not to attend; that the first physical confrontation occurred with two delegates from the Police Association who had threatened to arrest the hecklers; and that Johnny McNamara had yelled from the platform that the whole hall was a pack of bastards including Jack Munday. The gist of the leadership's comments were that the brawlers' actions had gravely damaged the Union and the future effectiveness of vigilante action and that, although there may have been provocation, violence against other unionists could not be condoned. Munday concluded: "This Union is bigger than the whole nine. When we make decisions they have to be made in the interest of the union as a whole".<sup>180</sup> The Committee of 24 decided, with only two votes in opposition, that the men were guilty<sup>181</sup> and were to be expelled for 24 months. The recommendation to the Branch meeting which endorsed the verdict on 1 June, included the statement:

Employers and right-wing leaders have tried to confuse the principled action taken against scabs during the strike(182), with this unseemly fracas involving worker fighting worker on the Labor Council floor...Although a number of building unions were involved, only one, ours has been singled out for punitive action by the Labor Council. Because of their opposition to our militancy, the employers, the mass media, and right-wing union leaders have misrepresented the facts, and have striven to bring discredit on our organisation.<sup>183</sup>

It is quite obvious from the Executive minutes over this period that exclusion from Labor Council was regarded as extremely damaging.<sup>184</sup> Despite the fact that the B.L.F. officials regarded N.S.W. Labor Council<sup>185</sup>

180 N.S.W. B.L.F., Minutes of Committee of Inquiry Hearing Held on 26.5.71, 16pp., typed.

181 Reported by Munday to Federal Management Committee (Minutes: Federal Management Committee, 2 June 1971, p.5).

182 Munday obviously believed Clancy held the same views but did not name him because of the need to foster "solidarity". However in the privacy of the Inquiry he commented on this aspect: "Also about half the vigilantes were tradesmen. They all worked together. That is why it is so criminal to find so-called left-wing leaders like Pat Clancy making statements as he did last night on the T.V. One can understand John Ducker doing so, but not one who allegedly occupies a left position". N.S.W. B.L.F., Minutes of Committee of Inquiry Hearing Held on 26.5.71, p.3.

183 N.S.W. B.L.F., Stopwork Meetings, June 1st, 3 p.m.: Why They're Being Called, 26 May 1971, 2pp. roneod.

184 This position was especially obvious during some debates. Minutes: Special Executive Meeting, 30 May 1971; Executive Meetings 22 June 1971, 10 August 1971 and 17 August 1971.

185 N.S.W. Labor Council is the most conservative of all Australian Labor Councils.

as the bastion of working class conservatism and intrigue (Dick Prendergast in his usually florid style likened it to Peyton Place),<sup>186</sup> they still considered it important to remain part of the established trade union movement and to avoid, if possible, the isolation that their radicalism was likely to induce. They believed their position in relation to the Summary Offences Act<sup>187</sup> and their wage restoration claim<sup>188</sup> was in jeopardy and that the membership was unhappy about their suspension.

The June Branch meeting in Sydney was "the biggest...for years" and the members carried by about 500 to eight a declaration of confidence in their Union's militant leadership. The debate on the expulsion motion was lengthy<sup>189</sup> and the meeting eventually voted 141-131 to endorse the Committee of Inquiry's verdict. The three regional Branch meetings voted endorsement by much larger majorities with Wollongong voting for expulsion 147-3.<sup>190</sup>

However, the decision of the membership was irrelevant. The next day, the F.M.C. voted six to one to lift the expulsion of the nine members. In debate on the expulsions Gallagher cited a legal opinion from Ted Hill that "there is no legal foundation for such action".<sup>191</sup> Gallagher also objected to the inclusion of the fifteen job delegates on the Committee of Inquiry "as it was the responsibility of the Executive" to determine the matters.<sup>192</sup> He asked Munday to hand over \$2 which under Rule 24 must accompany all charges laid against members. Munday did so but then Gallagher ruled, "...it was obvious that there was no original \$2.00 with the original charge and, in his opinion, this was sufficient to up-hold the appeal of the nine Members".<sup>193</sup>

The F.M.C. resolution was an outright defence of the action taken by the nine members.<sup>194</sup> It concluded:

186 Minutes: Executive Meeting, 17 August 1971.

187 Minutes: Executive Meeting, 10 August 1971.

188 Minutes: Executive Meeting, 17 August 1971.

189 See Minutes: Branch Meeting Held at the Paddington Town Hall, 1 June 1971

190 Tribune, 9 June 1971.

191 E. Hill, Opinion: re A.B.L.F., 26 May 1971 included in Minutes: Federal Management Committee, 2 June 1971, p.7.

192 Minutes: Federal Management Committee, 2 June 1971, p.6.

193 Ibid., p.3.

194 Further evidence of Gallagher's overt support for the nine comes from Mick Curtin who found a telegram on a job-site from Gallagher to Kevin Gledhill congratulating him on his fine work at Labor Council. Also Vanguard (June 1971) carried an article by one of the brawlers who claimed that the incident began when "one of our group (not long out of hospital...) raised a point of order and he was smashed in the back of the neck by a plain clothes police sergeant...a filthy pig whose time will come".



We warn the N.S.W. Branch that any further violation of the Rules in this matter, will be met with the full force of the Federation.

We apologise to those Members for any inconvenience their expulsion may have caused them.<sup>195</sup>

This resolution angered the N.S.W. membership who felt that their decision which had been taken by meetings of 600 members had been over-riden by six F.M.C. delegates.<sup>196</sup> It also had a disastrous effect on the Labor Council Committee of Inquiry that had been set up to investigate the brawl. The Labor Council Investigation had already exhibited all the signs of turning into a witch hunt. Co-opted onto the Committee were the anti-B.L.F. building union officials Bignell, Boyce and McDonald<sup>197</sup> and part of their investigations included looking into the criminal records of those involved.<sup>198</sup>

Despite support from 142 job sites<sup>199</sup> and groups such as the Canberra, Queensland<sup>200</sup> and Newcastle<sup>201</sup> Labor Councils, the Sheet Metal Workers Union,<sup>202</sup> the Queensland B.T.G. and B.W.I.U.<sup>203</sup> and tradesmen from individual job-sites,<sup>204</sup> Labor Council remained adamant. It closed the public gallery for the first time since the 1940s<sup>205</sup> despite opposition

195 Minutes: Federal Management Committee, 2 June 1971, p.9.

196 Minutes: Special Executive Meeting, 4 June 1971.

197 Sydney Morning Herald, 4 June 1971.

198 Labor Council of N.S.W., Findings of the Committee of Enquiry, p.1. Two of the brawlers had been charged with stealing firearms in July.

199 Minutes: General Meeting, 6 July 1971.

200 Labor Council of N.S.W., Findings of the Committee of Enquiry into Events Associated with the Suspension of the A.B.L.F. - on May 20th, 1971, p.3.

201 Sydney Morning Herald, 26 June 1971. Newcastle's motion of support was opposed by Clancy. Minutes: Executive Meeting, 29 June 1971.

202 It voted support for readmission at its 27 May Branch meeting. N.S.W. B.L.F., All Workers Will Gain...If Building Industry Workers Unite, p.2.

203 N.S.W. B.L.F., Why Builders' Labourers Under Attack, n.d. (June 1971?), lp. roneod. Also in a letter to the Queensland B.W.I.U. Munday thanked them for their "wonderful assistance" in the matter. Correspondence: J. Munday to Tom Chard, B.W.I.U., Brisbane, 11 June 1971.

