

The Victorian railways strike of 1950

A study in public sector enterprise bargaining before its time

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Abstract

From 16 October to 8 December 1950 Victorian members of the Australian Railways Union (ARU) and the Australian Federated Union of Locomotive Enginemen (AFULE) stopped work. This was the longest railway strike in Victorian history. This article draws on the records of the Victorian railways and unions to explain this unusual strike in which for a time Labor 'true believers', Communists and even railways management found a common foe in the Australian arbitration system.

From 16 October to 8 December 1950 Victorian members of the Australian Railways Union (ARU) and the Australian Federated Union of Locomotive Enginemen (AFULE) stopped work. This was the longest railway strike in Victorian history. During this period there were rail stoppages in every state except Western Australia in support of the Victorian workers.

This was a different strike from the great industrial battles of the late 1940s. These strikes had pitted Communist unions against employers, governments and often non-Communist unions. For much of the 1950 strike, unions of different political ideologies cooperated. The Victorian railways as the employer had consented to the union's claim in an early example of what would later be called 'enterprise bargaining'. A conservative government largely ignored the strike. The strike anticipated the crisis that the Victorian Railways, the great edifice of nineteenth-century state socialism, would face in the affluent and consumerist years of the long boom.

The railways in crisis

In post-war Australia, the managers of the state railway systems faced difficult challenges. The private affluence of a boom economy constrained the public sector. Road transport encroached on the railways' pas-

senger and freight business. Years of expenditure restraint during the Depression and wars left railways infrastructure chronically depleted. Full employment meant that the old railways promise of a secure job was less attractive. The Victorian Railways refused to pay above the award rate set by the Commonwealth Court of Conciliation and Arbitration. However, private employers frequently paid workers above the award rate, so that railway workers with rail-specific skills, such as drivers, were particularly disadvantaged compared to skilled workers in the private sector. By June 1950, the Victorian Railways were short of 4,500 staff. Immigrants, in particular Displaced Persons, helped to cover staff shortages but many of them left the railways as soon as their contracts had expired.[1]

In 1950, three commissioners headed by Chief Commissioner Richard Wishart managed the Victorian Railways. Wishart had spent his entire working life of more than 40 years in the railways and had been a commissioner since 1940.[2] The stability of railways management contrasted with the volatility of Victorian politics, from September 1943 to June 1950 the Premiership changed hands six times. In June 1950, Alexander McDonald of the Country Party formed a government based on Labor support. Victoria had a Minister for Transport, however the incumbents generally deferred to the commissioners. The ministers' correspondence files bulge with replies to other Members of Parliament in which the minister advised that the commissioners were unable to accede to their requests.[3]

Arbitration and the railways

Railway management found workers more troublesome than politicians. From the early twentieth century, rail unions looked to the Arbitration Court as a balance against the paternalistic style of their managers.

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In 1924, the Arbitration Court made its first award for railway employees.[4] In 1950, conditions of most railway employees were set out in the Railway and Tramway Employees Award 1947 and the Locomotives Enginemen's Award 1948. These awards specified slightly different conditions by state but the expectation of arbitrators and employers was that significant alterations in any one state would flow on to workers in other states. [5]

In the era of post-war full employment the attitude of unions towards the arbitration system underwent a significant change. Unions now enjoyed a strong bargaining position and across the political spectrum they chafed under the legalistic procedures and slow pace of industrial arbitration. In 1947, the Chifley Labor government pleased all unions, both conservative and radical, when it reformed the arbitration system to give most responsibilities to lay conciliation commissioners rather than judges. In 1950, Commissioner Leslie P Austin was responsible for locomotive crews, tradesmen, assistants and workshop staff and Commissioner Vivian G Hall for the rest, except senior staff. Hall was a former industrial officer for the NSW railways, Austin a former NSW president of the Australian Railways Union (ARU). New South Wales railway unions had welcomed their appointment.[6] During the 1950 strike however both, especially Hall, defended the sanctity of arbitration law against the emerging reality of collective bargaining in a full-employment economy.

Railway unionism

With 14,000 members, the Australian Railways Union (ARU) was the largest union in the Victorian Railways. It represented most railway employees, excluding engine drivers and firemen who were members of the Australian Federated Union of Locomotive Enginemen (AFULE) and those covered by craft unions such as tradesmen in the workshops. The members of the ARU were diverse by occupation and political allegiance. In 1942, Communist Party of Australia (CPA) member, JJ Brown, became union secretary. Communist electoral success reflected worker approval of their record as industrial leaders. This leadership was most effectively displayed in a nine-day strike in 1946, the first railway stoppage in 43 years. The ARU's industrial successes, however, encouraged overconfidence on the part of Brown. By 1950, his leadership was under siege

from supporters of the Australian Labor Party (ALP) Industrial Groups. These were nominally a broad alliance of Labor supporters but were dominated by activists aligned with BA Santamaria's Catholic Social Studies Movement.[7]

The AFULE had only 2,000 members but they were the craft elite of the railways—drivers, and those in the line of promotion to the position of drivers, such as firemen. They were labour aristocrats by disposition. In 1949, Frank Carey was elected Victorian secretary.[8] In 1950, the union's national general secretary attributed the defeat of AFULE member Ben Chifley at the 1949 federal election to the fact that most voters were 'very lacking' in political understanding.[9] The AFULE was closely aligned with the Labor Party: their national president Eli Harrison was a federal Labor Member of Parliament from NSW. Neither Communists nor members of the ALP Industrial Groups had a presence within the union, but there was a constant tension within the Victorian branch between militants strongest in the metropolitan branches and more conservative rural members.[10] This division was entrenched in the union's structure. Office-bearers were elected by the Victorian membership as a whole, but the state executive comprised only representatives of metropolitan branches.

