## CHAPTER 6

## 1972

1972 has been described as the "champagne" year of the Sydney building boom. 1 By November the Sydney Morning Herald recorded:

Today there are 41 buildings under construction; [in the C.B.D.] demolishers and excavators are preparing sites for many more; and there are scores of development applications on the City Council's books. Most of them have been approved. It has been estimated that the value of buildings under construction and those likely to go ahead is more than \$600 million.2

The two aspects of Union policy that flowered under the boom conditions of full employment were an increased emphasis on worker control-type activity on the job and a reinforcement of the Union's involvement in political issues, particularly environmental bans. These Union policies produced a conservative backlash of great intensity. During the year the Union was lambasted by politicians (both Labor and Liberal), senior trade union officials including Ducker and Hawke, other building union officials, the mass media and the employers. To add to this criticism, Union organisers were physically assaulted on job-sites, members and officials were arrested under the Summary Offences Act, deregistration proceedings and yet another Royal Commission were narrowly averted, and Mundey was charged with contempt of court.

The fact that the Union's environmental bans were beginning to gain a certain amount of public support for the Union was little help in the face of this onslaught.

Workers' Control policies enunciated in the 1970 C.P.A. document,

Modern Unionism and the Workers' Movement, were further elaborated upon
in the policy statement adopted by the Twenty Third C.P.A. Congress in

April 1972. However, suggested strategies remained imprecise and little
was said about how to deal with employer reaction. Also, job-site
activity was neglected as an issue in comparison with the need for
unions to expand their activities into the political sphere. The
emphasis of the entire document continued to stress the "coalition of the
Left" strategy which had been evolving since the 21st Congress in 1968.

<sup>1</sup> However there is some evidence that early in the year the situation was different. The Sydney <u>Sun</u>, 2 February 1972, reported: "Unemployment in the building industry, already high in NSW country areas, is now reaching serious proportions in Sydney". <u>Tribune</u>, 15-21 February 1972 also referred to "...the usual queue of unemployed at the gate seeking work (a sight only too common these days)".

<sup>2</sup> Sydney Morning Herald, 13 November 1972.

Those sections which dealt specifically with worker-control issues admitted that "more challenging methods of struggle" had been developed in "as yet limited areas". One instance quoted was the use of vigilantes (although coyly the word was not used) in the 1970 and 1971 building strikes. It also cited the experience of "strikers' actual denial to employers of the possibility of employing scab labour" and argued the need for "...'democratic workers' control over capitalist decision making...the 'right' to hire and fire, and other aspects of the concept of employment as a master-servant relationship". However, despite the somewhat turgid phraseology, one significant point was made:

The new trend to challenging hitherto accepted "rights" of employers to authoritarian control is shown by the big proportion of strikes against managerial policies.6

It was this acceptance that significant gains could be made by on-site activity, even in the context of a capitalist society, which distinguished the C.P.A. line from that of the S.P.A. $^7$  and to a lesser extent the C.P.A. (M-L). $^8$ 

It was also this encouragement of encroachment upon management prerogative that received the most vehement response from those most qualified to judge whether such policies would be effective. The N.S.W. Employers' Federation journal replied to the C.P.A.'s definition of worker control in an editorial:

Worker control may appeal to hoodlums and standover men and supporters of participatory democracy...

But in the final analysis it is fundamentally necessary that management be permitted to do the job it has been trained to do.

The B.L.F. however was not particularly disposed to permit management to do "the job it has been trained to do". More so than other C.P.A.-influenced unions at that time, it began developing strategies for encroachment upon managerial rights. Some of these tactics, such as

<sup>3</sup> C.P.A., The Left Challenge for the Seventies, April 1972, p.2.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid., p.4.

<sup>6</sup> Ibid., p.2.

<sup>7</sup> Discussed in chapter 10.

<sup>8</sup> The C.P.A. (M-L) policy on worker control is somewhat contradictory but one strand of thinking is encapsulated by Steve Black (Interviewed by Pat Fiske 1979): "Under the capitalist system...its a bit of a joke...its the system that must be changed. If we are fair dinkum about wanting permanent jobs and control of the building industry, that's what it amounts to".

<sup>9</sup> The Employers' Review, April 1972, p.1.

<sup>10</sup> Mundey was guest speaker at a Workers' Control Conference in Victoria (Pete Thomas, Taming the Concrete Jungle, p.133).

de-facto union hire were initiated by the leadership whereas others, such as work-ins and "guerrilla tactics" stemmed from specific job-site situations. Even more than the C.P.A., the B.L.F. believed that struggle on the job produced not only better working conditions but a more politically aware and class-conscious workforce. The fact that conditions in the building industry had been so poor for so long only accentuated the memberships' desire to make inroads as soon as conditions were favourable. A supportive union, full employment and the need for the speedy completion of building projects provided these conditions.

"Strategies for encroaching control" is the phrase I prefer to use in order to distinguish these policies from true worker-control situations which even in the B.L.F. experience were strictly limited.

A detailed analysis of the Union <u>Disputes Book</u> for 1972 reveals that a significant percentage, (perhaps 60%) of disputes were either directly or indirectly linked to these encroachment strategies. Those disputes not involving managerial prerogative were mainly concerned with amenities, dismissals, non-unionism, wet weather payments, breaches of the award, and over-award demands, particularly for dogmen. However often straight wages and conditions issues took on a new complexion. For example, a group of labourers at Mainlines (Clarence Street) decided to redefine "wet weather" practices, and succeeded in forcing the foreman to agree to ring the weather bureau and if the bureau believed the weather would continue to be wet, to allow the men to go home. 11

Another interesting wages-and-conditions stoppage occurred over a demand by labourers on the Strathfield Technical College (Cordukes) project that, "...their wages should be the same notwithstanding the fact that the income tax deductions in respect of the individuals are quite different because of their dependents situation". This unusual demand may well have been influenced by the C.P.A.'s exhortation for trade unions to concern themselves with "government policies such as taxation (which is class biased and a growing burden on workers' wages...)".

A further encroachment strategy involved manipulating the negotiation process itself. Despite the constrictive disputes procedure foisted upon the Union under threat of deregistration in

<sup>11</sup> B.L.F. Disputes Book, 1 November 1972.

<sup>12</sup> Correspondence: J.D. Martin, Executive Director M.B.A., to The Industrial Registrar (N.S.W.), 21 July 1972: Notification Under Section 25A of the Industrial Arbitration Act - 1940 As Amended.

<sup>13</sup> C.P.A., The Left Challenge for the Seventies, April 1972, p.4.

1971, <sup>14</sup> employers found it difficult to negotiate themselves out of troublesome situations. Not only did the Union eschew arbitration, but on occasions it refused even to discuss matters. During a dispute concerning over-award payments, the B.L.F. organiser walked out of a meeting with the employer concerned and Wal Glover from the M.B.A. On another occasion the M.B.A. complained to the Industrial Registrar that Marr's employees had stopped work over a list of claims and that:

The Company's personnel and industrial officer was available to discuss these complaints with the union but they would not talk to him. They wished to speak to Mr Marr but he was unavailable at that time. The union organiser said that if Mr Marr would not discuss the matter with him then he was not prepared to divulge what the men's claims were. He also threatened that as the claims occurred there would be stoppages of work and this "would force Mr Marr to speak with them."16

Other acts which displayed total disregard for both the disputes procedure and managerial rights were the continued use of guerrilla tactics and even outright sabotage. The breaking of concrete pours remained a popular strategy 17 and in December a bundy clock was smashed on the Allens (Castlereagh Street) job. 18

Another feature of this period was the use of united action by all the labourers employed by a particular builder when only one site was in

<sup>14</sup> The B.L.F. <u>Disputes Book</u> 1972 had a list on the front cover which enumerated details to be supplied. In the language of the Disputes Procedure it requested "Details of Flashpoints recorded" and "Whether Company involved is in the M.B.A., Emp. Fed. etc.", and also "Whether or not M.B.A. refused to come out".

<sup>15</sup> B.L.F. Disputes Book, 27 October 1972.

<sup>16</sup> Correspondence: J.D. Martin, Executive Director M.B.A., to the Deputy Industrial Registrar, Commonwealth Conciliation and Arbitration Commission, 6 April 1972.

<sup>17</sup> Sites on which this tactic occurred include the St Martins Towers (Costains) project. Correspondence: J.D. Martin, Executive Director M.B.A. to The Industrial Registrar (N.S.W.), 14 July 1972.

Notification under Section 25A of the Industrial Arbitration Act - 1940 As Amended; Lanray (Concrete Constructions), B.L.F. Disputes Book, 2 August 1972; and St Martins Towers (Costains), B.L.F. Disputes Book, 2 August 1972.

B.L.F. Disputes Book, 1 December 1972. Action such as this, or simple non compliance, eventually eliminated the use of bundies in the industry. See also Correspondence: J.D. Martin, Executive Director M.B.A. to the Deputy Industrial Registrar, Commonwealth Conciliation and Arbitration Commission, 19 September 1973. Martin was advising the Commission of a dispute over labourers' demands which included "removal of a time clock".

dispute. This occurred with Costains, <sup>19</sup> Dillinghams <sup>20</sup> and Citra <sup>21</sup> employees.

Traditional union solidarity was also displayed during the lengthy plumbers' strike in July and August. Labourers consistently refused to allow scabs on to building sites 22 and as a result a dogman was actually dismissed for preventing a foreman carrying out plumbing work. Support meetings were held and collections arranged. However the most interesting aspect of B.L.F. support was the Union's refusal to pour concrete when cores or downpipes were in place. Cores (wooden devices which leave a hole for drains in concrete when it is poured) are widely conceded to be plumbers' work yet on three separate occasions, carpenters placed cores on site. Even if carpenters believed it was their work they would have had to take directions on where to place the core from either a "scab" plumber or a foreman doing plumbers' work. The B.L.F. members refused to pour concrete until the offending cores were removed.

Another B.W.I.U. action which was not popular occurred during a dismissals dispute on the Webb Bros (Parramatta Law Courts) site, when the tradesmen's official, John Watson "wanted the B.Ls to take the sack". Eventually the B.T.G. placed a complete ban on the project in support of the dismissed carpenters and labourers. Other problems occurred when carpenters were discovered "doing labourers' work" at Blacktown, and when bricklayers and not labourers were given overtime

<sup>19</sup> All Costains jobs stopped in support of the St Martins Towers site in a dispute over dismissals. B.L.F. Disputes Book, 14 July 1972.

<sup>20</sup> Dillinghams (Martin Place) job voted unanimously to stop work in support of the Qantas site and two Newcastle jobs because non union labour was being employed in Newcastle. B.L.F. Disputes Book, 3 November 1972 also Newcastle Sun, 2 November 1972.

<sup>21</sup> All Citra's Sydney projects stopped in support of men dismissed from the St James project. Correspondence: J.D. Martin, Executive Director M.B.A., to the Industrial Registrar (N.S.W.), 27 July 1972.

<sup>22</sup> B.L.F. Disputes Book, 28 July 1972 and 3 August 1972.

<sup>23</sup> Danny Rose dismissed from Lend Lease job. B.L.F. Disputes Book, 22 August 1972.

<sup>24</sup> B.L.F. <u>Disputes Book</u>, 3 August 1972. E.A. Watts job, Lavender Street, North Sydney.

<sup>25</sup> B.L.F. Disputes Book, 31 July 1972, 2 August 1972 and 3 August 1972.

<sup>26</sup> Interview: George Crawford, 20 January 1981.

<sup>27</sup> Concrete Constructions (Lanray/Centrepoint), B.L.F. <u>Disputes Book</u>, 31 July 1972; Costains (St Martins Towers), B.L.F. <u>Disputes Book</u>, 2 August 1972 and Concrete Constructions (Lanray/Centrepoint), B.L.F. <u>Disputes Book</u>, 2 August 1972.

<sup>28</sup> B.L.F. Disputes Book, 31 July 1972.

<sup>29</sup> Correspondence, J.D. Martin, Executive Director M.B.A., to the Industrial Registrar (N.S.W.), 15 August 1972.

<sup>30</sup> B.L.F. Disputes Book, 8 August 1972.

at a Crow Industries (A.I.S.) job in Port Kembla. The company's reason was that "bricklayers were paid...because enough material was on hand for them to continue work until 7 p.m.". As Owens wrote in the <u>Disputes Book</u>: "This creates a dangerous precedent for B.Ls as gear may well be placed to enable bricklayers to carry on and B.Ls could be knocked off in future". 31

When the perennial problem of tradesmen being stood down during labourers' disputes 32 is added to such industrial issues as the above it is obvious that when the two union leaderships are on bad terms the potential for the members also to be in dispute is very great. In these circumstances, it is important to note that on many occasions, rank and file tradesmen and labourers acted jointly in disputes. 33 Demarcation disputes between the B.L.F. and other unions were also rare, with only one with the A.W.U. 34 and one with the Plumbers 5 being mentioned in the Disputes Book.