204 Tribune, 9 June 1971 reported that some tradesmen's unions' delegates had praised B.L.F. participation in the strike and urged their readmission to Labor Council at the Delegates Meeting on 1 June. Also letters were sent from job-sites to the B.T.G. and to Labor Council signed by labourers and tradesmen. One such (Correspondence: Swanson Bros Job to the Secretary, B.T.G., 28 May 1971) was signed by 60 workers. North Sydney District of the B.W.I.U. also voted support. (Minutes: Executive Meeting, 15 June 1971)

205 Tribune, 16 June 1971.

from P. Geraghty (Seamen) and Tas Bull (W.W.F.).<sup>206</sup> The B.L.F. leafletted the 10 June Labor Council meeting calling on delegates to lift their suspension, and waited outside the Hall for readmission (in vain).<sup>207</sup>

The Union wrote to Labor Council stating that they would "support an inquiry after we take our seat back in Labor Council".<sup>208</sup> Because they had received an opinion that their suspension was illegal,<sup>209</sup> the Executive debated whether to attend the inquiry or seek an injunction restraining the Labor Council from acting upon the suspension.<sup>210</sup> Eventually after discussion with lawyer, Jim Staples, the Executive decided not to go ahead with an injunction,<sup>211</sup> "...because it is not good to put an injunction on another working class body. That would be a worker v. worker situation. We work outside of the courts".<sup>212</sup>

The B.L.F. refused to attend the Committee of Inquiry "unless the enquiry was a public enquiry with the Press being permitted to attend".<sup>213</sup> The Inquiry inevitably found that: "The leadership of the ABLF bears some of the responsibility for the events that took place at the Labor Council Meeting of May 20th..."<sup>214</sup> It also sought to transfer guilt by association:

A number of officials of the BLF were present at a meeting of striking workers in the building industry, including those who invaded the Labor Council meeting. This was held at Room 5, Trades Hall, Sydney, in the late afternoon on May 20th. This meeting was organised without consultation or approval of the Building Trades Unions, who were not even notified of nor invited to attend the meeting.<sup>215</sup>

Although the Committee did not name any of the officials who had allegedly been at this meeting, it attacked the B.L.F. for the same offence, not supplying names:

206 Sydney Morning Herald, 28 May 1971. At the next meeting of Labor Council Jack Sponberg (Boilermakers) arrived wearing a crash helmet and ear muffs.

207 N.S.W. B.L.F., To The President, Secretary and Members of the Executive of Labor Council of NSW: To the Members of the Committee of Inquiry into the Events of 20th May 1971: To the Delegates of All Unions Affiliated to the Council, 10 June 1971, 4pp. roneod.

208 Minutes: Executive Meeting, 8 June 1971.

209 Minutes: Federal Management Committee, 2 June 1971, p.5.

210 Minutes: Executive Meeting, 8 June 1971.

211 Minutes: Executive Meeting, 15 June 1971.

212 Interview: Bud Cook, 30 March 1978.

213 Labor Council of N.S.W., Findings of the Committee of Enquiry, p.3.

214 Ibid., p.4.

215 Ibid.



The A.B.L.F. Statement of May 21st, and other statements since made, have attempted to implicate other building unions...Although repeatedly asked to do so, the A.B.L.F. have not supplied any information to substantiate this serious allegation. The facts show that there were about twelve hoodlums who invaded the Council, and the A.B.L.F. has already found that nine were members of their organisation.<sup>216</sup>

The Committee also accused the B.L.F. delegates of lying when they stated they had done "all in their power to quell the disturbance".<sup>217</sup>

The Inquiry criticised the N.S.W. Branch for lifting the expulsion of the nine charged members, even though at least the building industry members of the Committee would have realised the impossibility of taking action against an implacably hostile Federal body. The Committee found that:

The only apparent action taken following the lifting of this penalty is the Circular of June 7th...which states, "We appeal to the nine members concerned, despite their appeal being successful, to abide by the decision of the NSW members..."

It is hard to believe that there is any serious intent behind this puerile appeal to the guilty nine.<sup>218</sup>

The Committee recommended that "the A.B.L.F. leadership be severely censured for its breach of Trade Union ethics and standards of behaviour". It also recommended that the nine charged members be refused the right to be a delegate or alternate delegate to Labor Council or any Council committees.<sup>219</sup> It demanded the names of the nine members in order to implement this decision. It ordered the B.L.F. to pay the costs of the damage and medical expenses and then recommended that the Union be readmitted to Labor Council from 15 July.<sup>220</sup> Their readmission was delayed however because the N.S.W. Executive refused to furnish Labor Council with the names of the nine men. The Branch debated the matter for two months, expressing such views as "...we had a history of not coppering on members, but it was necessary for us to be on the Labor Council and the B.T.G. because they were policy making bodies".<sup>221</sup> They asked Gallagher and the F.M.C. to intervene on their behalf in the matter but received no help. When the Executive discovered that "Gallagher had washed his hands of the Labor Council position"<sup>222</sup> their attitudes

<sup>216</sup> Ibid., p.5.

<sup>217</sup> Ibid. The B.L.F. leadership were hardly likely to name members of other unions involved in the brawl just to prove a point, when they refused for two months to furnish names to Labor Council to gain readmission.

<sup>218</sup> Ibid., p.6.

<sup>219</sup> Ibid.

<sup>220</sup> Ibid., p.7.

<sup>221</sup> Bud Cook, Minutes: General Meeting, 3 August 1971.

<sup>222</sup> Minutes: Special Executive Meeting, 23 August 1971.

changed and eventually a mass meeting decided to give the nine names (which were common knowledge anyway) to Marsh on the condition that they not be made public.<sup>223</sup> By this time the Union was already involved in the "Disputes Procedure" controversy and deregistration was being threatened. To have remained outside Labor Council would have been damaging for the membership. Despite these facts, the "Maoist" opposition produced leaflets calling Munday a "police informer" and "revisionist counter-revolutionary",<sup>224</sup> and claimed: "The deal for the re-entry...to the grave yard. (Labor Council) was the naming of the 9 men to (radical Ralph) Marsh and (honest John) Ducker upon their 'trust' not to tell anybody else".<sup>225</sup> Vanguard argued "Munday has been labelled as a police informer. It would be difficult to draw any other conclusion under the circumstances..."<sup>226</sup>

Marsh kept his word and no police or other action was taken against any of the nine but the whole incident added to the already embittered relations between the N.S.W. leadership and the Federal body's supporters in N.S.W.

During the Union's immersion in the Labor Council affair, their negotiations with the M.B.A. over their margins claim continued. The M.B.A. proposed that the B.L.F. agree upon a disputes procedure in return for the margins restoration and the \$4 flow-on from the tradesmen's rise.<sup>227</sup> This would have given the N.S.W. Branch parity with Victoria at last but the catch soon became evident. The Disputes Procedure was to include a "cooling off" clause similar to that operating in the Victorian builders labourers award. Munday believed, "...the Employers are hopeful of taking advantage of our continued suspension [from Labor Council] and...are putting forward stringent conditions in return for any wage increase".<sup>228</sup>

On 20 August Gallagher and the Union barrister Bill Fisher tried to pressure Munday to sign a letter accepting a Disputes Procedure agreement,<sup>229</sup> while it contained what the N.S.W. Branch considered was

223 Ibid.

224 Document, Tell The Truth: Will the Real Mr. Munday Please Stand Up!, n.d. (1971), 1p. Unauthorised.

225 Document, Building Struggle, No. 1/71 1st Edition: Munday's Trial. Better In or Out, n.d. (1971). Unauthorised.

226 Vanguard, 16 September 1971.

227 Minutes: Executive Meeting, 20 July 1971.

228 N.S.W. B.L.F., Circular to All Job Organisers, No. 17/71, 18 August 1971.

229 A.B.L.F., Proposed Circular to Be Distributed to all Members of the A.B.L.F. (N.S.W.) Branch, n.d. (20 August 1971), 3pp. roneod.



a "no-strike" clause.<sup>230</sup> The Branch called mass meetings in Sydney, Wollongong and Newcastle which unanimously declared: "We absolutely reject the 'no-strike' clause which is contrary to our policy as well as the general policy of the trade union movement".<sup>231</sup>

Gallagher argued that he "was worried about isolation of the Union, not only in N.S.W. but in other states and especially Victoria".<sup>232</sup> The F.M.C. believed the N.S.W. Branch should accept a similar clause to the one in the Victorian State award.<sup>233</sup> Again on 2 September, Gallagher proposed a modified version of the Disputes Procedure<sup>234</sup> but it was rejected by the N.S.W. Executive on 5 September because of the clause "While the procedures...are being carried out, work shall continue".<sup>235</sup>

On 6 September the N.S.W. mass meetings adopted overwhelmingly a recommendation to go on strike. The resolution requested an emergency meeting of the B.T.G. and reiterated the Branch's rejection of all "No Strike" sanctions. It also made reference to the A.C.T.U. Congress decision of the previous week which opposed industrial sanctions.<sup>236</sup> The Branch produced a leaflet which pointed out:

The N.S.W. Branch has been singled out. It is the only branch of our union the M.B.A. has tried to shackle. It is the only building union on which a "no strike" clause has been attempted.<sup>237</sup>

The Branch also circularised other unions informing them that:

We regard the attempt by the M.B.A. to have a "No Strike" clause imposed as an attack upon the whole of the Trade Union movement.