The overtime issue

The catalyst for the strike lay in discontent among traffic branch employees: those who operated the trains, enginemen, firemen and guards. Staff shortages meant high levels of overtime for these workers. In August 1950, metropolitan electric drivers worked 14 to 16 hours overtime a fortnight.[11] Traffic branch employees had two demands. First, 'daily overtime' that penalty rates commence after eight hours work on any shift and second, that for the determination of when overtime started no distinction be made between time worked and 'passive time'; time spent on the job without working, such as returning to a depot after taking a train to its destination.

On Sunday 3 September, Brown led a guards' deputation to interview the Railways Commissioners. According to the ARU, the commissioners promised to 'approach the Arbitration Court in agreement with the union' to provide for payment of all time on duty as active time and payment of overtime on a daily basis after eight hours.[12] There was an ambiguity in the promise—were the commissioners agreeing to the union demands in good faith or were they simply punting the matter to arbitration in the expectation that the commissioners would reject any concessions? On Monday 18 September, a joint deputation of the ARU and AFULE met the commissioners again. Wishart told them that the concessions offered to guards would also apply to locomotive men subject to ratification by the Arbitration Court. Wishart now claimed that he considered this unlikely.[13]

What lay behind the commissioners' insistence on arbitration? At times the ARU argued that railways management was committed along with private employers and conservative politicians to an anti-worker agenda.[14] This was incorrect. The Commissioners cherished the ideal of the railways as a community. They had come to accept unions as part of the family. There was a constant back and forth flow of communication between unions and the Commissioners: 174 letters were despatched from ARU to railways management in 1950. [15] There were regular meetings between unions and management on operational matters.[16] Railway management came to accept arbitration as compatible with its formalised and bureaucratic style of management. Railway managers were aware of the stresses on their workforce, especially in the traffic branches, but wanted to respond to these within the framework of its established management style.[17] Perhaps for this reason the 1950 strike itself has left relatively little trace within the records of the Victorian Railways. The commissioners appear to have largely ceded responsibility for the resolution of the strike to the arbitration system. This minimalist approach was common among Australian employers of the time.[18]

Before the conciliation commissioners

For the Victorian Railways and the unions in 1950, the Arbitration Court meant Hall and Austin as conciliation commissioners. They had power to vary the railway awards of 1947 and 1948, but the Conciliation and Arbitration Act provided they could not adjust

'standard hours of work'.[19] The question of whether changes to overtime rules fell under this heading would be contested during the strike.

On Thursday 21 September Hall commenced his consideration of the agreement. The Victorian Railways argued its support, but their case was opposed by representatives of other states. They feared any variation would inevitably flow on to their states. Hall was unsympathetic to the claim and suggested that the Victorian Railways had acted under duress. He observed that railway working conditions had substantially improved in recent years. Hall contended overtime rules should recognise that the railways were necessarily an around-the-clock operation. He also suggested that adjustments to passive time rules might be outside his powers. On 11 October Hall handed down a decision that rejected the ARU's claim.[20] Austin consulted with Hall and similarly rejected the AFULE claim on the same day. He contended that it was outside his powers to adjust hours of work.[21]

Hall and Austin's decision exemplified the frequent determination of arbitration personnel in this era to defy market forces and only grant concessions they considered appropriate. Assured of government financial support, state enterprises could hold the line on industrial law and order unlike private employers who frequently capitulated when workers struck in defiance of arbitration rulings.[22]

The Railway Commissioners' response to Hall and Austin was to advise the unions on 14 October that the September agreement would not be implemented. They also requested that Hall convene a conference between themselves and the unions. This request began a long cycle of unproductive arbitral hearings. All train services ceased from midnight on Sunday 15 October.[23]

Hall's decision evoked a strong response among railway workers. One indication was the position of the AFULE. At stop work meetings on 16 October the Victorian branches of the AFULE voted 16 to 4 to continue strike action.[24] All ARU members, not just guards, were enthusiastic. By 19 October all ARU sections had voted to strike.[25]