A united action of some interest took place in August when building industry unionists staged a three hour sit-in at N.S.W. Parliament House. The issue concerned dismissals of P.W.D. workers and was precipitated by Askin's refusal to speak to the unionists. Among the 36 officials and rank and filers involved were Tom McDonald (B.W.I.U.) Sid Vaughan and Len Boyce (Painters) and Dick Prendergast from the B.L.F.

However, as mentioned above, the most interesting aspect of the

<sup>31</sup> B.L.F. Disputes Book, 8 August 1972.

<sup>32</sup> One particular example was Allens (Telephone Exchange) project where eighteen carpenters were stood down during a labourers' dispute over a safety officer and site allowance. Correspondence: J.D. Martin, Executive Director M.B.A., to the Industrial Registrar (N.S.W.), 13 July 1972.

<sup>33</sup> Examples were disputes at Citra (Port Kembla). Correspondence:
C.J. Chalmers, Industrial Officer, the Employers' Federation of N.S.W.
to the Industrial Registrar (N.S.W.), 13 July 1972; Webb Bros
(Parramatta Law Courts), Correspondence: J.D. Martin, Executive
Director M.B.A., to the Industrial Registrar (N.S.W.), 14 July 1972;
Stocks and Holdings (Merrylands), B.L.F. Disputes Book, 24 July 1972;
Costains (Liverpool and Sussex Streets), B.L.F. Disputes Book,
26 July 1972; K.D. Morris (Wilmott School), B.L.F. Disputes Book,
18 August 1972.

<sup>34</sup> The work in dispute was the pouring of concrete walls in swimming pools, B.L.F. <u>Disputes Book</u>, 7 July 1972, 10 July 1972 and 12 July 1972. Charlie Oliver A.W.U. undertook "under no circumstances would they be seeking to cover work on actual building jobs using this method".

<sup>35</sup> Mainlines (A.M.P.) and P.D.C. (Metropole), B.L.F. Disputes Book, 3 July 1972.

<sup>36</sup> Pete Thomas, Taming the Concrete Jungle, p.131.

Union's industrial activity in 1972 was the way in which traditional issues took on a more significant meaning. Encroachment on the established decision making structure, which had been tentatively begun in 1970, proceeded apace in 1972. The Union firmly believed in the necessity to "civilise the industry" and if the employers and other building unions would not co-operate, then the B.L.F. would act unilaterally. One issue that became increasingly part of this process was that of dismissals. The Union had always fought what they felt were wrongful or unjust dismissal cases, sometimes successfully sometimes not, but rarely had any union questioned the employer's right to hire and fire on the grounds of work available. The more militant job-sites became increasingly reluctant to allow dismissals for any reason, 37 and this began to include redundancy. 38 Tom Hogan explained "...no longer were we prepared to say the boss has got the right to sack us as long as he gives us an hour's notice". 39 The struggle culminated in two major work-ins and many lesser disputes. One of the latter, which occurred on the Costains (Macquarie) project, produced the complaint from the Master Builders that:

The Union did not appear (40) on the 4 August, 1972, when the matter was listed for Conference before the Deputy Industrial Registrar, claiming that they felt the matter could not be solved at that Hearing. However they did appear before Conciliator Wilson and indicated that they were not prepared to concede that the company has the right to employ or dismiss employees as they see fit, 41 [my emphasis]

A similar incident occurred on the Dillinghams (Martin Place) site when retrenchment notices were handed out to four labourers. The B.L.F. organiser, Dave Thomason "put to the men that they refuse to accept that [the] company could not keep men". This position was adopted by the

<sup>37</sup> One hard fought case involved a dogman who was dismissed for "refusal of duty and using indecent language". James Wallace (Miller Street) Project. Correspondence: J.D. Martin, Executive Director M.B.A., to Deputy Industrial Registrar, Commonwealth Conciliation and Arbitration Commission, 22 November 1972.

<sup>38</sup> Usually redundancy cases were fought on the grounds of seniority, i.e. the Union tried to force employers to accept the "last hired - first fired" rule. Examples of this process occurred on the Max Cooper (Broadway) job, <u>Disputes Book</u>, 11 August 1972, and at the Opera House, <u>Disputes Book</u>, 16 June 1972 and 19 June 1972. Sometimes redundancies were just opposed with no stated reason, for example the Costains (Glenn Street) job, Dispute Book, 17 August 1972.

<sup>39</sup> Tom Hogan: Interviewed by Pat Fiske 1979.

<sup>40</sup> Yet another example of B.L.F. disregard for arbitration.

<sup>41</sup> Correspondence: J.D. Martin, Executive Director M.B.A., to the Industrial Registrar, Commonwealth Conciliation and Arbitration Commission, 17 August 1972.

the members and the company eventually backed down. 42

Another example of unilateral action during the year was the Union's campaign to enforce the safety procedure of two dogmen being used on a crane instead of one. In this struggle they did not even have the support of the D.L.I., although the number of dogmen killed while "riding the hook" was still significant. One D.L.I. inspector, after visiting the Kell & Rigby (Mount Street) site during a dispute "assured the company that in his opinion there is no need for two Dogmen to be employed on this site". All Disputes over the dogmen issue also occurred on another Kell & Rigby job (University of N.S.W.) and T.C. Whittle's (Hammerson) site. The builders resisted these attacks on staffing prerogatives fiercely. At a meeting between the M.B.A. and the B.L.F. on the issue, Joe Owens, himself an ex-dogman, received a negative reaction to his lengthy submissions:

The spokesmen for the Employers made it quite clear that while they did not deny that some Companies adopted the 2 Dogmen per crane system, the Association as such could not agree that it would be acceptable as a general rule.46

The Union journal described this stance as "callous resistance". <sup>47</sup> The arbitration system displayed a similar attitude when Mr Justice Sheehy, delivering his opinion of the Kell & Rigby dispute found himself "unable to recommend the use of two dogmen in all situations". <sup>48</sup>

However direct action techniques such as banning sites and refusing to work cranes insufficiently manned,  $^{49}$  led to eventual victory. Riding the hook was virtually eliminated by 1973.

Another safety issue which had formed part of the "Civilise the Building Industry" campaign of 1969-70 was the policy of getting full time safety officers and full time first aid officers appointed on all high-rise jobs in the inner city. Strong employer resistance had resulted in a desultory campaign but in early 1972 the first break-through occurred. Workers on the Westfield (William Street) site went on

<sup>42</sup> B.L.F. Disputes Book, 24 November 1972.

<sup>43</sup> Correspondence: J.D. Martin, Executive Director M.B.A., to the Industrial Registrar (N.S.W.), 21 July 1972.

<sup>44</sup> B.L.F. Disputes Book, 4 August 1972.

<sup>45</sup> B.L.F. Disputes Book, 26 July 1972.

<sup>46</sup> M.B.A., Report of Proceedings of a Meeting with a Representative of the A.B.L.F. to Discuss the Problem Concerning Dogmen - Held on 15 June 1972, p.1.

<sup>47 &</sup>quot;Violence is a Bosses' Weapon", The Builders Labourer, n.d. (est. mid 1972).

<sup>48</sup> Correspondence: Mr Justice Sheehy to the Secretary, A.B.L.F., 11 August 1972.

<sup>49</sup> See B.L.F. Disputes Book, 26 July 1972 and 4 August 1972.

strike for a week after two serious accidents on successive days. Eventually Westfield was forced to employ a full time safety officer and the precedent was set. Other jobs demanded safety officers and the employers succumbed, sometimes with stoppages occurring and sometimes without.

When the employers were not co-operative, tactics other than strikes were sometimes used. As Mundey remarked "newer forms of action were necessary". On the P.D.C. (Rawson Place) job, the men decided a full time first aid man was essential and if the "company refused to accept this, they would knock off for the day in protest and the following morning would work in with him". The work-in took place and like so many other direct action tactics it forced the employer's hand. The next day's entry in the <u>Disputes Book</u> was short but to the point: "First aid man entered first aid shed and has since been employed as first aid officer". 52

This particular struggle took place with the support of all the workers on the job, from the B.W.I.U. and the F.E.D. & F.A., but other disputes occurred with only the labourers pushing the demands  $^{53}$  even though it was B.T.G. policy.

Mundey believes that the B.L.F. had gone further than the B.W.I.U. was prepared to, by demanding that safety officers be elected by the workers themselves "because it is to the workers that they are responsible". This was, in Mundey's own words "a clear challenge to the boss". 54 It was also one of the reasons why the M.B.A. had moved to deregister the N.S.W. Branch early in the year. 55

A prolonged dispute took place on the Costains (Macquarie) site at the corner of Sussex and Liverpool Streets. This particular struggle also involved the other important Union campaign at the time - union hire. The first aid officer at the centre of the dispute was "nominated by the Union", as was the leading hand. When the company refused to

<sup>50</sup> Tribune, 1 February 1972, p.11.

<sup>51</sup> B.L.F. Disputes Book, 9 November 1972.

<sup>52</sup> B.L.F. Disputes Book, 10 November 1972.

<sup>53</sup> For example Allens (Telephone Exchange). Correspondence: J.D. Martin Executive Director M.B.A., to the Industrial Registrar (N.S.W.), 13 July 1972, and Costains (Macquarie). B.L.F. Disputes Book, 14, 20, 21 July 1972.

<sup>54</sup> Interview: Jack Mundey, 13 August 1975.

<sup>55</sup> Both the Sydney Morning Herald, 18 March 1972 and The Sunday Australian, 23 April 1972, gave the Union's demands for worker-elected foremen and safety officers as one of the factors involved in the deregistration application.

employ the two men, even though the Union believed that prior agreement had been reached on the matter, <sup>56</sup> the men decided to stop work. At this point Wal Glover from the M.B.A. was called in by the Company. <sup>57</sup> This indicates that the Company and the Master Builders saw the issue as one which needed to be fought strongly. The men eventually resumed work with the two men they wanted employed by the company and "worked-in" with them. <sup>58</sup> The following day the <u>Disputes Book</u> recorded:

Company this morning sacked all B.Ls. They continued to work-in. In the afternoon J. Owens went on site and police were called but left without any action being taken. Wal Glover came on site and instructed J. Owens and B.Ls to leave the site, threatening to arrest them if they did not. The police were called again but took no action. Wal Glover insisting throughout that all members of the Union should be arrested. Police seemed reluctant to do this. Wal Glover informed J. Owens that the job was now completely closed down due to industrial unrest by the B.Ls.59

Tribune reported that one of the labourers involved in the work-in explained: "There's been too many chiefs here telling the men what to do and contradicting one another, so we chose our own leading hand. Now all instructions come through him". Another claimed that when the dispute was over "we'll have to consider whether or not we take the company back". Two weeks later the dispute was still unsettled and the M.B.A. notified the Commission again. 61

The extreme measures taken by the M.B.A. on this site indicate the threat to their power that they perceived in the policy of union hire. They had not always taken this position. In fact a de facto form of partial union hire had been operating for some time.

The main proponent of union-hire within the Executive was Bob Pringle. Since 1968 he had been raising the issue, <sup>62</sup> suggesting that Vine House <sup>63</sup> or the Commonwealth Employment Service <sup>64</sup> could be used as a pick-up centre. He also urged discussions with the other building unions on the matter. <sup>65</sup> Mundey indicated in 1971 that union hire was

<sup>56</sup> Correspondence: J.D. Martin, Executive Director M.B.A., to the Industrial Registrar (N.S.W.), 14 July 1972.

<sup>57</sup> B.L.F. Disputes Book, 14 July 1972.

<sup>58</sup> B.L.F. Disputes Book, 20 July 1972.

<sup>59</sup> B.L.F. Disputes Book, 21 July 1972.

<sup>60 &</sup>quot;Sacked But Worked On", Tribune, 25-31 July 1972.

<sup>61</sup> Correspondence: J.D. Martin, Executive Director M.B.A., to the Deputy Industrial Registrar, Commonwealth Conciliation and Arbitration Commission, 3 August 1972.

<sup>62</sup> Minutes: Executive Meeting, 23 April 1968.

<sup>63</sup> Minutes: Executive Meeting, 12 November 1968.

<sup>64</sup> Minutes: Executive Meeting, 24 June 1969.

<sup>65</sup> Ibid.

an important target when he reminded members that full financial unionism was necessary "if we are to attain union hire".  $^{66}$ 

During the high unemployment period of 1970-71 out-of-work members began coming to the Union Office. Bud Cook describes the beginnings of this first wave 67 period of union hire:

They would say they were having a hard time and our responsibility was to do something about it...We created a system of putting their name in a book in the office and any employers wanting labour we would send that person out to the job. That worked alright but it didn't work in all cases. At an Executive meeting there was a decision made that Union organizers going to jobs would inform employers that if they wanted workers they would ring the Union office and we would send the appropriate worker out for the job. That worked real well.68

On militant sites workers were able to demand that all new labour came through the Union office. The Kingsgate site achieved such an agreement in 1971. <sup>69</sup> Militants such as Noel Olive <sup>70</sup> and Tony Hadfield <sup>71</sup> entered the industry in this way during 1972. The <u>Disputes Book</u> indicates that union hire was accepted on many sites during the year. <sup>72</sup> Tony Hadfield explained that developers, as usual, were the first employers to succumb to the new threat. <sup>73</sup> However some companies resisted fiercely. <sup>74</sup> Bud Cook claimed: "As it caught on and our organisers got better at getting the employers to contact the office, it created a reaction with the M.B.A."