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- 230 Document, M.B.A.-Union Conference held in Melbourne to discuss Agreement, 20 August 1971, lp., typed. "J. Munday disagreed with the terms of the letter, and particularly the disputes clause which was clearly a 'No-Strike' clause...N. Gallagher and W. Fisher were of the opinion that the agreement should be signed today".
- 231 N.S.W. B.L.F., Recommendation: 24 August 1971, lp. roneod; and handwritten notes.
- 232 Tribune, 1 September 1971.
- 233 The Australian, 7 September 1971.
- 234 Document, Melbourne Meeting Between Ball (M.B.A.) J. Munday (Fed) N. Gallagher (Fed), 2 September 1971, lp., typed.
- 235 Document, Dispute Procedure, lp. typed. Handwritten "Exec. rejected 5/9/71."
- 236 N.S.W. B.L.F., Resolution Carried at Paddington Town Hall 6th September 1971, lp., typed. The A.C.T.U. decision had been made in the context of moves by State and Federal Governments towards secret ballot legislation for trade unions with penal sanctions for non-compliance. Labour Press, 9 September 1971 regarded the N.S.W. B.L.F.'s situation as part of the employers' Australian-wide campaign. "N.S.W. building workers are also facing the brunt of the employers' offensive."
- 237 N.S.W. B.L.F., Why Builders' Labourers Are On Strike!, 13 September 1971, lp. roneod.

The A.C.T.U. Congress decision to reject sanctions on trade unions is precisely the policy we are seeking to defend in this issue.<sup>238</sup>

They invited other unions to attend their next mass meeting.

The mass meeting on 10 September carried an addendum to the Executive resolution to remain on strike.<sup>239</sup> This was that the absence of Gallagher and Clancy be noted and both be invited to the next meeting.<sup>240</sup> When neither attended this meeting, "...two empty chairs were set out on the platform...one for Mr. Gallagher and one for Mr. Clancy. Mr. Clancy stayed away because he said he didn't agree with the tactics of continuing the strike; Mr. Gallagher just stayed away".<sup>241</sup>

Vanguard argued that: "The tactics in the present dispute are not the best...we do not want to waste our energies when there is no need to".<sup>242</sup> Gallagher's position in regard to the N.S.W. struggle had been complicated by the M.B.A., which had "warned the B.L.F. to do something about the N.S.W. Branch or face the threat of deregistration". The Executive Director of the M.B.A. told Gallagher that it expected to lodge an application for deregistration in a few days. The Australian commented with uncanny omniscience:

The employers are using the Federal union as a lever against a particularly sharp thorn in their side. It is known the Federal leaders of the union are not prepared to see it deregistered on a Federal basis because of the actions of one State branch...It was widely speculated yesterday that a Federal take-over of the N.S.W. branch is likely.<sup>243</sup>

238 Correspondence: J. Munday to All Unions, 10 September 1971.

239 N.S.W. B.L.F., Recommendation 10 September 1971, lp. roneod.

240 Correspondence: J. Munday to N. Gallagher, 13 September 1971. Clancy was invited as the building industry representative on the A.C.T.U. Executive.

241 Tribune, 3 November 1971. This article was the first time Tribune openly condemned Gallagher's role in the B.L.F. Presumably, the N.S.W. leadership believed that relations had reached such a disastrous state that reports designed to foster solidarity no longer had any point. Vanguard, 18 November 1971, replied to the article with revolutionary fervour, but did not rebut any of Tribune's allegations. "In an attack on builders' laborers in the revisionist rag Tribune of November 3, the Aaron's clique has once again revealed its role as an agent of the capitalist class...Running through the Tribune article were attacks on N. Gallagher. They are all utter lies and already many rank and file builders' laborers have denounced them as such... N. Gallagher...has given builders' laborers outstanding leadership. He has fearlessly led the fight against the State machine of the capitalist class. In this struggle he has already been thrown into the jail of the capitalist class."

242 Vanguard, 16 September 1971.

243 The Australian, 11 September 1971. The report was by Neal Swancott, a particularly able commentator on union affairs. He is now General Secretary of the A.J.A.



By this stage the N.S.W. leadership felt totally isolated. All officials had expressed trepidation about another "all-out blue"<sup>244</sup> in the midst of their other tribulations but could see no other option. They believed that the membership would not accept a no-strike clause and they gauged their members' reactions correctly. As Bob Pringle relates:

Jack's theatrics with the two empty chairs on the stage really hit the spot on the day. It was really lonely up there on the stage - just me and Jack. Normally officials from other unions are queuing up to be invited to stopwork meetings. The media build-up, the editorials urging members to vote against us, the Royal Commission threats, everything was going against us. But the membership gave us the impetus like they always did and voted to battle on.<sup>245</sup>

One of the aspects of the disputes procedure most opposed by the leadership was that "...it would result in the control of the Union being taken out of the hands of the rank and file members, and being placed at top level discussion basis".<sup>246</sup> The membership, highly politicized since the 1970 strike, and increasingly used to handling job disputes on their own initiative regarded this as a threat to their participation in Union affairs. This was an important contributing factor to the remarkable solidity of the strike.

Vigilante activity was deliberately low key<sup>247</sup> and Munday in an obvious reference to the Labor Council brawlers suggested that: "Vigilantes should be vetted so as not to have undesirables".<sup>248</sup>

The B.T.G. agreed to support a compromise proposal of three points<sup>249</sup> which excluded the no-strike clause but undertook to engage in "full and proper negotiations" before strike action, except in cases concerning safety, dismissal of a delegate or general stoppages.<sup>250</sup> The Executive were unhappy about these compromises but believed that the B.T.G. had gone as far as they would.<sup>251</sup> B.T.G. support was essential given that Gallagher remained in opposition.

When the M.B.A. rejected the proposal on 14 September, the N.S.W.

244 Minutes: Special Executive Meeting, 5 September 1971.

245 Interview: Bob Pringle, 8 March 1978.

246 Tom Hogan. Minutes: Special Executive Meeting, 9 September 1971.

247 Minutes: Executive Meeting, 7 September 1971. Tribune, 22 September 1971 commented that "A feature of the strike was the virtual absence of scabbery. This testified to the effectiveness of the vigilante actions in previous strikes".

248 Minutes: Executive Meeting, 7 September 1971.

249 Minutes: Executive Meeting, 14 September 1971.

250 N.S.W. B.L.F., Resolution: Wednesday 15 September 1971, lp. roneod.

251 Minutes: Executive Meeting, 14 September 1971.

Mass Meetings called upon "our Federation" to call a national strike of all members.<sup>252</sup> The F.M.C. however was not readily disposed towards supportive action. Munday reported that:

There was generally not much enthusiasm from the F.M.C. They made it clear that they are here to settle this dispute. The Queensland and Victorian delegates said that at their Branch meetings a resolution had been carried supporting the F.M.C. in any action they took to avoid de-registration.<sup>253</sup>

The well attended mass meetings on 15 September "resolved overwhelmingly to continue the strike".<sup>254</sup> Faced with this resistance, the M.B.A. began to ameliorate its stated view that the no-strike clause was "essential for stabilising a situation which now borders on anarchy".<sup>255</sup>

At a compulsory conference on 17 September, chaired by Commonwealth Arbitration Commissioner, R. Watson "the employers retreated from a demand for a blanket no-strike clause"<sup>256</sup> and settled for the three point compromise. The M.B.A. also agreed to cease their efforts to have the Federation deregistered.<sup>257</sup>

The three point proposal was the original B.T.G. compromise with minor alterations suggested by the F.M.C.<sup>258</sup> The M.B.A. representatives accepted the three points in principle and agreed to recommend them to their Industrial Relations Committee.<sup>259</sup> The B.L.F. was to put the proposition to mass meetings on 21 September.

Twelve hundred members attended the Sydney meeting and the Executive recommendation was carried unanimously.<sup>260</sup> After outlining the three point proposal the resolution concluded:

Having retained the basic right to strike, we will discuss other outstanding differences with the M.B.A. in Sydney tomorrow morning...The wonderful unity of our Branch, other Unions, (261) and the support of other rank and file unionists in particular,

252 N.S.W. B.L.F., Resolution: Wednesday 15 September 1971, lp. roneod.

253 Document, Federal Management Committee Meeting. Sydney, 16 September 1971, lp., typed. Presumably written by Munday.

254 The Australian, 16 September 1971. The voting figures were cited as 1500-6 on 15 September and 1300-8 on 9 September [N.S.W. B.L.F. (Newcastle), FOR: The Right to Strike: An End to "No Strike Clauses"; Direct Negotiations Free of Penalties, 16 September 1971, 2pp.roneod.]

