

CONTRACT KILLING

IN NOVEMBER last year, election campaigning was in full swing.

Waterside workers invited Labour's Wellington Central candidate, Marion Hobbs, onto the wharves to address them in their lunch break.

Port employers refused to let Marion through the gate, so she rearranged the meeting out on the footpath. The port bosses then dialled up the police.

Waterside political meetings have been a Wellington tradition for longer than any living wharfie can remember – but that didn't count in the era of the Employment Contracts Act.

A National government's act of parliament had criminalised traditional unionism. The Contracts Act strips away more workers' rights than any other law in the Western world.

Dumped

Just days after the Wellington port incident, National were dumped out of office by voters sick of their market-driven policies.

Labour and the Alliance took the reins of government, supported by the Greens, and promised to replace the Contracts Act.

Yet, a month after the election, the blind hatred of workers' rights enshrined in the Contracts Act was taken to its shocking conclusion on another wharf.

On 29th December, Lyttelton picket supporter Christine Clarke was run over and killed by picket opponent Derek Powell, a well-heeled boss.

Powell screamed up to the picket in his flash four-wheel drive. He slammed on the anchors a few metres in front of the picketers. Then he surged right up to them.



○ **CHRISTINE CLARKE 1954-99**
Her partner Glen Cameron told mourners that "Christine's four key words" were love, freedom, loyalty and dignity. Her flame was snuffed out on the picket line at Lyttelton Port by a well-heeled boss behind the wheel of a vehicle. Just as responsible for Christine's killing was the Contracts Act, which has allowed bosses to think they can get away with anything.

Along with several others, Christine put her hands on the bonnet.

After a short while, and without any warning, he gunned his lethal weapon and smashed through the picket.

A picketer standing alongside Christine described her killing: "He looked her straight in the eye and booted it. He went right over the top of her."

Powell didn't stop. He sped to his company's office on the wharf. The police have charged him with dangerous driving causing death. Many say the charge should be murder or at least manslaughter.

This industrial killing is a by-product of the Contracts Act, which has allowed bosses to think they can get away with anything.

This law sparked the most vicious employer attacks on workers' pay, jobs, conditions and rights since the 1930s Great Depression.

Christine's memory will best be served by getting rid of the Contracts Act – all of it, not just some of it.

It must be replaced by workers' rights.

This means we must reclaim the most basic and important workers' right – the freedom to strike.

**FREEDOM
TO STRIKE**

Eyewitness to a killing

by DAVID COLYER, member of the Socialist Workers Organisation

WHEN CHRISTINE Clarke was run over I was only three metres away on the picket line.

The four-wheel drive vehicle had been through the picket several times before, so the driver should have known he would be let through after a wait of no more than ten minutes.

He drove towards the picket at high speed, stopping suddenly a few metres in front. He was hassled about his speed by some picketers.

Then the vehicle bolted forward, right up to the picket line.

Pickers close round, putting their hands on the bonnet and sides. There are at least five directly in front of him.

In response to his aggressive actions, the driver is told to stay put until he "cools off".

One or two other cars are let past. Without warning the driver puts his foot down and drives straight into the picketers.

The vehicle rises up as it goes over the top of Chris, who couldn't get away in time.

There are screams. I don't know if they come from Chris or others.

The vehicle speeds away to the driver's office on the docks. Several picketers, myself included, give chase.

Strikes to stay illegal under Labour?

THE ACTIONS of the Lyttelton port workers were a clear example of the need for the freedom to strike.

Most of what they did, from picketing to keep scabs out of the coal yards, to terminal workers refusing to cross the picket, to taking a day off in memory of the killing of Christine Clarke, was illegal under the Employment Contracts Act.

Sadly, these same actions would also be illegal under Helen Clark's proposed replacement for the Contracts Act.

Restrictions

While Labour's draft law would allow union officials more room to sign up members and negotiate with employers, it keeps all-but-one of the restrictions on strikes contained in the Contracts Act.

Labour's alternative law would still restrict the right to strike more than anywhere else in the Western world.

Helen Clark's cabinet thinks that workers should be totally banned from:

- striking against the victimisation of a workmate
- striking over a boss violating the terms of a contract
- striking to save their jobs

- striking against government laws that attack workers

- striking in solidarity with workers in other industries or countries who are in dispute with

their employers.

And the Labour-Alliance coalition is planning to punish such illegal strikes with fines, imprisonment and the seizure of the property of

workers and unions.

That's simply not acceptable from a government elected on the votes of the working class.

We need the freedom to strike!



m UNIONISTS AND supporters at Lyttelton before Christine Clarke was killed by a vehicle which smashed through the picket

Have you got faith?

THE EVIL of the Contracts Act can't be removed by a few reforms, like a clause telling employers to negotiate in "good faith".

Endless wranglings about what constitutes "good faith" would take disputes out of the hands of workers and put them into the hands of lawyers and courts.

Everyone knows that courtroom "justice" usually favours the rich and powerful. They're the class able to afford the best lawyers and put pressure on politicians to change the law when a court decision goes against them.

And employers have plenty of legal openings to get their way, like making workers "redundant" or closing down one plant while opening another somewhere else, while negotiating in "good faith" with a

union.

The concept of "good faith" bargaining comes from America, where it's been in operation for many years. Yet US workers have still been badly shafted in that time, with the number of "working poor" rising to epidemic levels.

US workers have only made some headway over the last couple of years through successful strikes at UPS, General Motors, Bell Atlantic and other corporates. These strikes have fuelled union membership drives and forced higher pay deals.

As the US experience shows, relying on a "good faith" clause without backing this up with the freedom to strike is a dead end for workers.

Things you can do

THE ROTTEN heart of the Contracts Act is its denial of workers' freedom to strike.

This rotten heart must not be transplanted into the new industrial law being drafted by the Labour-Alliance coalition.

That's the clear message all workers must give Helen Clark's government and its Green allies.

It won't be easy to force a change of heart – but we can do it if lots of workers get stuck in and demand the freedom to strike.

You can make a difference by doing things like these:

- Put up a motion at your next union meeting calling on Labour to remove all restrictions on strikes.
- Write a letter to your union magazine and local papers.
- Hand out copies of *Freedom to Strike* bulletins at your workplace and put up our posters.
- Invite one of our speakers to address a lunch time meeting on your job.
- Get signatures for our freedom to strike petition, which will be presented to the parliamentary select committee on industrial law reform.

★ To request petitions, bulletins, posters, speakers and more information:

Write
Box 13-685 Auckland
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(09) 634 3984
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