The M.B.A. made little attempt to hide its fear of union hire. Ray Rocher explained in 1979:

<sup>66</sup> Minutes: General Meeting, 2 March 1971.

<sup>67</sup> The real push came in 1973 when it was tied to the notion of permanency.

<sup>68</sup> Bud Cook: Interviewed by Pat Fiske, 1979.

<sup>69</sup> Interview: Bobby Baker, 16 May 1980.

<sup>70</sup> Interview: Noel Olive, 9 March 1978. Olive described union hire in this period as "partially successful on some jobs".

<sup>71</sup> Interview: Tony Hadfield, 13 December 1976. Hadfield obtained several jobs through the Union in 1972.

<sup>72</sup> The nature of the <u>Disputes Book</u> means that instances of acceptance of union hire would not be recorded but peripheral mention during other disputes occurs on 3 August, 8 August and 28 November.

<sup>73</sup> Tony Hadfield, "Union Hire", The Builders Labourer, August 1973, p. 29.

<sup>74</sup> Instances occurred on E.A. Watts (Institute) site, Correspondence: J.D. Martin, Executive Director M.B.A., to the Deputy Industrial Registrar, Commonwealth Conciliation and Arbitration Commission, 26 April 1972; Costains (Macquarie) project, B.L.F. Disputes Book, 14 July 1972; Lombards Newcastle Project, B.L.F. Disputes Book, 16 August 1972 and Whelans (East Quay) job, B.L.F. Disputes Book, 22 November 1972.

<sup>75</sup> Bud Cook: Interviewed by Pat Fiske 1979.

We didn't then, nor do we now...take acceptance of the philosophy of union hall hire...Worker control was just an extension of union hall hire in fact...so we saw it as unacceptable in the industry.76 <a href="Rydge's">Rydge's</a>, that bastion of capitalist philosophy equated "union hall hire of labourers with the possibility of trained agitators or incompetents strategically placed around the jobs". 77

In actual fact, one of the problems the Union had with their partial union hire situation was their inability to place their "trained agitators" strategically. Mostly, militants could only force their way onto already militant jobs and this resulted in an unfortunate "bunching" of militants on to the one site. This occasionally produced super-militant sites such as Dillinghams (Clarence Street) but did not benefit the labourers' situation as a whole.

That some bullders were prepared to covertly break M.B.A. policy in order to gain industrial peace is illustrated by an incident in Newcastle. Peter Mason and Ron Dumbrell were "worked-in" on the Lombards project, "where workers considered that extra labour was needed". 78 Eventually, after a week, each was paid, and the contractor, Manchell, agreed to continue employing Mason:

The Company said that to save face with the M.B.A., they would put an ad in the paper and call for a labourer on the site. Peter Mason would turn up for work in the morning and would be employed regardless of who else turned up. Company also agreed to contact union before any labour started on the job.79

In fact it took until May 1973 for the M.B.A. to "close ranks for the first time effectively"  $^{80}$  on the question of union hire.

On another occasion, the Union attempted to get Tom Hogan and another labourer a job with Whelan the Wrecker.  $^{81}$  After some negotiation, the company agreed to employ the other labourer (which may have been the union's intention) but not Hogan.  $^{82}$  Hogan predictably ended up at Dillinghams (Clarence Street) site.

Another group of labourers whose fortunes were inextricably linked to the fate of union hire were the women. Unless lucky in their choice of employer, the women relied heavily on the Union being able to force builders to employ them. In 1972, stoppages occurred at the E.A. Watts (Milsons Point) job over Glenys Page and at Lend Lease (all projects)

<sup>76</sup> Ray Rocher: Interviewed by Pat Fiske 1980.

<sup>77 &</sup>quot;The Anatomy of a Political Strike", Rydge's, July 1973, p. 26.

<sup>78</sup> Pete Thomas, Taming the Concrete Jungle, p. 34.

<sup>79</sup> B.L.F. Disputes Book, 16 August 1972.

<sup>80 &</sup>quot;The Anatomy of a Political Strike", Rydge's, July 1973, p.29.

<sup>81</sup> B.L.F. Disputes Book, 22 November 1972.

<sup>82</sup> B.L.F. Disputes Book, 23 November 1972.

over Carmen Rose. 83

To add fuel to the fire of the employers' increasing resistance, the Union decided at a job organisers' conference in September to "close the books" as from 1 October. This step was taken as a result of "the growing incidence of unemployment of our members [and was] an attempt to stabilise the industry". Union hire was to be implemented through a list of unemployed financial members being kept on an open notice board and priority being given to those who registered first. All other priority "job lists" were to cease operation in favour of the central list.

At the same time as these decisions were being made, negotiations for the new Award were taking place. The Union made it clear that their demand for permanency was closely tied to the struggle for union hire. The M.B.A.'s offer predictably contained no reference to either permanency or union hire. At a series of mass meetings held on 16 October in N.S.W. to discuss the new awards the following resolution was passed:

Because of the Tradesmens' settlement, we have no alternative but to agree to the general principles of wage rates and conditions applying to the N.S.W. Building Tradesmen...

This meeting calls upon the F.M.C. to meet the employers nationally around 1. Permanency, 2. Election of Leading Hands [and] Election of Safety Committees, and 3. The establishment of the Building Investigation Committee.89

We call for leave to be reserved on these matters and to be discussed after 1st November 1973.90

The Employers refused outright to accept these demands:

Our offer is absolutely contingent upon the Union withdrawing its claims in so far as these three claims are concerned and also withdrawing any claim that differs from the claims already made by the B.T.G. We are <u>not</u> prepared to give Leave Reserved to the Federation on any matter apart from those which will be granted to the other unions...91

<sup>83</sup> For full details of these disputes see chapter 9.

<sup>84</sup> B.L.F. Circular, To All Job Organisers, 27 September 1972.

<sup>85</sup> Ibid.

<sup>86</sup> Interview: Bud Cook, 5 March 1978.

<sup>87</sup> Document, Master Builders' Association Offer as at 26 September 1972, lp. roneod.

<sup>88</sup> Although always referred to as the "new award" it was actually a variation of Part 2 (N.S.W.) of the Builders Labourers' Federal Award.

<sup>89</sup> A detailed description of what the B.L.F. envisaged the Committee would encompass included environmental impact-type studies. The Builders Labourer, 1972, p.17.

<sup>90</sup> B.L.F., Resolution for Mass Meetings, n.d. (16 October) typed.

<sup>91</sup> Correspondence: J.D. Martin, Executive Director M.B.A., to the General Secretary, A.B.L.F., 17 October 1972.

The whole problem was, however, that the other unions were not prepared to take up the issues. Bud Cook complained: "The problem was that we were negotiating on our own...The other industry unions were refusing to negotiate with us".  $^{92}$ 

The real fight for permanency and union hire had to wait until 1973 before it was finally resolved. Meanwhile the ad hoc partial system remained as a continual threat to managerial prerogative.

Other serious encroachments on employers' rights occurred during the two major work-ins of 1972. In February, fifty labourers on the Concrete Construction (Centrepoint) job, known as Lanray, were dismissed for striking over a special rates claim.

They were notified that all money owing would be posted to save them the trouble of ever coming near the site again. But the blokes had other ideas. They all met on the site the following morning and decided on a reverse whammy. The decision was they were going back to work, but the foremen weren't.93

Tom Hogan, the organiser on the site at the time, explained:

We sacked every foreman on the site. We left the manager [Lindsay Pearson] there in isolation because someone had to pay us. We said, "you're all fired and we'll be doing no production until such time as safety gets up to scratch." The foremen remained there by the gate with a forlorn look on their faces. They didn't believe it at first. They'd try to give orders and we'd say "run along son, we're busy."94

In less than an hour the men had elected five foremen from amongst themselves, an extra nipper and a first-aid attendant. Within twenty minutes, Concrete Constructions Director, Ted Cooper, arrived on site, saw what was happening and promptly rang the Union office. He spoke to Joe Owens:

Cooper rang me up and said, "we've got a very unusual situation here ...they've gone back to work and elected their own foremen." I said "what's wrong with that?" and he replied "but they're not doing what the company tells them".96

The result of the phone conversation was an offer by the company to reinstate all the workers immediately and negotiate the original pay claim. However a condition of re-employment was that the men reinstate

<sup>92</sup> Bud Cook: Interviewed by Pat Fiske 1979.

<sup>93</sup> Tom Hogan, "Sackings Didn't Stop Them (It Was the Foremen Who Were Outside Looking In)", Tribune, 15-21 February 1972.

<sup>94</sup> Tom Hogan: Interviewed by Pat Fiske 1979.

<sup>95</sup> Tom Hogan, "Sackings Didn't Stop Them (It Was the Foremen Who Were Outside Looking In)", Tribune, 15-21 February 1972.

<sup>96</sup> Interview: Joe Owens, 4 April 1978. There is some difference over who actually received the call. Mundey (Interview: 16 January 1981) claims he spoke to Cooper. Perhaps two calls were involved.

the company's foremen. <sup>97</sup> Even after what was a major victory, the men were undecided about that condition:

It wasn't a unanimous decision that we'd accept the foremen back even then. It must have been about a 60/40 decision. We went much better without them. A new confidence was there. (98) Some form of workers' control was necessary to implement it...I'm not suggesting it was perfect...but more and more we were beginning to feel our strength, that we didn't have to bow down every time we heard the boss speak. 99

The second major work-in occurred at the Opera House in April where the labourers, this time supported by the metalworkers, elected their own foremen and safety officers. When the work-in petered out through lack of materials the conditions were dictated by the workers. The company foremen who had been sympathetic to the workers' occupation were taken back as charge hands with no disciplinary powers.

Canberra conducted a major strike early in the year where vigilante activity took place with much enthusiasm. 101 But it was in Newcastle that the most interesting developments occurred. Industrial militancy exploded there with an impact that shook even the major builders.

K. Chilman, referring to his company's Lombard project complained:

"The whole future of the project may be in doubt because of this Sydney based militancy being waged in Newcastle through the local B.L.F. officials."

The Newcastle labourers were certainly heavily influenced by the Sydney scene but there were other important factors involved in their "coming of age".

The Newcastle area which had seen sporadic militant outbursts during the 1970 and 1971 strikes had continued to be a problem for the N.S.W. Executive because of the difficulty of finding a suitable organiser. The leadership had come to recognise that "you really needed someone who understood the local conditions". Ron Dumbrell, an ex-boxer from the

<sup>97</sup> Tom Hogan, "Sackings Didn't Stop Them (It Was the Foremen Who Were Outside Looking In)", <a href="Tribune">Tribune</a>, 15-21 February 1972. That the foremen never regained their position of authority is suggested by this cryptic comment in the Disputes Book, 11 December 1972, "Men decided that job would stop if foreman was not transferred or replaced".

<sup>98</sup> The front cover of the 1972 <u>Builders Labourer</u> carried a large photograph of the work-in and the caption "Workers at Centrepoint...were in high spirits when this picture was taken".

<sup>99</sup> Tom Hogan: Interviewed by Pat Fiske 1979.

<sup>100</sup> A full account of this experience is recorded in John Wallace and Joe Owens, Workers Call the Tune at Opera House, 1973.

<sup>101</sup> The Builders' Labourer, n.d. (Est. mid 1972), pp.21 and 23.

<sup>102</sup> Newcastle Sun, 2 November 1972.

<sup>103</sup> Interview: Joe Owens, 4 April 1978.

Central Coast, who had been working as a temporary organiser in the area resigned in early 1972 after nine months "on the road". He had done a competent job but felt he could not cope with the stress. He remained a committed militant, active in the area. In May 1972, a young Newcastle labourer, Tony O'Beirne, was appointed by the B.L.F. Executive as the Northern Organiser. His area extended from the Hawkesbury River to the Queensland border. The area committee, which had functioned only intermittently, was revived and became a stable feature of the Union structure. O'Beirne described its composition as, "broadly representative of the whole Central Coast...Newcastle...Nelson's Bay...it was good".

Former Union organiser Brian Hogan was working as a builder's labourer in the area and was of "great assistance". Elfrida Burghardt who worked in the area office was also "very helpful because she understood the politics of the B.Ls".

However the most important factor in the changed industrial climate was the eventual spread of the building boom to Newcastle. Two major projects, Lombard House and the Civic Centre became the focal point for most of the disputes during 1972.