255 J. Martin, Executive Director, M.B.A. quoted in Daily Telegraph, 16 September 1971.

256 The Australian, 18 September 1971.

257 Ibid.

258 N.S.W. B.L.F., Federal Management Committee Further Compromise Proposals, 17 September 1971, lp. roneod.

259 Document, Building Industry Dispute - N.S.W.: Statement by the Parties, 17 September 1971, lp. roneod.

260 Document, Sydney Mass Meeting, 21 September 1971, lp., typed.

261 The "other unions" were not named.



enabled us to successfully fight back against the "no strike" clause and the de-registration threat.<sup>262</sup>

The labourers returned to work the next morning after a stoppage of sixteen days. As Munday reported:

...it had been a magnificent effort by our Branch to beat back attacks [such as] sanctions and de-registration...Attempts had been made to take over this Branch but they had been beaten back.<sup>263</sup>

He "stressed the wonderful unity of the membership...winning out when our Branch was in a terribly isolated position".<sup>264</sup>

However, at the meeting called to clear up minor points in the Agreement, the M.B.A. reneged on their undertakings and presented the Union with a disputes procedure<sup>265</sup> "which amounted to a blanket 'No strike' clause".<sup>266</sup> The Union called this a "blatant double-cross" and argued:

There is no doubt the State Liberal Government encouraged the M.B.A. to renege on the agreement. Over the last two weeks they have been building up their "Law and Order" campaign...and [now] they are trying to move into the Trade Unions.<sup>267</sup>

The Executive threatened that "failure of the M.B.A. to honour the Agreement of last Friday could place the whole industry's future in serious doubt".<sup>268</sup>

In the face of such an overt about-face on the part of the M.B.A., and after such a determined strike by the B.L.F. membership, other union officials at last began to pledge support. Clancy and McDonald "expressed surprise at the changed position of the M.B.A. and said they would arrange for a special B.T.G. meeting tomorrow 23rd September".<sup>269</sup> Even

262 N.S.W. B.L.F., Newcastle, Sydney, Wollongong: Recommendation, 21 September 1971.

263 Minutes: General Meeting, 5 October 1971.

264 Minutes: Special Executive Meeting, 20 September 1971. The Australian, 22 September 1971 referred to the strike as "one of the most controversial fortnights in the industry's history".

265 N.S.W. M.B.A., The Union's Dispute Clauses do not clearly spell out the Principles which the M.B.A. has in mind..., 22 September 1971, lp., typed.

266 N.S.W. B.L.F., Builders Laborers' Dispute, 27 September 1971, lp. roneod.

267 Ibid. Munday believed "They wanted the Laborers out in a protracted dispute", Minutes: Special Executive Meeting, 24 September 1971.

268 N.S.W. B.L.F., Press Statement, 22 September 1971, lp., typed. This press statement was issued in response to a telephone call from J. Martin, M.B.A. claiming that he "forgot to inform the Union" that the next day's issue of the M.B.A. journal Construction would be "spelling out the change of position so far as the M.B.A. is concerned" and that it was too late to withdraw the article. Document, Telephone Call from J.B. Martin M.B.A. to J. Munday 6.30 p.m., 22nd September 1971, lp. typed.

269 Document, M.B.A. Conference 10 a.m., 22 September 1971, lp., typed.

"Gallagher and Delaney...stiffened up today".<sup>270</sup>

The B.T.G. "re-iterated its stand for the three point plan"<sup>271</sup> and Clancy intervened on behalf of the group in the compulsory conference before Watson on 24 September. Watson "expressed disappointment that the M.B.A. had not lived up to its agreement"<sup>272</sup> and endorsed Clancy's proposition that Labor Council call a meeting of employers and B.T.G. representatives "to try and solve the grave industrial situation in the building industry".<sup>273</sup> Munday reported that at this joint conference "a lot of meaningless talk took place about the desire for stability in the industry".<sup>274</sup> According to Ducker, the chairman, the two questions of most immediate concern were the B.L.F. Agreement and a F.E.D. & F.A. dispute concerning pay and conditions for crane drivers.<sup>275</sup> One of Clancy's pressing problems was that "stoppages by sections of workers in the industry almost invariably mean that all workers are affected".<sup>276</sup>

Although little was resolved at this conference it gained added significance by its timing. The previous night the Askin Government's Industrial Arbitration (Amendment) Bill, which provided for secret union ballots, had been debated in the Legislative Assembly. The Minister for Public Works, Davis Hughes had specifically singled out the B.L.F. for attack.<sup>277</sup> On the same day, State Cabinet had also decided to bring in legislation which raised the fine for "illegal" strikes from \$1,000 to \$4,000 and provided for automatic deregistration of unions in essential services if their unions went on strike against court orders and for all unions if their members struck illegally more than three times a year.<sup>278</sup> Labor Council "unanimously decided on a campaign of massive opposition" to this "panic-stricken move by the Government".<sup>279</sup>

In this atmosphere, the other unions began to perceive that the M.B.A.'s attempt to saddle the B.L.F. with a "no strike" clause was part of an overall offensive against the unions. Addressing the B.W.I.U.'s State conference, Pat Clancy claimed that "the fact that the Government

270 Minutes: Executive Meeting, 22 September 1971.

271 Document, Building Trades Group Meeting 3.00 p.m., 23 September 1971, lp., typed.

272 Minutes: Special Executive Meeting, 24 September 1971.

273 Construction, 30 September 1971.

274 Document, Labor Council-Employers Conference 2.30 p.m., 30 September 1971, lp., typed. Presumably written by Munday.

275 Correspondence: J. Ducker to J. Munday, 28 September 1971.

276 Correspondence: P. Clancy to R. Marsh, 24 September 1971.

277 Sydney Morning Herald, 29 September 1971.

278 Sun, 29 September 1971.

279 Ralph Marsh, Sydney Morning Herald, 1 October 1971.



was trying to provoke industrial disputes for the sake of anti-union hysteria could be behind the M.B.A.'s double cross".<sup>280</sup>

With threats of a renewed strike and support from the other unions now evident, the M.B.A. eventually backed down. Following a hearing before Commissioner Watson on 11 October, agreement was reached on wage increases of \$6.20 for the third rate up to \$6.60 for the top rate.<sup>281</sup> This represented 99% of the tradesmen's rate for riggers and 88.5% for skilled builders labourers.<sup>282</sup> Following the A.C.T.U. Congress decision on relativity,<sup>283</sup> the tradesmen in N.S.W. accepted these margins.

Well pleased with the Union's achievement Munday wrote: "This agreement is important as it will prevent leap-frogging, i.e. one union going on its own for margin increases".<sup>284</sup> These margins, won after a long and difficult struggle in N.S.W. flowed through to builders labourers in all states.<sup>285</sup>

On 14 October, again before Commissioner Watson, the employer representatives accepted the Union's proposals for Disputes Procedure "under protest".<sup>286</sup> Mass meetings of labourers unanimously accepted the

280 Tribune, 29 September 1971. At this same Conference, Bob Hawke, as guest speaker, referred to incidents during the building industry strike, claiming that if some sections of the industry had conducted themselves with more concern for the union movement as a whole, they would have advanced its interests better. (Sydney Morning Herald, 28 September 1971)

The Review, 3 October 1971, reported that, "Jack Munday was among the audience and after the opening ceremony, he and Hawke carried on a long, earnest conversation. It appeared that the two ended the conversation on good terms". Munday wrote to Hawke marked "personal" (Correspondence: J, Munday to R. Hawke, 7 October 1971) "Your jab at the N.S.W. Branch's tactics...wasn't particularly appreciated by our Union...the timing of your comments left a lot to be desired... at the very time of your remarks, the employers in N.S.W. were attempting to foist a 'no strike' clause upon this branch and we were in the midst of repulsing an attempt to deregister the union...you certainly didn't avail yourself of any discussions with the N.S.W. leadership - yet saw your way clear in the full blaze of the mass media to have your dig at the N.S.W. Branch...Maybe the chiding was for the benefit of the electorate at large; however, as the industrial leader your first obligation surely must be to the Trade Union Movement."

281 N.S.W. B.L.F., Circular to All Job Delegates, No. 20/71, 12 October 1971, lp. roneod.

282 N.S.W. B.L.F., Letter to N.S.W. Builders' Laborers, 14 October 1971, lp. roneod.

283 Document, Labour Council Meeting re Building Industry Question, 29 September 1971, lp., typed.

284 N.S.W. B.L.F., Letter to Builders' Laborers, 14 October 1971.

285 Minutes: Executive Meeting, 5 October 1971.

286 Document, Hearing Before Watson, Temple Court 2 p.m., 14 October 1971, lp., typed.

Procedure as handed down by Watson, on 18 September.<sup>287</sup>

Mundey had a statement of objectives written into the transcript of the Commission hearing:

The industrial turbulence which has existed in this industry in the recent years stems from the failure of the N.S.W. Government in particular, as well as employers to face up to the nature of the industry in the early seventies.