Another feature of the Newcastle scene was the better relationship that existed between the labourers and the tradesmen. According to O'Beirne, "the membership jumped  $^{106}$ ...We really organised Newcastle, we didn't let up till we got every site unionised".  $^{107}$ 

The first event to make headlines was a protest demonstration organised by the labourers from the Civic Centre project in October 1972. The labourers were demanding that the main contractor, Dillinghams, provide showers for the men. This would have been a standard condition in Sydney. As O'Beirne told the Newcastle Sun:

...major builders come here from outside thinking we are boys from the bush. They seem to leave award rates and conditions at the Hawkesbury. 108

The men were working in a fifteen foot deep excavation with jack hammers, and "in fine weather they were covered with dust and in wet weather in mud a foot deep...Because they had no shower facilities they had to wear

<sup>104</sup> Interview: Tony O'Beirne, 2 March 1978.

<sup>105</sup> Ibid.

<sup>106</sup> He estimated the membership in that period as 400 but a Newcastle Sun report of 16 October 1972 referred to "more than 1200 builders labourers" attending a stop-work meeting. This discrepancy simply illustrates the difficulty of calculating union membership.

<sup>107</sup> Interview: Tony O'Beirne, 2 March 1978.

<sup>108</sup> Newcastle Sun, 8 November 1972.

dirty clothes home". 109 To draw attention to their plight, the labourers indulged in a typical piece of B.L.F. larrikinism. A large photograph appeared in the next day's Newcastle Morning Herald of six hairy chested semi-naked B.Ls. The accompanying description of the protest began:

Eight builders' laborers risked pneumonia when they staged a protest demonstration on the steps of Newcastle City Hall yesterday afternoon.

Clad in underpants and shorts, they showered with cold water from a hose as light rain fell and the mercury dropped to about 19 degrees...110

The article explained that the men would continue to shower each afternoon on the City Hall steps till they got their shower room.

The Labor Lord Mayor of Newcastle was quoted as stating that he "would not tolerate any more foolish actions by these laborers..." but like most of the B.L.F.'s more extravagant antics, the direct action approach succeeded. Two days later the showers were installed. 112

Another dispute occurred at the same time but with less publicity. The labourers demanded that the contractors, Frankipile and Dillinghams dismiss men who had been involved in the use of staff labour on site. When this demand was refused, the men resumed work but refused to take orders from the superintendents involved. The labourers were dismissed but resumed work on the next working day and "worked-in", while refusing to take direction from the superintendents. When they refused to leave the site, the police were called and five builders labourers were arrested and charged under the Summary Offences Act with remaining on a building site. Discussions failed to resolve the issue and the dispute dragged on to be overtaken by more spectacular events.

A lock-out by a sub-contractor on the Civic Centre site occurred later that month over employment of local labour, <sup>115</sup> and the site remained almost constantly in dispute for the rest of the year. The main points at issue were the use of non-union labour and imported labour. The disputes received enormous publicity <sup>116</sup> and the Lord Mayor, Alderman McDougall, threatened to close the project down. <sup>117</sup> These

<sup>109</sup> Newcastle Morning Herald, 7 October 1972.

<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

<sup>112</sup> Newcastle Sun, 9 October 1972.

<sup>113</sup> B.L.F. Disputes Book, 6 October 1972.

<sup>114</sup> B.L.F. Disputes Book, 9 October 1972 and 24 November 1972.

<sup>115</sup> Newcastle Morning Herald, 31 October 1972.

<sup>116</sup> See Newcastle Morning Herald, 2, 8, 15, 16 November and 21 December 1972 and Newcastle Sun, 1, 2, 8, 9, 10, 15, 27, 29 November 1972.

<sup>117</sup> Newcastle Morning Herald, 8 November 1972.

threats were indignantly replied to by the Union with O'Beirne claiming that McDougall had refused to speak to the Union about the issue. He explained that the problems stemmed from the employer breaching award conditions. He said "all of Newcastle's major builders put together would not have more than a dispute a month because they abided by conditions won by trade unions" but major builders from outside Newcastle felt they could behave differently. 118

Workers employed by Dillinghams on another Newcastle project, the social sciences block at the University, went on strike in support of the labourers at the Civic Centre.  $^{119}$ 

While the Civic Centre was in turmoil, so was the other major building site - Lombards. Here the main points at issue were the employment of a female "nipper", June Philpott, and the re-employment of ten carpenters who had been declared redundant. The labourers struck in support of the dismissed carpenters and would not resume work until they were re-employed and all workers paid for lost time. 120 Such action indicated the better inter-union relationship that existed in the area. The carpenters and labourers announced that they would report for work daily but only work if the carpenters were employed. 121 This action lasted for a week and was described as a "sit-in" by the two Newcastle dailies. 122 In defence of their actions the workers' delegates argued that there had been minimal disruption on the project and those stoppages that had occurred were part of a B.T.G. campaign to reach agreement with the site contractor on working conditions. They argued that the ten dismissed carpenters had been "discriminated against". 123 Once again direct action succeeded and the carpenters were re-employed. 124

The workers' staunch support for June Philpott  $^{125}$  eventually overcame barriers such as injunctions and civil court actions from the builder.  $^{126}$ 

These disputes also received massive publicity 27 and drew the

<sup>118</sup> Newcastle Sun, 8 November 1972.

<sup>119</sup> Newcastle Sun, 2 November 1972.

<sup>120</sup> Newcastle Morning Herald, 16 November 1972.

<sup>121</sup> Newcastle Morning Herald, 17 November 1972.

<sup>122</sup> Newcastle Morning Herald, 17 November 1972 and Newcastle Sun, 21 November 1972.

<sup>123</sup> Newcastle Morning Herald, 17 November 1972.

<sup>124</sup> Newcastle Morning Herald, 23 November 1972.

<sup>125</sup> One stopwork meeting voted 21-4 to continue the dispute.

<sup>126</sup> Newcastle Sun, 9 November 1972. Fuller discussion of this case in chapter 9.

<sup>127</sup> See Newcastle Morning Herald, 2, 16, 17, 21, 23 November 1972, and Newcastle Sun, 2, 9, 10, 15, 21, 29 November 1972.

inevitable responses. The major builder of the Lombard project, K.F. Chilman, complained about Sydney based militancy spreading to Newcastle. His criticisms were echoed by two editorials in the Newcastle Morning Herald. The first argued that:

Potential developers looking at Newcastle as a site for major office buildings will have second thoughts about investing in the city. And without the major builders there will be less work for builders' labourers.

It then pointed out that the proposed Royal Commission would be costly but concluded "...there is a limit to how much the community can be expected to take from this union - and that limit has just about been reached". The second editorial expounded:

The urgent need for the Trades Hall Council to help restore balance to both troubled building projects can be seen in the way the effects of the disputes have mushroomed. The militancy of the Builders' Labourers' Federation has delayed and reduced opportunities for members of other more moderate building unions.

It then gave as an example the B.L.F. strike in support of the carpenters who had been stood down.  $^{130}$ 

The media attacks, although based on parochial issues, were virtually an extension of the Sydney based campaign against the Union. Certainly, the Newcastle disputes had a flavour of "energy and roughness" but the huge publicity probably would have eventuated anyway. The labourers themselves were strongly imbued with the belief that the change had come. As O'Beirne put it, "...it's happened in Sydney - it's now happening here".

While industrial activity continued at a high level the Union was also becoming increasingly involved in political issues.

The C.P.A. policy statement which arose out of the 1972 Congress reinforced the 1970<sup>133</sup> emphasis on the need for trade unions to involve themselves in "action on social and political issues going beyond the traditional concern of unionism". The areas listed were "taxation... health, education,...foreign policy, war and armaments; racism in Australia and abroad; preservation of the ecological environment and the struggle against pollution in all its forms". <sup>134</sup>

<sup>128</sup> Newcastle Sun, 2 November 1972.

<sup>129</sup> Newcastle Morning Herald, 2 November 1972.

<sup>130</sup> Newcastle Morning Herald, 16 November 1972. A confusing argument. Is it a "reduced opportunity" for a particular union to have another union strike in its support?

<sup>131</sup> Interview: Tony O'Beirne, 2 March 1978.

<sup>132</sup> Ibid.

<sup>133</sup> C.P.A., Modern Unionism and the Workers' Movement, 1970.

<sup>134</sup> C.P.A., The Left Challenge for the Seventies, 1972, p.4.

The general policy emphasised the need to "fight capitalism's destruction of the environment". 135 It is not surprising therefore that the B.L.F.'s major political activity in 1972 revolved around the environment and in particular their own black bans. However, they remained heavily involved in anti-war and anti-racism activity. Mundey continued to extol the line that unions should be political. "The degree of unions' involvement and the issues around which they struggle now will determine the shape of future society" he told a Workers' Control Conference in Victoria. 136 He wrote in the journal: "The Builders' Labourers' Union feels strongly about unions and the whole workers' movement involving themselves more deeply in all political, moral and social questions affecting ordinary people".

The important difference between the B.L.F.'s involvement in political issues and that of other unions during this period was that they were actively participating at all levels. For instance, when student draft resisters set up a draft sanctuary on the top floor of Sydney University's Union Building it was Bob Pringle and other builders' labourers who constructed the barricades on the stairs to prevent police arresting the students. 138

When aboriginal protesters wanted help in advertising the July "Black Moratorium" it was the B.L.F. who arranged for banners to be hung on the jibs of cranes around the city. One dogman, Roy Bishop, was dismissed for refusing to take a sign down. He was reinstated and dismissed several times before the situation was resolved. Bob Pringle was arrested during the Black Moratorium and was involved in the Aboriginal Embassy demonstration in Canberra. Fines levied on employers during the year were often donated to aboriginal rights causes. The Union continued in its active support of Women's Liberation at the political level as well as fighting at job level for women's rights to work in the industry. 140

Perhaps the Union's most spectacular political act of the year as far as the media were concerned was the arrest of Jack Mundey in July

<sup>135 &</sup>lt;u>Ibid.</u>, p.7. Discussion of the extent to which the B.L.F. influenced the C.P.A. and vice versa is included in chapter 10.

<sup>136</sup> Cited in Pete Thomas, Taming the Concrete Jungle, p. 133.

<sup>137</sup> The Builders' Labourer, n.d. (Est. mid 1972), p.1.

<sup>138</sup> Tribune, 25-31 July 1972, p.10.

<sup>139</sup> See <u>Disputes Book</u>, June and July 1972; Bob Pringle, "The Black Awakening", <u>Builders' Labourer</u>, 1972, pp. 31-32; Correspondence:
Lyn Thompson to Bob Pringle, n.d. (late 1972); and "Black Moratorium: Thousands Act For Black Rights", Tribune, 18-24 July 1972.

<sup>140</sup> See chapter 9.

for "intent to incite people to fail to register for National Service". Although twelve other people were arrested during the demonstration, including Pat Clancy, all the media showed photos of Mundey, with one particular picture of Mundey making a defiant V-sign, being widely disseminated. 141

The Union's environmental bans were the big news of 1972. These bans were still known as black bans,  $^{142}$  the term "green bans" not being used until early 1973.

The Union began the year with gusto. In one week in January Mundey was quoted in the <a href="Herald's">Herald's</a> "Sayings of the Week": "More and more we are going to determine which buildings we will build" and in <a href="The Australian">The Australian</a>'s "For the Record": "We don't want the next generation to condemn us for slapping up the slums of tomorrow". 144

A feature of the bans placed during the year was the expansion of the concept to include, not just the environmental bans of 1971 but also the so-called "cultural" bans placed on the Theatre Royal, Regent Theatre and (arguably) the Newcastle Hotel.

A second feature was the co-operation that developed between the Union, the National Trust and the N.S.W. Chapter of the Institute of Architects. Mundey held talks with Don Meisenhelter from the Institute's Environment Committee and these negotiations culminated in an announcement in January 1972 that the Union would refuse to demolish all buildings "which the National Trust of Australia recommends for preservation". Mundey said the Union had been given a National Trust list of about 1700 N.S.W. buildings. "We will consult with architects and the trust if necessary. Anyone with a conscience has to speak up the building industry has gone mad." These announcements led to a

<sup>141 &</sup>lt;u>Sun</u>, 15 July 1972; <u>Daily Mirror</u>, 15 July 1972; <u>Sun Herald</u>, 16 July 1972; <u>Sunday Telegraph</u>, 16 July 1972.

<sup>142</sup> I can find no written evidence that the term "green ban" was used before May 1973, despite Mundey's belief that the term was used in the 1972 Malcolm Colless interview.

<sup>143</sup> Sydney Morning Herald, 22 January 1972.

<sup>144</sup> Sunday Australian, 23 January 1972.

<sup>145</sup> The Union banned demolition of the Newcastle Hotel because it was "a well-known workers' pub where struggling artists traditionally sell their works, without fee", Tribune, 8 November 1972. It had also been a popular meeting place for the group of Sydney Libertarians known as "The Push".

<sup>146</sup> Neal Swancott, "Builders Will Not Knock History", The Australian, 20 January 1972.

<sup>147</sup> The Australian, 20 January 1972.

<sup>148</sup> Ibid.

spate of satiric attacks. A Molnar cartoon appeared showing a beefy B.L. saying "All out! I don't like the cornice" and Emeric depicted a similarly muscly B.L. reading a book entitled, "Do it Yourself, Restoration of Historic Buildings". Jim Macdougall pleaded for the B.Ls to save "the world's last remaining free standing four storey lavatory block" in Macquarie Street, imploring "Mundey we need you". Apart from the distinctly "classist" nature of these attacks, they were harmless in comparison with other onslaughts, and were accepted with good humour by the B.Ls themselves.

Following closely upon the Union's declaration of bans on the 1700 "Trust - classified" buildings the Union placed specific bans on the Pitt Street Congregational Church in February; the Opera House Car Park in March; Inner City Expressways, which later included "Lyndhurst", in April; the Theatre Royal in May; the Moore Park - Centennial Park Sporting Complex in June; the A.N.Z. Bank, the National Mutual and Colonial Mutual Buildings on the corner of George Street and Martin Place in July; the Regent Theatre and the Newcastle Hotel in October; Bustle Cottage in Wollongong in November; and houses occupied by aborigines in Louis Street, Redfern, in December.

All these bans attracted press attention and public criticism, particularly the Opera House Car Park and the Newcastle Hotel. Given also the State Government and Employer criticism of their industrial tactics, attacks on the Branch came to be one of the major features of the Union's year.

In March 1972 the N.S.W. M.B.A. moved to deregister the A.B.L.F. J.D. Martin admitted to the media that:

The association is exploring its rights under the...Act in an endeavour to protect itself...from the high incidence of strikes in the building industry.

Certain resolutions have been passed by the association...152

The F.M.C. had no doubts about what these resolutions might be. The Federal President Delaney "...said that developments in N.S.W. required the F.M.C. to make a statement calling on the Rank and File Members of the Federation to unite to defeat the employers' attempts to destroy our Federation". The F.M.C. unanimously passed a Gallagher/Mundey resolution which warned the N.S.W. M.B.A. of their

<sup>149</sup> Molnar, Sydney Morning Herald, 20 January 1972.

<sup>150</sup> Emeric, Sydney Morning Herald, 26 August 1972.

<sup>151</sup> Jim Macdougall, "Town Talk", Daily Mirror, 13 December 1972.

<sup>152</sup> Sydney Morning Herald, 18 March 1972.

<sup>153</sup> Minutes, Federal Management Committee, 15 March 1972, p.9.

"collision course" with the Federation and added, "...it is a known fact that the Employers and Right Wing leaders of some Building Unions want the N.S.W. Branch destroyed". The F.M.C. also noted that the attack came as the Federation's Award in N.S.W. was nearing expiration and "when the Rank and File and Leadership of N.S.W. have put forward a positive Log of Claims" which included permanency and election of safety officers. The resolution concluded with the acknowledgement that:

The actions of the N.S.W. Members in recent years have led to wage and other improvements to building workers in all States under Federal Awards. These include Full Payment when off on compensation and Full Payment for Public Holidays.156

The Federation demanded that the Master Builders revoke their decision and threatened a National Strike.

Despite this, the M.B.A. made an application for deregistration in early April. Mundey alleged that it was a "political move to frustrate negotiations around the new award...At the present time we have an agreement...not to press further wage claims until October and we have honoured that agreement". He said the Union was likely to open its award claims earlier than the agreed date if deregistration proceedings were not withdrawn. 158

The N.S.W. Branch wrote to the B.T.G., reminding them that "it is not new for a militant union to come under attack from the employing class" and argued that:

although differences may exist as to the way we can best unite in common action, nevertheless, with the employers stacked to single out one union, it is incumbent upon the other unions to rally to that union's support in accordance with the decisions made, both at A.C.T.U. level and at Labor Council level, on the issue of deregistration.

The letter went on to mention the recent physical assaults and arrests of unionists and tied these in with deregistration as another form of union suppression. It called upon the B.T.G. to demand that the M.B.A. withdraw its application "and settle down to discuss the wages and conditions claims of the building unions". The Union assured the B.T.G. on the unity issue that:

It is the intention of this Branch of the Federation that we should press our claims with other building unions in this

<sup>154</sup> Ibid., p. 10.

<sup>155</sup> Ibid.

<sup>156</sup> Ibid., pp.10-11.

<sup>157</sup> Sydney Morning Herald, 10 April 1972.

<sup>158</sup> The Sun, 10 April 1972.

State (159) and, at the same time, try to co-ordinate national demands by builders laborers.160

The F.M.C. held an emergency meeting later in April and Gallagher produced an analysis that has enormous significance in the light of later events:

The General Secretary...stated that the Application by the N.S.W. M.B.A...was, in his opinion, an attempt...to put pressure on the federation to discipline the N.S.W. Branch of the Union.161

The South Australian M.B.A. had actually put such a proposition to the South Australian B.L.F. They had proposed "that the Federation should take steps to discipline the N.S.W. Branch of the Federation".

The similarities between this situation and the lead up to Federal Intervention in 1974 are so great that the question inevitably arises, "what caused Gallagher to defend the N.S.W. Branch in 1972 when in almost identical circumstances in 1974 he succumbed to the employers' threats?" 163 Some answers can be found in a close study of what was said during the F.M.C. meeting. For one thing, Gallagher admitted the real threat posed by the B.W.I.U. He repeated his accusation of the previous meeting, that "...it was quite common knowledge there had been discussions held between some N.S.W. Building Unions...and the M.B.A. for the purpose of filling the vacuum if their application for deregistering our Union [succeeded]". Davies of Western Australia agreed:

...some of these so-called "Left" Trade Unions in the building trade were nothing but Right-Wing Unions hiding behind some Left-Wing cover and when the time came they would have no hesitation in taking over our work with the assistance of the Employers.165

<sup>159</sup> That this claim was not simple rhetoric is substantiated by Bud Cook's letter to the B.T.G. requesting a joint approach on the subject of the new award. (Correspondence: H. Cook, Acting Secretary to L. Boyce, B.T.G., 14 June 1972) "We believe it is in the interest of all building workers in N.S.W. if all campaign together...there should be no hurdle to joint action being by both tradesmen and our members."

<sup>160</sup> Correspondence: J. Mundey to L. Boyce, Secretary, B.T.G., 12 April 1972.

<sup>161</sup> Minutes: Federal Management Committee, 18 and 19 April 1972, p.2.

<sup>162</sup> Ibid.

One difference was the increased isolation within the union movement of the N.S.W. Branch in 1974. Another factor was that in 1974, a strong pro-Gallagher team had just been decisively beaten by the N.S.W. leadership in the Branch elections. Also in 1972 the Federation's finances were low after the South Australian Plasterers' Case. But the most important factor was the booming state of the industry in N.S.W. in 1972. See chapter 8 for further discussion.

<sup>164</sup> Minutes: Federal Management Committee, 18 and 19 April 1972, p. 2.

<sup>165</sup> Ibid., p.4.

Masterson from Victoria endorsed these sentiments "about Right-Wing Unions wearing Left-Wing cloaks".

The fear of the B.W.I.U. which was the union referred to was exacerbated by a demarcation dispute over formwork which was also discussed at the same meeting. This wariness was underscored by Mundey's statement that "the time was not yet right to continue discussions on Form Work", and both Gallagher and Mundey agreed that the matter should lie in abeyance. 168

A second important point was that the N.S.W. M.B.A. did not have the full support of the other state branches of the Master Builders. The W.A. M.B.A. had assured Davies that they would oppose the N.S.W. M.B.A.'s application and the situation in Queensland and South Australia seemed uncertain.

The Joint Statement issued at the conclusion of the F.M.C. meeting alleged:

...many of the Master Builders' Associations in the other States do not share the viewpoint of the N.S.W. M.B.A., and consider they are on a dangerous "Collision course" which could inflict tremendous damage on them and cost them millions of dollars.

Some sober Employer Organisations in the other States note that the Federation has honoured its obligation not to pursue general wage demands until October 1972, and consider the N.S.W. M.B.A. would be best served in negotiating now with the Federation on its log of claims before October.171

The F.M.C. resolved to meet with the Federal Officers of the M.B.A. rather than the N.S.W. M.B.A.  $^{172}$ 

Gallagher also acknowledged that the problem was that, "the N.S.W. Master Builders had not as yet realised there was a new industrial situation in that State",  $^{173}$  and that:

The N.S.W. M.B.A., accustomed to quiet, top level negotiations over the years, were shocked to their bootlaces by the vigor of the big strikes by Builders' Labourers in 1970 and 1971.

These strikes were essentially ones to lift the Builders Labourers from a "second class" position and to bring...a little stability and some dignity to our Membership.174

<sup>166</sup> Ibid.

<sup>167</sup> It was the only possibility - on the grounds of "left" pretensions and industrial scope.

<sup>168</sup> Minutes: Federal Management Committee, 18 and 19 April 1972, p. 11.

<sup>169</sup> Ibid., p.4.

<sup>170</sup> Ibid.

<sup>171</sup> Joint Statement on the De-Registration of the Federation "All Workers in Australia: Fight the Attack on the Builders' Labourers'", Minutes: Federal Management Committee, 18 and 19 April 1972, p.10.

<sup>172</sup> Ibid.

<sup>173</sup> Ibid., p.2.

<sup>174</sup> Ibid., p.9.

These statements about the importance of the N.S.W. Branch's industrial actions are significant, as is the fact that the only point on which Mundey was questioned by the rest of the F.M.C. was the N.S.W. policy of electing their own leading hands. Nothing was said about the environmental bans although by this stage, the Opera House Car Park ban was drawing much criticism from the media and the State Government.

In fact both Mundey  $^{176}$  and Gallagher  $^{177}$  commented upon the unity within the Federation over deregistration and the Joint Statement declared: "The Unity of the Federation is at an all time high  $^{178}$  and we will fight nationally against this attack".

The Joint Statement also outlined a plan to file for the deregistration of the N.S.W. M.B.A. "for their blatant failure to observe the
award conditions". When this strategy was revealed to the media,
Mundey explained "we have better relations with employers in other
States".

The isolation of the N.S.W. M.B.A. in conjunction with the unity of the A.B.L.F. resulted in the organised Labor movement involving itself in negotiations between the warring parties. On 26 April and 3 May, meetings were held between representatives of the N.S.W. M.B.A., the A.B.L.F. (Gallagher, Delaney and Mundey), the A.C.T.U. and the Labor Council of N.S.W. Four propositions were accepted by both parties. The B.L.F. agreed to attempt to resolve disputes by negotiation, to make every effort to contact the M.B.A. before industrial action was taken and to inform delegates and members by circular of these decisions. The position was to be reviewed in June.

These conditions represented a clear victory for the B.L.F. The N.S.W. Branch felt uncowed by these restrictions. The journal declared:

I would say this to Mr. Martin and his "political" wing of the M.B.A. The smoke-screen of...deregistration or no-strike clauses

<sup>175</sup> Minutes: Federal Management Committee, 18 and 19 April 1972, p.3.

<sup>176</sup> Ibid.

<sup>177</sup> Ibid., p.2.

<sup>178</sup> It did appear that 1972 marked one of the "honeymoon" periods of Federal State relations. The F.M.C. also endorsed the N.S.W. Branch's action in sending a cable to Brezhnev, urging him to withdraw his invitation to Nixon until hostilities ceased in Vietnam. Minutes: Federal Management Committee, 18 and 19 April 1972, p.5.

<sup>179</sup> Joint Statement, Minutes: Federal Management Committee, 18 and 19 April 1972, p.10.

<sup>180</sup> Ibid., p.9.

<sup>181</sup> The Sunday Australian, 23 April 1972.

<sup>182</sup> B.L.F., To All Job Organisers: Circular No. 10/72, 15 May 1972.

will not deter this union in our fight for better conditions, and safety for building workers.

We would not be worth our salt as a union if we allowed ourselves to be brow-beaten and intimidated because of your political aspirations.183

A somewhat querulous letter from the M.B.A. to Gallagher reinforces the view that the N.S.W. Branch took little notice of these restrictions. The letter initially complained that the agreed upon circular had not been sent 184 and then proceeded to list in detail the problems that had occurred in the fortnight since the agreement. Five lengthy stoppages were named and six other disputes were recorded. These included two separate stoppages over extra dogmen, one of whom was to be hired through the Union; one stoppage over a female nipper; one over payment of the fourth rate; a dispute over threats to a "scab"; and the final complaint, which appeared to be the last straw, was that Mundey had rung the managing director of a company at his home on a Sunday and "insisted that Mr. Whittle make arrangements for builders labourers employed on one of the company's projects in Canberra to attend a Vietnam protest meeting to be held on Monday". The letter concluded that:

if this state of affairs continues we will have no hesitation but to regard activities such as these as a breach of our undertaking, and will take such action as will be necessary under the circumstances.186

There was little the M.B.A. could do however. Their deregistration moves had produced unity within the Federation and to some extent solidarity from the organised trade union movement. Their actions had backfired this time but they had learnt a lesson that would be invaluable in 1974.