The unplanned, environmental destroying, unstable, chaotic conditions abounding in this industry must be changed in the interest of all parties associated with the industry as well as the general public, many of whom have suffered great hardship because of some unscrupulous "developers" and "builders" who have fleeced home and home-unit owners in various ways...

We...are genuinely concerned with civilising this concrete jungle,(288) and bringing human dignity to those who now work in this very insecure industry...To these ends we will untiringly work.<sup>289</sup>

Included in Mundey's statement was reference to another controversy which had developed out of the strike. Mundey announced: "We have repeatedly challenged the N.S.W. Government to hold a Royal Commission into the building industry in this State".<sup>290</sup> This was a tactic in the battle known as the Pedy Concrete affair.

On 17 September, in the closing days of the strike the Telegraph ran a front page story alleging that the Managing Director of Pedy Concrete, Mr. D. Pizzinato, had been visited by the Union after his employees had been discovered working during the strike. The members were fined two days' pay and "the firm was required to match the money dollar for dollar". Subsequently a cheque for \$1,500 was paid over the counter of the B.L.F. office and went into the Union strike fund. The report was grossly sensationalised with, in the middle of the page, a boxed quote from Mundey: "If you print the name of the concrete company we will close them down for good".<sup>291</sup>

287 Document, Mass Meetings. Sydney, Newcastle, Wollongong, 18 October 1971, lp., typed. The Disputes Procedure remained a matter of contention between the two parties until May 1972 when another Agreement was signed. This agreement was couched in the same meaningless terms as the first (N.S.W. B.L.F., Circular to All Job Organisers, No. 10/72, 15 May 1972, lp. roneod.)

288 The expression "concrete jungle" was being used regularly by Mundey at this time and had even been used in the Herald's "Sayings of the week", when Mundey declared, "The building industry can only be described as a concrete jungle." Sydney Morning Herald, 25 September 1971.

289 N.S.W. B.L.F., Statement by N.S.W. Branch of the Builders Laborers' Federation at Hearing before Commissioner R. Watson in Sydney on 14th October, 1971, lp. roneod.

290 Ibid.

291 Daily Telegraph, 17 September 1971.



Mundey denied the Union had approached the company. "When Pedy came in to see us, they were so concerned, [that they]...had broken the strike and therefore could be blacklisted,...they wanted to make amends".<sup>292</sup> Joe Owens explained that the whole affair had been handled openly:

We had nothing to hide. We had a meeting with the Pedy workers and suggested that for the days they worked, every cent should go into the strike fund. There was a big argument so it went to a Mass Meeting at the Lower Town Hall. Pedy sent along a foreman who argued against the proposal. The Pedy blokes were entitled to get up and say why they worked. The atmosphere was hostile...a whole lot of jobs at the meeting indicated that when the strike was over Pedy would be ratshit. They wouldn't service them, handle concrete for them and so on. The proposal was overwhelmingly carried.

So I was sitting in the office and the Manager came in and to get off the hook he offered to pay the equivalent of the men's wages into the strike fund.<sup>293</sup>

This is not an uncommon practice in industries where unions have a militant membership and tight control in strike situations. However, to judge from the onslaught which occurred from the media, the employers, the Government and finally the police, the B.L.F. had committed a heinous crime. Bob Pringle remembered: "I reckoned in 1971 we'd pushed things industrially to the point where we had to be attacked - and we were".<sup>294</sup>

The N.S.W. Minister for Labour and Industry, Mr Hewitt "cancelled a top-level meeting in Canberra" to discuss the matter with Police Commissioner Allan,<sup>295</sup> and Askin "gave the go-ahead for a police probe into alleged industrial blackmail by the B.L.F."<sup>296</sup> Hewitt called a press conference and "appealed to people who have been subjected to threats of violence or black banning by the B.L.F. to give details to his department".<sup>297</sup> Another Minister referred to the incident as "this monstrous industrial blackmail".<sup>298</sup>

Mundey continued to deny that he had threatened to close down the company if its name was made public. ("It's a lot of..." he was quoted as remarking to the Sun.<sup>299</sup>) He reported the journalists who had written the Telegraph article to the Ethics Committee of the A.J.A.<sup>300</sup> but was

292 Ibid.

293 Interview: Joe Owens, 4 April 1978.

294 Interview: Bob Pringle, 8 March 1978.

295 Sun, 17 September 1971. Front page.

296 Daily Mirror, 17 September 1971. Front page.

297 Sydney Morning Herald, 18 September 1971.

298 The Australian, 18 September 1971.

299 Sun, 17 September 1971.

300 Correspondence: J. Mundey to The Chairman, Ethics Committee, A.J.A., 29 September 1971.

hampered by the fact that the Telegraph would not supply him with the names of the two reporters who had interviewed him.<sup>301</sup> He explained:

The only basis for the allegation that the Federation had black-mailed Pedy's...was an anonymous letter to a Sydney newspaper. The story was designed to sabotage the delicate strike talks with the N.S.W. M.B.A....a number of people want to destroy the union's militant leadership.<sup>302</sup>

Joe Owens also pointed out that distribution of strike funds, including the \$1,500 had already begun and that "every man with a family would receive \$10".<sup>303</sup>

Pedy's Manager, Brian Craig, ventured little: "We have a harmonious relationship with the union and obviously confusion has arisen. The company has nothing further to say".<sup>304</sup>

The M.B.A. then got in on the act, announcing that it was investigating "a new allegation that a concrete contractor received a demand to pay money" but again "the contractor named in the allegation denied it".<sup>305</sup> This did not deter the M.B.A. On 19 September the Association decided to call for a Royal Commission to investigate the Pedy episode and "the atmosphere of violence and bashings associated with the N.S.W. branch of the B.L.F."<sup>306</sup>

At this stage the Union's leadership displayed the tactical ingenuity which so often allowed them to avoid or postpone conservative reactions to their militant activities. The leaders' ability to turn an attack on themselves into an attack on the opposition is exemplified by their decision to call a press conference and "welcome the proposed Royal Commission on condition that the terms of reference be broadened to include all aspects of the building industry".<sup>307</sup> On the question of blacklisting, they proposed to "...expose the M.B.A. who in the 1970... strike fined one of their members Rowell and Muston \$1000 for signing an agreement with this Union...[and] there were other threats against any

301 Correspondence: J. Munday to The Editor, Daily Telegraph, 29 September 1971.

302 The Australian, 18 September 1971.

303 Sydney Morning Herald, 18 September 1971.

304 The Australian, 18 September 1971.

305 Daily Telegraph, 18 September 1971. B.L.F. members were presumably unperturbed by such reports. The same edition of the Telegraph carried a photo of Munday "being cheered by picketting members" when he arrived at a Commission hearing.

306 Sun-Herald, 19 September 1971. This is one of many examples of "bashings" allegations. It is an indication of the harm done to the Union's reputation by the Labor Council brawl.

307 Minutes: Special Executive Meeting, 20 September 1971.



members of the Association who signed any agreements".<sup>308</sup> The statement released at the press conference was an effective propaganda piece for the Union and an obvious embarrassment for Askin. The statement queried the integrity of the M.B.A. for reaching "a principled compromise" in court with the Union over the no-strike clause and then "aggravat[ing] the climate immediately" by calling for a Royal Commission. The Union offered to "willingly co-operate to demonstrate to the public the nature of this industry, which is highlighted by the number of unscrupulous builders and developers, who have little or no respect for the environment or the public generally". The press statement echoed the charges which Munday had made during the Commission hearing:

The "concrete jungle" is the best way to describe the building industry today. In every major city, particularly where high rise buildings have been erected, scandals have abounded around re-zoning, the rape of the little remaining "green" areas, where developers and builders have plundered much of the natural bushland in a most ruthless manner.

The terms of reference should be broad enough to allow the Minister for Local Government to testify, also Sir Albert Jennings on the Kelly's Bush issue, and countless other controversial issues involving practically every Municipal Council in N.S.W. Metropolitan areas.