Another employer tactic in the same period involved the use of the Summary Offences Act. The Act had been consistently used by employers in industrial disputes since its inception in 1970 because the penal powers of the Arbitration Act had become inoperative. The B.L.F. had been the main target for its use as an industrial tactic, (Tom Hogan had been the first person charged under the Act), and had

<sup>183 &</sup>quot;Violence is a Bosses' Weapon", The Builders' Labourer, n.d. (est. mid 1972), p.29.

<sup>184</sup> The circular was dated 15 May whereas the M.B.A.'s letter was dated 16 May. The circular could have been pre-dated. It was a fairly straight forward description of negotiations and added: "For our part, we will make every endeavour to carry out in full this agreement. We call on our entire membership to note this and to give us their full support".

<sup>185</sup> Correspondence: J.D. Martin to N. Gallagher, 16 May 1972.

<sup>186</sup> Ibid.

spearheaded the campaign to have it revoked. Police were regularly called to jobs by employers but mostly were persuaded to leave without taking action although organiser Johnny McNaughton had been arrested in January. However, a dispute occurred in March which brought the campaign to a head.

On an Elcon (Bellevue Hill) site Bob Pringle was "viciously king hit by an employer after the job decided to go on strike over wages and amenities". 189 Pringle's nose was broken and he was hospitalised for three days. The site was declared black and unionists occupied the site demanding that the offending sub-contractor be removed from the site. 190 The police arrested 36 workers including five B.L.F. officials, an F.E.D. & F.A. member, and an 18 year old female B.L. 191

The arrests were followed the next day by spontaneous protest stoppages at a number of jobs and many workers attended the court. The Elcon projects at Bellevue Hill and Balmain were picketted. 192 charged were remanded to 8 May, so the Union called for a 24-hour stoppage for that date. They produced a leaflet featuring a suitably bloody-nosed photograph of Pringle and protesting "Police Interference in Union Affairs". 193 The leaflet argued:

There is a growing tendency to use Civil Courts, as well as the Summary Offences Act and in our case, a section of the employers are seeking to have our Union deregistered so as a "tame cat" Union can have legal coverage of our work. 194

<sup>187</sup> Disputes where police were called in 1972 include: January - Johnny McNaughton arrested on a Chatswood job while investigating a wage claim, (The Builders' Labourer, 1972, p.25); February - The Lanray work-in, (Tribune, 15-21 February 1972); March - the Bellevue Hill incident, (Tribune, 4 April 1972); March - Structural Developments Job, North Sydney, (The Builders' Labourer, 1972, p.27); July - R.L.M. (Mosman) site, (Disputes Book, 10 July 1972); Costains (Macquarie) project, (Disputes Book, 21 July 1972); August - R. Connolly (Oxford Street) site, (Disputes Book, 2 August 1972); September - Glenys Page arrested over "nipper" work-in at E.A. Watts (Milson's Point), (Daily Telegraph, 10 November 1972); and Allens (Castlereagh Street), (Disputes Book, 1 December 1972).

<sup>188</sup> The Builders' Labourer, 1972, p.25.

<sup>189 &</sup>quot;Violence is a Bosses Weapon", The Builders' Labourer, 1972, p.27.
190 Correspondence: J. Mundey to L. Boyce, Secretary. B.T.G., 12 April 1972.

<sup>191</sup> Tony Hadfield, one of the arrested, remembers that after Pringle was assaulted, "B.Ls came into the Criterion looking for vigilantes, I just happened to be there". Interview: Tony Hadfield, 13 December 1976.

<sup>192</sup> Tribune, 4-10 April 1972, p.11.

<sup>193</sup> B.L.F., Police Interference in Union Affairs, (n.d.)

<sup>194</sup> Ibid.

So at least in the minds of the Union leadership, the issue of the Summary Offences Act and the deregistration proceedings were intertwined. The leaflet also drew attention to the arrest of two Canberra builders labourers during the recent strike there.  $^{195}$ 

The main contractor, Elcon, eventually agreed to the Union's demands to terminate the contract of the sub-contractor who had assaulted Pringle, and to withdraw the charges. A Conciliation Commissioner and a Judge of the N.S.W. Industrial Commission both informed the Police Commissioner that the industrial aspect of the dispute had been settled. The Union also contacted the Police Commissioner and called for the police to withdraw charges. Despite all this, the police went ahead. The State Government under Askin had made little effort over the years to hide its dislike of the Union so this situation was not surprising.

On 8 May, builders labourers stopped throughout the state and held Mass Meetings in Sydney, Wollongong and Newcastle. F.E.D. & F.A. workers "on many jobs" responded to their State Council's recommendation to stop work also. Two hundred and fifty labourers and eighty F.E.D. & F.A. members marched on Central Court. A builders labourer was arrested in George Street when police attempted to force the march off the roadway. At the demonstration outside the Court, Jack Mundey and Joe Owens spoke of police interference in industrial matters. Jack Cambourn, Secretary of the F.E.D. & F.A., pledged his union's support for all efforts to repeal the Summary Offences Act.

The court hearing lasted two days and on the second day, although no stoppages had been planned, "numbers of workers spontaneously stopped again and over 150 went to the Courthouse".

The Union's barrister, Jim Staples 199 argued that there was no case to answer and the magistrate, W. Lewer, dismissed the charges on the technicality that there was no evidence of any structure on the site as is necessary to substantiate charges of trespass. Afterwards "an exuberant meeting was held in front of the courthouse".

Police interference and employer assaults continued however.

<sup>195</sup> Ibid. Bob Thompson and Les Skerry.

<sup>196</sup> Ibid.

<sup>197</sup> Tribune, 16-22 May 1972.

<sup>198</sup> Ibid.

<sup>199</sup> The Federal Management Committee had also decided to brief Staples as junior counsel in their deregistration case. (Minutes: Federal Management Committee, 18 and 19 April 1972, p.6.)

<sup>200</sup> Tribune, 16-22 May 1972.

According to the Union over a dozen physical attacks on organisers and delegates occurred during the year. The Union wrote to the B.T.G. about the situation but only on two occasions, once in a case where two B.W.I.U. officials had also been threatened, did the B.T.G. take any significant action. For instance, other building unions took no part in the demonstration on 8 May  $^{204}$  except for the F.E.D. & F.A.

The fact that many B.L.F. organisers were assaulted and threatened whereas few from other unions were, is a reflection of the different industrial attitudes of the building unions. The B.L.F. organisers provoked assault, not by offering physical violence themselves the but by their aggressive industrial attitudes and their refusal to "treat bosses as bosses". Also, the Union's successful campaigns had irritated employers far more than those of other unions as evidenced by letters to the editor and the deregistration proceedings.

The Union attacked what they saw as hypocrisy on the part of the employers in their journal. After listing a series of nine assaults by

<sup>201</sup> Those recorded are: January - Dick Prendergast punched by a subcontractor's son at Mt Druitt, (Tribune, 4-10 April 1972); Bob Pringle attacked by Croatian bricklayers at Allawah (B.W.I.U. officials threatened), (Correspondence: J. Mundey to L. Boyce, Secretary, B.T.G., 12 April 1972); February - Bob Pringle punched and kicked (requiring hospital treatment) by employers on a Chatswood site, (The Builders' Labourer, 1972, p.25); Delegate, Dave Perrin punched by sub-contractor foreman on Coopers (Broadway) project, (Correspondence: J. Mundey to L. Boyce, 12 April 1972); Employers' representative threatened to kill Brian Hogan on Drummoyne job, (The Builders; Labourer, 1972, p.27); Threat by a foreman to kill an organiser and B.L. on Structural Developments job (North Sydney), (Ibid.); March - same job, delegate physically attacked by new foreman, (Ibid.); (Bellevue Hill) attack on Bob Pringle, see above; August shovel thrown at organiser V. Pires by foreman on Spiteri (Leichhardt) job, (Disputes Book, 2 August 1972); Foreman attacked and threatened Dave Thomason on Connolly (Oxford Street) site, (Ibid.); September -V. Pires assaulted by employer at Ashfield, (Ibid., 7 September 1972).

<sup>202</sup> Correspondence: J. Mundey to L. Boyce, Secretary, B.T.G., 12 April 1972.

<sup>203</sup> The Builders' Labourer, 1972, pp.25-27 and B.L.F. Disputes Book, 1972.

<sup>204</sup> The Union approached the other unions in the B.T.G. for support on 8 May. Both <u>Tribune</u> (4-10 April 1972) and the leaflet specifically referred to "36 workers", although only one was not a B.L.

<sup>205</sup> The F.E.D. & F.A. is not strictly a building industry union having only a peripheral membership engaged in construction work. It is not a member of the B.T.G.

<sup>206</sup> I can find no newspaper or M.B.A. evidence of any specific instance where organisers were accused of physical violence.

<sup>207</sup> A phrase I often heard used.

<sup>208</sup> Letters to the Editor from J.D. Martin, Executive Director M.B.A., Sydney Morning Herald, 21 January 1972 and 9 February 1972.

employers, about which the M.B.A. had remained silent, the journal added, "...this chronicle of events is only part of a pattern of intimidation and violence pursued by certain employers, and condoned by employer bodies and Government departments..."

It also connected the physical assaults with arrests under the Summary Offences Act:

These actions all point to a deliberate policy of repression by the authorities in N.S.W. The M.B.A. are in the forefront of this. They are deliberately condoning violence to create "incidents" with a view to building up the old catch-cry of "Law-n-Order".210

The journal also referred to practices in the industry such as pyramid sub-contracting and piecework, which cause serious breaches of safety provisions and therefore accidents. After detailing such incidents the journal declared:

The M.B.A. never put in an appearance when these matters are raised. Are these incidents classified as "Violent"? They are not publicised by Mr. Martin, Mr. Askin nor by their ally the <u>Daily Telegraph</u>, but if one building worker tomorrow hung one on a foreman it would be front page news, with appropriate cries from Martin and Askin.211

The same theme was repeated in August, when the Union was again embroiled in a media campaign to implicate its membership in acts of violence. Mundey and Pringle issued a press statement which argued:

It is ironic that, on the very day that the M.B.A. began deregistration proceedings, our president was in Sydney Hospital undergoing a facial operation following an assault by an employer...

The M.B.A. has failed to control its own members and has been found wanting in its ability to enforce even the barest conditions of safety and amenities...

The fleecing of the public by fly-by-night contractors and the developer-inflated land prices should be thoroughly investigated. Once again we call for a Royal Commission into the whole industry. This would serve the public far better than the employers conducting a witch hunt against a militant union.212

It was however, not just the employers who were conducting a witch hunt. The media and other unionists were also doing so. The August spate of criticism stemmed from an incident that occurred after the six weeks plumbers' strike in N.S.W. A mass meeting of plumbers had narrowly voted to return to work.

When the voting figures were announced, a crowd of men stormed the platform shouting that they had been "sold out". They cornered the union secretary, Mr. C. Bignell, two organisers Mr. K. Tyler and Mr. L. McMahon, and Mr. Ducker.213

<sup>209 &</sup>quot;Violence is a Bosses' Weapon", The Builders' Labourer, 1972, p.27.

<sup>210</sup> Ibid.

<sup>211</sup> Ibid., p.29.

<sup>212</sup> Cited in Pete Thomas, Taming the Concrete Jungle, pp. 124-125.

<sup>213</sup> Sydney Morning Herald, 22 August 1972.

The officials were threatened and "heaped with every kind of vilification and obscenity possible". Ducker was "kicked in the legs, and had to go home to rest". One of the cornered officials, Ken Tyler, alleged to the Herald that:

About 12 members of the Builders Labourers' Federation had joined the 50 plumbers in the Trades Hall foyer.

"They just appeared and mingled with the plumbers, jostling and threatening Les McMahon and John Ducker and myself."214

He gave no proof that they were builders labourers, nor could he or anyone else during the affair produce any names. He probably made the statement for two reasons, firstly to blacken by association the reputation of his own opposition, and secondly to associate the well organised rank and file group within the plumbers union with the C.P.A. In this he was successful. Under the headline "Reds Blamed" the following day's Herald quoted Ducker:

These tactics are part of the strategy of the Communist Party of Australia, the Aarons-Mundey Communist Party.217

From then on, the controversy centred, not around the plumbers but around the B.L.F. The A.C.T.U. Executive discussed the incident the following day and decided unanimously to "sweep violence out of the trade-union movement". Hawke made explicit his belief that the disciplinary measures sought "would also apply to the damaging of private property during strikes", <sup>218</sup> a statement directed exclusively at the B.L.F. as the only union to uphold publicly its right to destroy non-union work. The media coverage of this resolution emphasised the connection between Mundey, the C.P.A. and the plumbers rank and file group. <sup>219</sup> Mundey was never referred to without the reminder that he was

<sup>214</sup> Ibid.

The B.L.F. regarded his allegations as part of the "frantic attempts of the employers and the right-wing of the union movement to involve the leadership of the N.S.W. Branch of the Union in the Plumbers' strike. The real position was that we gave the Plumbers' rank and file the utmost support...and the Plumbers themselves engaged in the same sort of activity as we did in N.S.W. in the big strikes of 1970 and 1971". (N.S.W. B.L.F., Federal Council Agenda Items, n.d. (late 1972), 6pp. ronoed, p.6.

<sup>216</sup> The plumbers' rank and file group had arisen in response to the extreme right-wing leadership of N.C.C. operative Col Bignell. Consequently it was not a particularly radical organisation, encompassing as it did all strands of opposition. Only two rank and filers, Peter Lane and Frank Ball, were really active in the C.P.A.

<sup>217</sup> Sydney Morning Herald, 23 August 1972.

<sup>218</sup> Ibid. The S.P.A. also endorsed this view when criticising "the tactic of smashing scab-constructed plumbing", S.P.A., Ultra-Leftism: How it Harms the Worker, n.d. (Est. mid 1972), 5pp., roneod.

<sup>219</sup> Ibid. and The Australian, 23 August 1972.

on the National Executive of the C.P.A. This reminder was hardly necessary because the media coverage of the recent C.P.A. Congress had concentrated heavily on Mundey's election to the Executive. 220 Under headlines such as "C.P.A. Leadership Hardens Line" and "Communists Throw Weight Behind Militant Unionism: Mundey appointed to National post" the press reports had virtually ignored the Party Secretary Laurie Aarons in favour of photographs and statements from Mundey.

Bignell announced that "a number of this group [the plumbers involved in the incident] are members of the C.P.A." He also continued to repeat Tyler's allegations that the B.L.F. were involved in the scuffle. Hundey rejected these accusations and challenged "those who made the allegations to come forward and name the B.L.F. men they claim to have seen there". He also challenged "right-wing union officials" to prove their accusations that the B.L.F. was involved in any violence during the plumbers' strike. He reiterated the Union's right to destroy non-union construction but concluded, "I abhor physical violence against any individual. The B.L.F. has never been party to such a philosophy". Despite these denials, and the lack of concrete evidence that B.Ls had been involved, Ducker persisted with the violence theme. He wrote to the Herald of the trade-union movement's unequivocal condemnation of violence "whenever and by whomever"

This applies to the tactics of the Builders Labourers' Federation who, for practising these methods, were suspended from the Labor Council in May 1971.228

Joe Owens replied to this letter, pointing out that those B.Ls responsible for the Union's 1971 suspension from Labor Council were

<sup>220</sup> Sydney Morning Herald, 4 and 5 April 1972. The Australian, 31 March 1972 and 4 April 1972.

<sup>221</sup> Sydney Morning Herald, 4 April 1972.

<sup>222</sup> The Australian, 4 April 1972.

<sup>223</sup> Sydney Morning Herald, 23 August 1972. Joe Owens, (Letter to the Editor, Sydney Morning Herald, 2 September 1972) accused Ducker of propagating an "anti-communist over-reaction reminiscent of the McCarthy era". A similar hysterical emphasis on Communism occurred when Mundey was invited to speak at a seminar in Hobart organised by the Tasmanian Environmental Action Committee. See Hobart Mercury, 26 August 1972 and Launceston Examiner, 26 August 1972.

<sup>224</sup> Sydney Morning Herald, 23 August 1972.

<sup>225</sup> Ibid.

<sup>226</sup> Ibid.

<sup>227</sup> The Australian, 23 August 1972.

<sup>228</sup> Sydney Morning Herald, 2 September 1972.

suspended by the State Branch and had been opponents of the N.S.W. leadership for many years. "I might add that some of these people are standing against myself and others in the current N.S.W. branch elections".

These allegations of violence coincided with a media onslaught over the environmental bans issue. In just twelve days in August the Sydney Morning Herald devoted five editorials to attacking the N.S.W. B.L.F. leadership. One of these skilfully combined the issues of violence and the environment:

There is something highly comical in the spectacle of builders laborers, whose ideas on industrial relations do not rise above strikes, violence, intimidation and the destruction of property, setting themselves up as arbiters of taste and protectors of our national heritage.231

The Sun, less pretentious but more explicit, made the same connection:

...Nothing in the Federation's recent history of building site violence - and the bashing of a Trades Hall delegate - suggests its new cause [environmental bans] will lead to anything but anarchy.232

An equally hostile editorial in The Australian entitled "Ridiculous Mr. Mundey" cited an inaccurate article by Dennis Minogue  $^{234}$  and concluded that:

When the vocal leader of a tiny minority in one union begins to sway public and municipal decisions on multi-million-dollar questions in which he has no expertise whatever, it is time to begin asking what has gone wrong with the process of government in this country.235

When Mundey replied to this "tiny minority" allegation by asking who

<sup>229</sup> Sydney Morning Herald, 2 September 1972.

<sup>230</sup> Pete Thomas, Taming the Concrete Jungle, pp.117-118.

<sup>231</sup> Sydney Morning Herald, 14 August 1972.

<sup>232</sup> The Sun, 19 January 1972.

<sup>233</sup> The Australian suffered somewhat from editorial schizophrenia or perhaps a multiplicity of editorial writers because an editorial two weeks previously (22 August 1972) was sympathetic about the Opera House Car Park ban.

<sup>234</sup> Denis Minogue, "Portraite of a Militant", The Australian, 5 September 1972. Minogue makes impossible generalisations about the building industry. He makes judgements about the percentage of the membership that voted for Mundey with no comparative analysis of other unskilled, itinerant unions, nor of the specific circumstances of the 1970 election. (Every member knew Lynch did not have a chance against Mundey so there was little interest in the election.) Mundey himself criticised the article by pointing out that Minogue's "'in depth' study of Jack Mundey consisted of a half hour talk in a hotel bar" (Letter to the Editor, The Australian, 7 September 1972).

<sup>235</sup> The Australian, 5 September 1972.

voted for Rupert Murdoch or the editor of <u>The Australian</u>, <sup>236</sup> another newspaper, <u>Nation Review</u>, declared the result "Mundey 5, <u>The Australian</u> love".

Attacks over the bans were not limited to the media. Ralph Marsh, the Secretary of the N.S.W. Labor Council, had attacked Mundey along "who-does-he-think-he-is" lines at the Council meeting following the Union's imposition of the Pitt Street Church ban 238 in February. Mundey also became the subject of a sermon preached by Anglican minister Alan Nichols in St Andrew's Cathedral. Nichols believed it was "remarkable that trade union leaders like Jack Mundey, an avowed Communist, should be making decisions on moral and social issues on behalf of the Australian public". He referred to those who had made "unionism another religion" and stated specifically that "builders' labourers have no special right to dictate policy on such matters as the preservation of historic buildings". 239

In the face of such attacks a stop-work meeting of about 1000 members of the B.L.F. "unanimously and enthusiastically re-endorsed the Union's policy of action on environmental issues" at the Paddington Town Hall in early August. Stop-work meetings in other N.S.W. centres had also endorsed the bans policy.  $^{240}$ 

The next attack on the Union leadership created more headlines than the bans and violence issues together. In the middle of the plumbers' controversy Bob Pringle eventually stood trial for his 1971 direct-action protest of sawing down the goalposts at the S.C.G. during the Springbok Tour. Pringle and his co-defendant John Phillips were kept in custody during the three days trial. They were convicted of malicious injury and Judge Head held over his sentence until the following day. The Union held a special Executive meeting which decided to ask labourers "to walk off the job...to attend the sentencing". Mundey also

<sup>236</sup> Jack Mundey, Letter to the Editor, The Australian, 7 September 1972.

Nation Review, 8 September 1972. Nation Review was a left liberal weekly with a small circulation. It was the only "mass" media publication to support the B.L.F.'s activities.

<sup>238</sup> Marion Macdonald, "Developers Make Him See Green", The Bulletin, 12 May 1973, p.35.

<sup>239</sup> Alan Gill, "Unions Usurp Moral Right of Church", Sydney Morning Herald, 23 September 1972. He saw the role of the trade union as simply protecting the worker at work and denied that unions should be concerned with "man's whole state and the quality of life". Such views are not surprising from the Sydney Anglican diocese which is known for its fundamentalist, conservative philosophy.

<sup>240</sup> Tribune, 22 August 1972.

<sup>241</sup> Sydney Morning Herald, 23 August 1972.

announced that if Pringle was sentenced to gaol the Union would call for a national strike. Where there is a hundred police "including detectives from the Subversive Activities Squad" were present at the court. Pringle and Phillips were fined \$500 each and placed on \$1000 good behaviour bonds. A crowd of builders labourers, estimated at four hundred booed the verdict and at a gathering on the lawns outside the court Mundey told the members that "the two men would have been jailed if we hadn't demonstrated and considered a national strike".  $^{246}$ 

Mundey also spoke to television reporters, including Steve Raymond from Channel 2. He called the decision "a miscarriage of justice" and maintained that "it showed that the judge himself was a racist".

It shows you the extent to which racism exists within our society and it shows you what a tremendous problem we have, all Australians, to overcome this deeply ingrained racism.247

He repeated his belief that it was "the spontaneous action of workers walking off jobs that stopped the racist Judge from sending these two men to jail".  $^{248}$ 

The following day Liberal M.L.A., Peter Coleman, asked the Attorney-General, McCaw in Parliament whether he was aware that Mundey had called Head "a racist Judge". He also detailed Mundey's other statements.

McCaw replied that he would call for transcripts of the interview and seek advice on whether action could be taken against Mundey for contempt of court. McCaw made it clear however that whatever the crown law officers advised, his own decision had definitely been made:

I believe this man Mundey, wants to destroy the institutions [the courts] to which I have referred. He has made an effort to do it on other occasions. This community is in real danger from people like Mr. Mundey and those who share his views.249

Consequently Mundey was charged with Contempt of Court in September. The Crown cited the remarks made to the crowd and to the television

<sup>242</sup> The Australian, 23 August 1972.

<sup>243</sup> Daily Mirror, 23 August 1972.

The <u>Sun</u>, 23 August 1972. This sentence was overthrown by Justices, Kerr, Jacobs and Meares in the Court of Appeal, a decision which was reported to have angered the Askin Government. The Australian, 27 September 1973.

<sup>245 &</sup>lt;u>Daily Mirror</u>, 23 August 1972. Two hundred inside the courtroom and two hundred outside.

<sup>246</sup> Sydney Morning Herald, 24 August 1972.

<sup>247</sup> Transcript of Interview: Annexure B to Affidavit, 14 September 1972, 3pp., typed.

<sup>248 &</sup>lt;u>Ibid</u>. A good indication of the pace at which events were moving is the fact that the interview also contained questions regarding Hawke's statements condemning "violence" during the plumbers' controversy.

<sup>249</sup> Sydney Morning Herald, 25 August 1972.

reporters. D. Rofe, for the Attorney General, submitted that Mundey's remarks "constituted a very serious contempt of court" and that they "far exceeded legitimate criticism of a judge". J.A. Leslie, for Mundey, reserved the defence and proceedings were adjourned to 12 October.

From this stage onwards it is noticeable that media coverage of the case restricted itself to a strict detailing of events. No editorials appeared on the matter at all. Presumably even the media was a little intimidated by the prospect of contempt charges. As it happened, several media reporters narrowly escaped contempt charges for disseminating Mundey's original statements.

The other feature of this remand period was the organisation of a massive "Defend Jack Mundey Campaign". Before the case was finally decided in late December, an interesting collection of people became involved in the "Jack Mundey Defence Committee" which was set up on 27 September. The original signatories to the letter which began the campaign were representative of the support the Union had generated. The nineteen names included black activists, environmentalists, clergymen, unionists, draft resisters, a writer (Frank Hardy), an anti-apartheid campaigner, student activists and feminists. The letter raised the issues of freedom of speech and racism in Australia and South Africa. It asked recipients to join the Defence Committee and to sign a statement repeating the allegations that Mundey had made in order to place themselves in a similar "contempt of court" situation. 254 Five hundred and fifty three people including two members of parliament signed the statement.  $^{255}$  Money and messages of support were received from all over Australia. Resident activists, aborigines and students were predictably heavily involved but so too were academics, lawyers, migrants and astonishingly (to some people at least) Nobel Laureate Patrick White.

This week Mr. White walked into the Builders Laborers Federation office in Sydney and donated \$100 to the "Jack Mundey Defence Committee"...Mr. White and Mr. Mundey are united in their opposition to the plan to build a \$76 million sports complex in Sydney's Moore Park-Centennial Park area...