This type of thorough commission will be applauded by the thousands and in fact, hundreds of thousands, that have been duped by "land sharks", "developers" and so-called "builders".<sup>309</sup>

The statement then detailed the harshness of the industry for builders labourers who performed the most arduous and least congenial work. "The State laws covering safety, amenities and conditions are antiquated, yet even these laws are not observed by employers". The statement ended with a "Challenge to Messrs Askin, Morton and Hewitt" which argued that if the Commission was restricted to a "vendetta" against the B.L.F. then the credibility of the Askin Government would be at stake. The Union also threatened to hold its own enquiry "calling upon respected ecologists,

<sup>308</sup> Ibid.

<sup>309</sup> N.S.W. B.L.F., Press Statement, 20 September 1971, 2pp. roneod. That the N.S.W. Branch was serious about the notion of such an inquiry is illustrated by an agenda item the Branch proposed at Federal Conference, entitled "A National Building Industry Enquiry". The Branch argued that there was a crisis in the building industry in all states. "...The crisis arises because of the complete lack of planning, the terrible problem of sub-contracting [and] the huge degree of bankruptcies occurring in all States...A call for an open enquiry will show our union's preparedness to debate the problems, the scandalous activities of 'developers' and 'builders' and win us public support in our drive to achieve greater control of the industry." N.S.W. B.L.F. Federal Conference Agenda Items, November 1971.

architects, engineers, reputable builders and trade unionists to participate".<sup>310</sup>

The B.L.F. statement had its desired effect. Hewitt, who had originally been sympathetic to the idea of a Royal Commission,<sup>311</sup> changed his mind and Askin refused the M.B.A.'s request, expressing preference for the existing police inquiry rather than "an expensive long-drawn-out Royal Commission".<sup>312</sup> The M.B.A.'s director, John Martin, said the Association was disappointed at this rejection and commented "the industry cannot work in the present atmosphere of violence and intimidation created by a small...section of the industry".<sup>313</sup>

Although Askin created some more good "law and order" headlines by offering police protection to "witnesses giving evidence...into alleged blackmail in the building industry",<sup>314</sup> the Union's call for their own Royal Commission had effectively taken the sting out of the Employer-Government offensive. The C.I.B. actually visited Munday in his office. The media were present and Munday handed the officers a prepared statement.<sup>315</sup> The statement argued: "This is not a police matter. It is an industrial matter affecting the interests only of the particular employer, his employees, and the membership of this Union".<sup>316</sup> The statement then proceeded to detail for the no doubt impressed constabulary the "scandalous state of the whole building industry", the mismanagement of the Government, the industrial neglect of "callous employers", the scandals around re-zoning, "the rape of the little remaining 'green' areas", and the "notorious" accident rate in the industry.<sup>317</sup>

The actual interview was hardly fruitful. The police noted that they were being recorded, to which Munday replied: "This Union doesn't believe in censorship. We have nothing to hide". Munday continued to

310 Ibid.

311 The Australian, 20 September 1971.

312 Sun, 21 September 1971.

313 Construction, 23 September 1971.

314 Daily Telegraph, 21 September 1971. Headlines included "Protection in 'Blackmail'" (Daily Mirror, 20 September 1971), "Building Inquiry Witnesses: Police Guard" (Sun, 20 September 1971) and "Promise of Protection" (Daily Telegraph, 21 September 1971).

315 Minutes: Executive Meeting, 5 October 1971.

316 N.S.W. B.L.F., J. Munday's Statement to Detective Sergeant Bradbury and Detective Senior Constable Tunstall in an Interview in Room 28 Trades Hall on Tuesday 5 October 1971 in response to a police investigation into the A.B.L.F. N.S.W. Branch at the instance of the Premier Mr. Askin, the Commissioner of Police Mr. Allan, and the Minister for Labour and Industry, Mr. Hewitt, lp. roneod.

317 Ibid.



stress that it was an industrial matter and again challenged the Government to hold a Royal Commission into the whole industry.<sup>318</sup> Not being interested in the whole industry<sup>319</sup> and having had it made quite plain to them that Munday was not going to speak about Pedy, the police soon left.

Nothing further was heard of Askin's inquiry but some advantage for the Union was gained by Munday being invited to appear on Monday Conference to answer "allegations of blackmail and standover tactics in the building industry".<sup>320</sup> Munday despatched questions about Pedy with an open admission that "he could see no danger in an employer paying money into union funds".<sup>321</sup>

But, of course, the Daily Telegraph painted the picture that employers were clamoring to get into the union office to pay money into the fund...

Pedy's had violated the democratic expression of ten thousand workers.<sup>322</sup>

He repeated that "it wasn't our suggestion they pay" and denied that the company would have been closed down if it had not paid the money.<sup>323</sup>

Peter Coleman, one of the interviewers, kept harping on the theme of violence.<sup>324</sup> Munday was quite open:

We make no apology for vigilante activity. After all we're out to win the strike. We're not out to cause harm against any other individual but the union leadership and membership are as one.<sup>325</sup>

To Coleman's question "Do you make any inquiry into the...criminal records if any, of any of your enforcers [the word he used for vigilantes]?", Munday replied, "No we don't have an A.S.I.O. check on all our members when they join the Union, of course not". To Coleman's repeated questions about violence, Munday retorted that Coleman's employers, the Packer Press, had double standards and referred to the infamous Telegraph editorial which advocated shooting 500 negroes whenever there was a negro riot.<sup>326</sup>

318 Document, Report of Interview with Police and J. Munday, 5/10/71, 1p., typed. The report was a full transcript of proceedings and was only a page long. Munday had Fay Robinson from the office of Maurice May (solicitor) present as well as a stenographer and other Union officials.

319 A section of the transcript read, "Police:...all we are interested in is Pedy Concrete. J.M.: We think it should be a wider canvas. Police: We cannot comment on that." Ibid.

320 The Sunday Australian, 26 September 1971.

321 Sydney Morning Herald, 28 September 1971.

322 Interview: Jack Munday, 4 April 1978.

323 Sydney Morning Herald, 28 September 1971.

324 Tribune, 6 October 1971.

325 The Australian, 28 September 1971.

326 Tribune, 6 October 1971.

But the main thrust of Munday's comments were about the need for workers to undertake militant industrial action and develop new tactics:

Without militancy we will not improve the life of the worker...I for example would like to see offensive strike action taking place in the service industries, the trains and buses. I would like to see them keep running during strikes and not collect fares.<sup>327</sup>

He also suggested that during strikes, factories that manufactured goods and foodstuffs should continue to make them and give them to pensioners "and the needy in our society".<sup>328</sup> Another suggestion, which was only reported by Tribune, was for limited tenure of office:

To avoid development of union bureaucrats ("and unfortunately not all are right-wing either")...there needed to be greater movement of people between leadership and rank and file.<sup>329</sup>

Munday's performance appears to have been enormously successful. It was his first nationwide in-depth exposure and his plain speaking, honest approach obviously appealed to the audience.<sup>330</sup>

The next controversy for the Union was a demarcation dispute with the A.W.U. over tar-sealing work on building sites. This issue had been simmering since August when B.L.F. members walked off the L.W. Giles (St George's Hospital) project,<sup>331</sup> when they discovered that A.W.U. members were doing work which "on other jobs, had been performed by A.B.L.F. labor".<sup>332</sup> During lengthy negotiations between the two unions, the situation appeared to reach a stalemate. The A.W.U. argued that their State Award covered Bituminous Material Fixing whilst the B.L.F. claimed that their Federal award covered the area also. Ball from the M.B.A. remarked that "as far as he could see both Unions had coverage for the work".<sup>333</sup> The B.L.F. claimed to be only interested in people doing tar-sealing when on a building site: "We are going on job practice

327 Daily Telegraph, 28 September 1971.

328 Sydney Morning Herald, 28 September 1971.

329 Tribune, 6 October 1971.

330 Tribune reported that the day after the session "Munday received numerous calls congratulating him on these ideas...Many of the calls were from strangers". Robert Moore thanked him profusely for "making it such a good programme for us". (Handwritten addition to formal thank you letter. Correspondence: Robert Moore to J. Munday, 28 September 1971). Even the M.B.A. hired a television set so that they could watch it during their Executive meeting (Construction, 30 September 1971).