But, according to Mr. Bob Pringle...union officials got "quite a shock" when Mr White put his money on the political, rather than

<sup>250</sup> Sydney Morning Herald, 23 September 1972.

<sup>251</sup> The Sun, 22 September 1972.

<sup>252</sup> The Australian, 23 September 1972.

<sup>253</sup> Sydney Morning Herald, 17 November 1972 and Canberra Times, 17 November 1972.

<sup>254</sup> Leaflet, Jack Mundey Defence Committee, 27 September 1972, 2pp. roneod.

<sup>255</sup> Leaflet, Askin and the Developers Want Mundey Out of The Way, n.d.; also Correspondence: R. Pringle, Convenor, Jack Mundey Defence Committee, to Mr. McCaw, State Attorney-General, 14 November 1972.

the environmental issue. 256

Unionists involved in the campaign came from the A.M.W.U., the F.E.D. & F.A., the Painters and Dockers, Actors Equity, the Miscellaneous Workers Union, the Fire Brigade Employees Union, the Miners' Union, the Seamen's Union and Newcastle and Wollongong Labor Councils.

From within the building industry, individual support came from Pat Clancy, Hugh Hamilton (B.W.I.U. secretary in Queensland who was a member of the C.P.A.), Don McHugh, (A.C.T. B.L.F.), the Newcastle B.T.G., the Newcastle branch of the Plumbers' Union, and individual Victorian plumbers.

The statement of contempt was signed by 160 builders labourers.

Absent from the list was Norm Gallagher.

On the eve of the court case, a half page advertisement in the <a href="Sydney Morning Herald">Sydney Morning Herald</a> appeared, authorised by the "Planning for People Campaign". It was addressed to "Citizens of Sydney" and argued that the B.L.F. was "under political attack because of their stand on protection of the environment". 260

The Defence Committee also produced a four page leaflet headed "Why Can't we Question Judges?" and invited people to sign a statement declaring that they believed "that actions taken by the B.L.F. and Jack Mundey as its Secretary to preserve the environment against activities of big property developers have aroused political hostility in influential circles". The statement concluded; "We the undersigned declare our belief that this is a political prosecution launched by decision of the N.S.W. Government". The leaflet informed readers that the above statement had been submitted to <a href="The Australian">The Australian</a> as an advertisement and had been refused on legal grounds. "This is another example of how the Law of Contempt is used in this state to prevent free speech." 261

When Mundey appeared in October "riot squad detectives patrolled the Supreme Court".  $^{262}$  A crowd of two hundred attended the Court  $^{263}$  and the "packed public gallery comprise[ed] mainly builders' laborers".

<sup>256</sup> The Australian, 10 November 1972.

<sup>257</sup> Handwritten statements on Leaflet Jack Mundey Defence Committee, 27 September and Petition, We Challenge Attorney General McCaw, n.d., roneod.

<sup>258</sup> Ibid.

<sup>259</sup> Ronoed list attached to Correspondence: R. Pringle to Mr. McCaw, 14 November 1972.

<sup>260</sup> Sydney Morning Herald, 15 October 1972.

<sup>261</sup> Red Pen Publications, Why Can't We Question Judges?, n.d., 4pp.

<sup>262</sup> Daily Mirror, 12 October 1972.

<sup>263</sup> Sydney Morning Herald, 13 October 1972.

<sup>264</sup> Illawarra Mercury, 13 October 1972.

Judge Hope set 15 November as the date for the trial. 265

The Union asked Metropolitan job organisers to have delegations from their jobs attend the court. Amidst constant publicity and a dramatic showing of the offending T.V. film in court, Mundey continued to maintain that "the real issue was the question of racism and apartheid".  $^{268}$ 

Hope reserved his decision, 269 and eventually handed it down just before Christmas, possibly in an attempt to avoid large-scale demonstrations. Hope found Mundey guilty on only one of the two charges, describing his statement that labourers in court had influenced the verdict as "scandalising contempt". 270 He ordered Mundey to pay two-thirds of the cost of proceedings. 271 The verdict received massive statewide publicity, being reported in detail in all the Sydney papers as well as the Newcastle Sun, 272 the Grafton Examiner, 273 the Newcastle Morning Herald, 274 and the Broken Hill Truth. 275

However, before the Contempt case was finalised, the Union had already become embroiled in another major controversy. Possibly triggered by the ban on the Regent Theatre, the State Cabinet announced, yet again, that it was considering setting up a Royal Commission to investigate the B.L.F.'s black bans. Ministers wanted to "probe the sources of financial support for the union [and examine] reports...of intimidation and violence".

The Union immediately called a state-wide stoppage for the following week to protest at what it termed "blatant State Government interference

<sup>265</sup> The Sun, 20 October 1972.

<sup>266</sup> B.L.F., <u>Circular to All Job Organisers</u>, No. 24/72, 13 November 1972, and No. 25/72, 15 November 1972.

<sup>267</sup> Sydney Morning Herald, 16 November 1972.

<sup>268</sup> Sydney Morning Herald, 21 November 1972.

<sup>269</sup> The Australian, 22 November 1972.

Daily Mirror, 21 December 1972. Two academic lawyers believed that Mundey's case highlighted deficiencies in the N.S.W. Contempt laws. They referred to "a potential danger which became a real one in the Mundey case: although a tribunal may not in fact have been influenced by public comment, people may think that it was". Michael Coper and Robert Hayes, "How to Hush Up a Scandal", Sydney Morning Herald, 11 July 1973.

<sup>271</sup> The Australian, 22 December 1972.

<sup>272</sup> Newcastle Sun, 21 December 1972.

<sup>273</sup> Grafton Examiner, 22 December 1972.

<sup>274</sup> Newcastle Herald, 22 December 1972.

<sup>275</sup> Broken Hill Truth, 22 December 1972.

<sup>276</sup> The day before the Cabinet's discussions, the Regent Theatre was passed in at auction; the B.L.F. ban being "reported to have inhibited bidding", Sun, 1 November 1972.

<sup>277</sup> Ibid.

in our affairs". Mundey challenged the Government to hold a Royal Commission into all aspects of the building industry:

If the terms of reference are broadened to include a searching investigation into the activities of real estate agents and so-called developers, we believe that the commission would prove to be most interesting and of immense public concern...but we oppose [the Government's] vendetta against our union.279

Askin condemned "Mundey's latest example of irresponsibility" and claimed that "responsible N.S.W. people have had a gutful of this self-avowed Communist". He said that the actions of the N.S.W. B.L.F. would lose the Federal Election for the Labor Party. The following day the Minister for Labour and Industry, Mr Hewitt, took up the attack. Speaking at the annual meeting of the Employers' Federation he urged employers and individuals to take action against "union violence and intimidation". He applauded the actions of "responsible" union leaders such as John Ducker but continued: "There seemed little [that] union leaders could do when well-organised factions gained control of unions, as in the case of the Builders Labourers' Federation". He called the formation of vigilante groups "a very disturbing innovation to the strike pattern" and expressed concern that such activity appeared to have spread to "a section of the Plumbers' Union".

Askin followed this with an extraordinary press release which was reported in the print media and on the A.B.C. News:

Mr Mundey and his musclemen have created a reign of fear within the Builders Laborers Federation itself and the building industry generally.

Thousands of migrants in the union understand little English. Half the time they do not know what they are voting for but they do know that if they do not vote the way Mundey wants they are liable to be bashed. Cases have been brought under my notice but victims are too afraid to lay charges.

He then resurrected the Pedy Concrete allegations of 1971 and claimed: "The police have investigated every case brought under notice but due to the fear complex which surrounds the building industry up-to-date, the police have not been able to get enough evidence".

Although much of the vehemence of the State Government's offensive

<sup>278</sup> Daily Mirror, 1 November 1972.

<sup>279</sup> Sydney Morning Herald, 2 November 1972.

<sup>280</sup> Sun, 2 November 1972.

<sup>281</sup> Sydney Morning Herald, 3 November 1972.

<sup>282</sup> Sun, 3 November 1972.

<sup>283</sup> The Australian, 4 November 1972.

<sup>284</sup> Sydney Morning Herald, 4 November 1972.

<sup>285</sup> Document: Statement over A.B.C. on 4.11.72 News 7.10 pm: Mr Askin, Press Statement, lp. ronoed.

can be attributed to the impending Federal Election, there also appears to have been a concerted attempt to destroy the reputation of the B.L.F. at this stage. For, almost immediately, the State Legislative Assembly began debating a private member's motion proposed by Peter Coleman which called for an investigation of "industrial anarchy and politically motivated violence instigated by militant union leaders". 286 The debate centred upon the N.S.W. B.L.F. Coleman claimed that "the urban guerilla warfare caused by men moving from work site to work site had reached a stage where the Government had to take action". 287 Minister for Education Eric Willis accused the B.L.F. of wanting to "impose its will on the community rather than let people responsible do as they had planned". He cited as evidence for this accusation the bans on Kelly's Bush, the Opera House car park, the Pitt Street Church, Eastlakes, the Glebe expressway, the three office buildings in Martin Place, and finally The Rocks project. He concluded:

If Mr Mundey had been on the scene during the past 10 years, Sydney may not have had many major commercial and retail developments. Indeed if he is around for much longer it will be a very sad thing indeed.288

The A.L.P. members made little attempt to defend the Union. In fact, Sid Einfeld referred to Mundey as "an enemy of the workers and an enemy of the people". 289 Most speakers on the Government side referred to action taken during the plumbers' strike and connected these activities with the B.L.F. This gives some clue to the Government's motives for such a sustained outburst. The Government feared that the B.L.F. style would spread to other unions. The bans were beginning to seriously threaten the future of development activity in the State so the Askin Government wished to discredit Mundey and contain, if not eliminate, the environmental bans. The Liberal Party's attack was not just preelection union bashing. As the Herald had pointed out at the beginning of the offensive: "So far the Government has found no tactic to counter the situation, which has been causing it increasing concern".

Mass stop-work meetings of labourers on 7 November unanimously endorsed the State Executive's recommendation to take legal action against Askin for his "Mundey's muscle men" allegations. This did not deter Askin. A week later he told a Liberal Party election rally

<sup>286</sup> Sydney Morning Herald, 8 November 1972.

<sup>287</sup> Ibid.

<sup>288</sup> Sydney Morning Herald, 9 November 1972.

<sup>289</sup> Daily Mirror, 9 November 1972.

<sup>290</sup> Sydney Morning Herald, 2 November 1972.

<sup>291</sup> Sydney Morning Herald, 8 November 1972 and Newcastle Morning Herald, 8 November 1972.

that the real masters of the Labor Party were "Messrs Hawke, Mundey, Carmichael, Halfpenny and Crawford and all the rest of the left-wingers with a good sprinkling of commos...But don't under-estimate some of these vermin". He then proceeded to single out Mundey again for special treatment. This time he received defamation writs from Hawke and the A.M.W.U. as well as Mundey. Although the tone of the State Government's attacks became more subdued following the A.L.P.'s Federal Election victory, the hostility remained.

As for the new Federal Government, the B.L.F. greeted it with some ambivalence. Whilst builders labourers had been encouraged to work for a Labor victory and the Union had donated to A.L.P. funds, Mundey himself was hesitant about declaring unequivocal support. On the Channel 9 program "Federal File" he declared that there was a danger that the A.C.T.U. under Hawke would be too co-operative with a Labor Government; he repeated that there was a need for workers to take direct action; and he maintained that the industrial movement would be demanding a fairer say, "a bigger share of the cake and more social progress for the workers".

Mundey's comments to the membership on the year's activities concentrated on the attacks which the Union had undergone. He put the Union's position clearly:

During 1972 we witnessed many vocal and hysterical attacks on the N.S.W. branch...it is evident that the reason for these attacks is because the Union has intervened in social and political issues of great concern to all Australians but issues which, in the past, have been ignored or neglected by the Union movement...for a union to be meaningful it must speak up on all issues affecting the life of not only the members of a union but all Australian people.

Because of our criticism of the Government and the way in which it has favoured so-called developers, because we have imposed environmental bans at the request of residents and other professional groups, we have caused the wrath of those powerful and vested financial interests, thus the attacks on this union.298

<sup>292</sup> The Australian, 16 November 1972.

<sup>293</sup> The Australian, 18 November 1972. See chapter 8 for further details.

<sup>294</sup> See chapters 7 and 8.

<sup>295</sup> N.S.W. B.L.F., <u>Circular to All Job Organisers</u>, No. 26/72, 17 November 1972.

<sup>296</sup> Union policy at this stage was to fund the A.L.P. and the C.P.A. on an equal basis for elections. (Interview: Jack Mundey, 3 April 1978)

<sup>297</sup> Sydney Morning Herald, 11 December 1972.

<sup>298</sup> N.S.W. B.L.F., Circular to All Job Organisers, No. 1/73, 24 January 1972.