331 Document, L.W. Giles. St. George's Hospital Job, 31 August 1971, lp., typed.

332 Document, L.W. Giles. Kogarah Hospital Dispute, 6 October 1971, lp., typed.

333 Document, L.W. Giles Dispute. Conference at M.B.A., 13 October 1971, lp., typed.



over the last few years where this work has been clearly done by our members".<sup>334</sup> Consequently Joe Owens put forward the proposition that A.W.U. workers, when carrying out the disputed work "...should, when on building sites be also covered by the B.L.F. This was dual unionism. He said that this was not a precedent, it happened in the rigging field. He mentioned Marrs [a rigging firm]".<sup>335</sup>

The B.L.F. members returned to work after a week's stoppage "because there was a likelihood that the A.W.U. would stop concrete going to other jobs, thereby throwing other workers out of a job".<sup>336</sup> Eventually the company offered to purchase eight B.L.F. union tickets to cover the job. This proposal was agreed to by the Giles labourers<sup>337</sup> and that particular dispute was settled, but it was obvious that such an ad hoc solution could never be the grounds for a far-reaching settlement.

Consequently, a few days later, the A.W.U. decided to place an indefinite ban on all concrete going to jobs with A.B.L.F. labour.<sup>338</sup> This decision had been prompted by another dispute over tar sealing on the roof of the Preview Constructions (Carrington Street) site.<sup>339</sup> Such demarcation disputes are common in an industry where changing technology and new building techniques produce "grey" areas of coverage. It is the N.S.W. B.L.F.'s reaction to such problem areas which is most interesting. Despite being ideologically<sup>340</sup> and industrially opposed to the A.W.U. the leadership was always anxious to avoid demarcation disputes with any union.

When the A.W.U. announced the concrete ban, Lew McKay, the Secretary announced: "This is a showdown. We are sick of standover tactics".<sup>341</sup>

334 Document, L.W. Giles Dispute, 6 October 1971, lp., typed.

335 Document, L.W. Giles Dispute. Conference at M.B.A., 13 October 1971.

336 Document, L.W. Giles Dispute, 14 October 1971, lp., typed.

337 Document, L.W. Giles Dispute. Conference With Comp. on Kogarah Site, 26 October 1971, lp., typed.

338 Document, Preview Const. Dispute: Advanced Roofing, 29 October 1971, lp., typed. This threat illustrates the power that the A.W.U. can wield in the construction industry because of its control of the concrete batching yards. One of the factors which prompted the ill-fated merger of the B.W.I.U. and the A.W.U. in N.S.W. in 1976, was the desire of the B.W.I.U. to control the concrete yards and thus have an important strategic advantage over the B.L.F. with whom they were in violent physical dispute at the time.

339 Document, Preview Construction Dispute, Carrington Street, City, 28 October 1971, lp., typed.

340 For instance, during debate at the November Branch Meeting, "Bro. S. Brennan spoke on the lack of A.W.U. support for coloured workers and yet wanted to indulge in demarcations". (Minutes: General Meeting, 2 November 1971).

341 Sydney Morning Herald, 29 October 1971.

In view of the concrete ban "and because the Union did not want a dispute, the A.B.L.F. decided to lift the ban...on the Preview job".<sup>342</sup> Despite the fact that the B.L.F. lifted their ban the A.W.U. refused to lift theirs.<sup>343</sup> This prompted Clancy to approach the B.L.F. because "he was concerned that the dispute would lay his members out of work". Munday agreed to Clancy's suggestion that Labor Council convene a meeting on the matter.<sup>344</sup> At this meeting McKay "admitted that the rates of pay for tar sealing and asphalt work under the A.W.U. award were low".<sup>345</sup>

Munday pointed out that:

Because the dispute looked like affecting the whole of the building industry the Union had decided to allow the A.W.U. members back on the job in question [but] in spite of lifting the ban on Advanced Roofing the A.W.U....insisted on keeping their ban on concrete deliveries.

He put forward the proposal which had been used to solve the L.W. Giles dispute "...that there be dual coverage of Union tickets and the employer to pay the additional Union dues".<sup>346</sup> The A.W.U. would not accept this compromise and "re-iterated the Union's determination to keep the ban on until the A.W.U. terms were met".<sup>347</sup>

A proposal was drawn up by the meeting which outlined steps to be taken by both unions in dispute situations.<sup>348</sup> The A.W.U. Executive rejected this proposition<sup>349</sup> and presented the B.L.F. with another set of terms.<sup>350</sup> The concrete ban remained in force and threatened seriously to disrupt the entire industry.<sup>351</sup> The B.L.F. Executive discussed the problem and Munday recommended that "bitumen paving be the sole right of the A.W.U." The Executive formulated a resolution which conceded

342 Document, Preview Const. Dispute: Advanced Roofing, 29 October 1971.

343 The Australian, 30 October 1971.

344 Document, Preview Dispute. Advanced Roofing, 29 October 1971, lp. typed.

345 Document, Preview Const. Advanced Roofing Dispute: Labor Council Meeting, 1 November 1971, 3pp., typed, p.1.

346 Ibid., p.2. He also explained that a landscape gardening job which the A.W.U. had complained was being done by B.L.F. members, was an "error by one of the B.L.F. officials, and...gave assurances that the Union did not seek to cover any of the A.W.U.'s traditional areas of work". This attitude is in direct contrast to the present N.S.W. B.L.F. who aggressively compete with the A.W.U. for landscape gardening work.

347 Ibid., p.3.

348 Document, Recommendation from a Meeting of Unions in the Building Industry, Convened by the Labor Council on 1st November 1971, lp., roneod.

349 Document, A.W.U. Demarcation Dispute, 1 November 1971, lp., typed.

350 Correspondence: C.T. Oliver to J. Munday, 1 November 1971.

351 The Australian, 2 November 1971.



bituminous work but called upon the A.W.U. leadership "to ensure there is no drop in the wage rates, conditions and accident pay to the workers concerned". It concluded:

This N.S.W. State Executive Meeting expresses the desire that our two unions can work together for the mutual benefit of our respective memberships and all workers generally.<sup>352</sup>

After considerable discussion, the Branch meeting endorsed the Executive resolution<sup>353</sup> and Munday informed the A.W.U. that "this Branch has made a concession so as to avoid the close down of the whole building industry".<sup>354</sup> The concrete ban which had lasted five days was subsequently lifted<sup>355</sup> and relative peace returned to the building industry.

The point to make about this incident is that it was one of the very few demarcation disputes in which the N.S.W. B.L.F. became involved. It was brought to a rapid conclusion by a significant B.L.F. concession. If the Union had believed that demarcation disputes were important industrial issues there is no way that the A.W.U., even with the advantage of concrete control, could have beaten them in an all-out tussle. The B.L.F. had a more militant workforce, were stronger in the construction industry and covered equally as strategic areas as concrete batching. In addition the fact that the workers in dispute would have been paid more under B.L.F. coverage than under the A.W.U. award would have engendered support from the workers themselves and from other militants.

Another example of N.S.W. B.L.F. reaction to demarcation issues occurred simultaneously with the A.W.U. dispute. This involved the delicate issue of the ratio of labourers to tradesmen in the formwork field. Although the B.L.F. and B.W.I.U. had never reached complete agreement on a formula, both unions accepted the other's presence in the area. An organisers' meeting in October resolved to arrange a meeting with the B.W.I.U. "to discuss the formwork field, and further to discuss a broader working relationship between the two Unions".<sup>356</sup> Unfortunately, before such a meeting could be arranged, the N.S.W. Branch found itself the meat in the sandwich between Clancy and Gallagher. The South Australian Branch of the B.L.F. was engaged in a campaign to recruit carpenters and "the N.S.W. Branch of the B.W.I.U. were retaliating by

352 Minutes: Executive Meeting, 2 November 1971.

353 Minutes: General Meeting, 2 November 1971.

354 Correspondence: J. Munday to L. McKay, 2 November 1971.

355 Document, A.W.U. Demarc. Dispute, 2 November 1971, lp., typed.

356 N.S.W. B.L.F., Resolutions from Organisers' Meeting, 20 October 1971, lp., typed.

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352 Minutes: Executive Meeting, 2 November 1971.

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354 Correspondence: J. Munday to L. McKay, 2 November 1971.

355 Document, A.W.U. Demarc. Dispute, 2 November 1971, lp., typed.

356 N.S.W. B.L.F., Resolutions from Organisers' Meeting, 20 October 1971, lp., typed.



signing up complete formwork gangs".<sup>357</sup>

In response to this situation, Munday wrote a letter to Pat Clancy which revealed much of the N.S.W. Branch's policy on inter-union relationships in the building industry:

...the N.S.W. Executive welcomes the proposed conference for the purpose of improving our two unions' relationship...

I have contacted Norm Gallagher re meeting you in Melbourne next Thursday... There is no doubt that if Norm Gallagher and yourself continue your present course, a series of collisions on demarcation will occur.

This can only benefit the employing class.

Our N.S.W. Branch has made it known that we do not go along with the South Australia merger and the carpenter problem there; likewise we consider your retaliatory action - joining entire teams of formworkers and threatening to recruit bricklayers' labourers in N.S.W., impermissible and hardly an action worthy of a representative of the A.C.T.U. Executive. Our members resent any attempt to poach our members. Such threats must bring hostility and can scarcely be considered as moves designed to improve relationships!

It is quite amazing that the first retaliation is against this Branch, a Branch which has had a very minimum of demarcation differences with any union in N.S.W. Certainly demarcation disputes with your union have been extremely rare and have been resolved by discussion...

We believe the proposed conference should take place as early as possible...so...we can restore a degree of unity...in action around the needs of building workers in this State.<sup>358</sup>

When the N.S.W. Executive discussed the matter they were even more critical of the situation they could see emerging but over which they had little control:

Bro. Secretary expressed grave concern over political interference by the B.W.I.U. and our Federal body. He thought that perhaps our support for a change of name had been inopportune. This now appeared to mean taking over the industry by the Federal body...

Bro. Secretary said that he had explained to P. Clancy what our position was on this issue and that it was for genuine industrial unionism, not body snatching.<sup>(359)</sup> That we should if possible avoid open conflict on demarcation and pursue our own more correct line...

He said that conventional areas of our work were still very much underorganised and this should take precedence over areas of demarcation.<sup>360</sup>

<sup>357</sup> Minutes: General Meeting, 2 November 1971. At the previous Executive meeting, Brian Hogan had complained that "carpenters' unions were signing formworkers up willy nilly". (Minutes: Executive Meeting, 26 October 1971).

<sup>358</sup> Correspondence: J. Munday to P. Clancy, 29 October 1971.

<sup>359</sup> Although the distinction between "genuine industrial unionism" and "body snatching" often depends on the position of the speaker (i.e. are they being snatched or doing the snatching), the N.S.W. B.L.F. did not have a reputation for poaching or snatching.

<sup>360</sup> Minutes: Executive Meeting, 26 October 1971.

The whole issue had a disastrous effect on the already fragile liaison with the B.W.I.U. Munday remarked that "Clancy had come out as one of the most forceful people taking over builders labourers' work [and] that a B.W.I.U. organiser had publicly stated that shortly the B.W.I.U. would take over bricklayers' laborers".<sup>361</sup>

Obviously all factions were active. A fortnight later Munday "spoke on the scurrilous leaflet now being distributed. He said he had dissociated this Branch from any takeovers by either union. We should state that we stood for one genuine industrial union. He believed the chances of N. Gallagher and P. Clancy agreeing to this was negligible".<sup>362</sup>

The N.S.W. Executive offered to make a joint statement with the B.W.I.U. "in preparation for the meeting of our two Federal Executives".

As a first step there should be a clear indication on the part of both unions that they will respect the rights of each other; the builders' labourers in all States undertakes not to engage in any moves to cover carpenters and, at the same time, the B.W.I.U. in all States undertakes not to make any move to cover builders' labourers.<sup>363</sup>

This proposal was obviously unsuccessful. A few days later Munday reported on "the collision course that N. Gallagher and P. Clancy were headed for over demarcation".<sup>364</sup> He suggested that in order to work towards genuine industrial unionism "meetings at rank and file level should be called throughout Australia...for such an end".<sup>365</sup>

When the joint meeting of the two Federal Executives took place Munday described it as "useful"<sup>366</sup> and "a bit more positive"<sup>367</sup> than the subsequent Federal Conference of the B.L.F. He commented that the Federal Conference "had been a very depressing week" and that Gallagher had attacked carpenters as the "enemy". Pringle shared Munday's opinion.<sup>368</sup>

However the joint meeting had achieved some degree of co-existence. The B.W.I.U. promised to reconsider its objection to the B.L.F.'s proposed name change and the B.L.F. "eased B.W.I.U. fears that the name change could be the prelude to body snatching". Both unions agreed that "in the event of disputes, the two unions, and others, will in future

<sup>361</sup> Ibid.

<sup>362</sup> Minutes: Executive Meeting, 9 November 1971.

<sup>363</sup> Correspondence: J. Munday to P. Clancy, 12 November 1971.

<sup>364</sup> Minutes: Executive Meeting, 16 November 1971.

<sup>365</sup> Ibid. During debate on the issue, Lynch ventured that "the Victorian Builders Laborers Branch had always wanted to take over the industry".

<sup>366</sup> Minutes: Executive Meeting, 24 November 1971.

<sup>367</sup> Minutes: Executive Meeting, 7 December 1971.

<sup>368</sup> Ibid.



discuss the issue at job level before considering action".<sup>369</sup>

Perhaps the most amusing aspect of the joint conference was a forecast by the industry journal C.C.E.M. Review:

At least one of the proposals at the Brisbane Conference will be ...amalgamation of the 11 unions into one all-powerful construction industry union.

The proposal could spell trouble for the fragmented employer group.<sup>370</sup>

Despite their hectic industrial activity, the Union was also becoming increasingly involved in political action. It remained active in anti-Vietnam organisations, sponsoring advertisements, holding job meetings and getting arrested at moratoriums. It also remained involved in the political and physical defence of the Glebe Old Men's Home.<sup>371</sup>

New issues emerged throughout the year. Women in the industry, and women's rights as a political issue became important within the Union for the first time.<sup>372</sup> The Springbok tour of Australia provoked an immediate reaction from both officials and members. Bob Pringle was particularly active in organising the anti-Apartheid protests<sup>373</sup> and also gained instant notoriety among the Rugby crowd for his action in attempting to cut down the S.C.G. goal posts. The B.L.F. was one of the few unions openly to advocate the physical interruption of matches. Munday announced publicly:

We think it is not good enough to just demonstrate and protest. We feel at least some of the games must be physically stopped. We consider we will go down in the eyes of the world as a racist country unless some of the games are stopped.<sup>374</sup>

369 Brisbane Telegraph, 26 November 1971.

370 "Construction Unions Plan Hot New Year for Employers", Construction, Civil Engineering and Mining Review, Vol. 4, No. 11, 1 November 1971, p.1. To be fair, the article did mention "personality clashes" as a problem. The implication that the employers were also having serious problems is reinforced by the President of the M.B.A., Peter Anderson, who wrote: "We have noticed with a certain amount of dismay that a number of influential employer organisations have sought to air some of their problems in public. This certainly does not help employer organisations generally. The building industry has felt the backwash of this action and it has created problems for us". (Peter Anderson, "Pressure Game Hits Industry", Sydney Morning Herald, 25 November 1971).

371 Minutes: Executive Meetings, 5, 12, 19, 26 January and 16 March 1971. Also Terry Blake, "Frail Old Men Shake Leichhardt", The Review, 22 October 1971.

372 Discussed fully in chapter 9.

373 He attended the central organising meetings of the Anti-Apartheid Movement and helped produce a union leaflet. Unionists Join the Mass Rally, n.d. (July 1971?), 4pp. Authorised by Tas Bull, W.W.F., R. Pringle, B.L.F.; B. Childs, P.K.I.U.

374 The Australian, 3 July 1971.

He said that teams of workers would try to disrupt the games and that he was "hopeful that he could get leaders from other unions to join the protest".<sup>375</sup>

A new development was the Union's involvement in bringing cultural activities of political significance to the membership. The B.L.F. provided (at a cost of \$120) a performance of ex-prisoner Jim McNeil's play "The Chocolate Frog" for workers at the Opera House during their lunch-hour. The experiment was extremely successful and received much media publicity.<sup>376</sup>

A play, based on life in Parramatta jail, was enthusiastically applauded by an audience of more than 500 construction workers who quickly identified and sympathised with the problems posed in it, and presented in the language of the work-place.<sup>377</sup>

However, the most significant political action taken by the Union during the year was the imposition of the first three green bans,<sup>378</sup> Kelly's Bush in June<sup>379</sup> during the Labor Council Brawl affair, and The Rocks<sup>380</sup> and Eastlakes<sup>381</sup> in November during the A.W.U. dispute. The fact that these three bans were to herald the emergence of a new concept of unionism was not apparent during the frenzied industrial activity of the period.

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375 Ibid.

376 Daily Telegraph, 16 November 1971, Sydney Morning Herald, 16 November 1971 and The Australian, 16 November 1971.

377 Tribune, 24 November 1971.

378 Discussed in chapter 10.

379 Minutes: Special Executive Meeting, 4 June 1971; Executive Meeting, 8 June 1971.

380 Minutes: General Meeting, 2 November 1971.

381 Minutes: Executive Meetings, 9 and 16 November 1971.