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Railway workers outside Victoria rallied to the cause. On 19 and 20 October in Brisbane the AFULE federal convention, dominated by moderates, voted unanimously that the Victorian AFULE remain on strike, that NSW and South Australian members stop work for 24 hours on Monday 23 October, and that there be a national stoppage of AFULE members on Monday 30 October if the dispute was not resolved.[26] On Thursday 19 October, the NSW and South Australian ARU called for 24-hour stoppages from midnight Sunday in support of the Victorian workers.[27] The NSW ARU secretary, Jack Ferguson, was a Chifley loyalist and national ALP President. The NSW ARU journal called for unity between Labor and Communist unionists in a just industrial struggle.[28] The involvement of the NSW ARU in the strike reflected not only a sense of solidarity with their Victorian colleagues but also their own ongoing industrial grievances. For Ferguson, the spectre of Communism was a useful tool to force concessions from the NSW Labor government. Even the Victorian ARU Industrial Group pledged support for the strike. They sought to evade the fact of the hostility of the conciliation commissioners to the strike. Instead the Industrial Group focused on the conciliation commissioners' doubts about their legal power to alter overtime rules.[29] At an ARU members meeting on 26 October, Industrial Group activists proposed that an approach be made to the Arbitration Court to settle this question. This suggestion attracted only 30 votes out of 4,000.[30]

Railway workers' enthusiasm for the strike, across state boundaries and ideological divisions, reflected their shared grievances. Outside of the railways there was less enthusiasm. Tramways' Union members rejected calls from their Communist leadership for action in support of rail workers.[31] The government relaxed restrictions on road traffic imposed to assist railways.[32] Police were instructed to be lenient on overloaded road vehicles.[33] Despite this, food prices rose and by late October coal shortages threatened industrial production.[34]

Where the rail unions did have some success was in blocking transportation alternatives for commuters. Bus drivers were members of the Motor Transport Union and they agreed to restrict emergency bus services operating directly to the city from 'outer suburbs'. The closest of these to central Melbourne was Williamstown. Employers complained in early November that absenteeism among workers had risen to an average of five hours a week. The tram system was massively overloaded.

On 6 December, a journalist counted 130 passengers in one tram.[35] The impact of this urban commuter frustration on a Country Party government was, however, limited.

Railways management was bereft of a strategy to resolve the dispute. The decisions of conciliation commissioners could not be appealed except on points of law. As a result, railway management and unions sought to find new ways of presenting again the September agreement to Hall and Austin in the hope that somehow it could be ratified. On the request of the Railways Commissioners, Hall convened a compulsory conference of employer and union representatives on 17 and 18 November. Such conferences were supposed to be an opportunity for the parties to work towards an agreement, but the hearing was unproductive. Harrison, representing the AFULE, told Hall he had discredited arbitration and played into hands of the Communists.[36] Hall was unimpressed and his ruling on 20 October was peppered with homilies about the evils of industrial appeasement.[37] Austin ruled the same day that the AFULE did not have an agreement with the railways separate from that of the ARU. As a consequence, he determined that the AFULE claim could not be granted independently.[38]

The response of railways management to the failed conference was to propose an appeal to the Arbitration Court on the question of whether the unions' claim constituted an alteration of standard hours of work. A joint meeting of the ARU and AFULE executives on Friday 20 October rejected this proposal and resolved to continue the strike.[39] On Monday, the ARU stopped work in New South Wales and South Australia. In the latter state ARU members voted for an indefinite strike in support of the Victorian colleagues and an outstanding local dispute.[40]

The strike had now become a national dispute and attracted the involvement of the Australian Council of Trade Unions (ACTU). The union peak council convened a conference of the 19 unions with members in the railways. This met throughout the strike and I will refer to it as the 'unions' conference'.[41] The ACTU leadership proposed a novel legal strategy to bypass Hall. This was to pursue a 'Part 7 agreement'—an almost unused component of the Arbitration Act that provided for automatic certification of an industrial agreement once lodged with the Arbitration Court's Industrial Registrar. These agreements were not subject to any review on public interest criteria. In 1913,

the High Court had restricted their scope for fear that they would be used to undercut award conditions.[42] Now the Victorian railway unions sought to use them to exceed award conditions. On 24 October, the ACTU unions' conference resolved to pursue option of a Part 7 agreement. This followed a hint by Austin that day that neither he nor Hall had ruled out the filing of such an agreement.[43]

Railways' representatives rejected the idea of a Part 7 agreement in negotiations with the ACTU on 25 October. The railways argued that a Part 7 agreement was not arbitration. They suggested Hall's proposal that such an agreement be made suggested a change of mind on his part as to the unions' claim. The railways proposed the claim be resubmitted for approval under Section 37 of the Arbitration Act. This provided for certification of industrial agreements subject to a public interest test.[44]

On October 26, Hall and Austin summoned yet another conference to discuss the AFULE's national strike scheduled for Monday 30 October.[45] The conference commenced on that Monday when trains stopped in all states except Western Australia, where the AFULE refused to strike on the grounds it already had the conditions that the Victorian drivers sought.[46] Hall accepted a submission from the railways that he could certify an agreement under Section 37 even if the subject of the agreement, such as a change to standard hours, was outside his award-making powers.[47] Hopes surged for an end to the strike and railways management claimed Hall paved the way for a settlement.[48] The next day these hopes crashed. Hall once again rejected the agreement and declared that nothing had changed to alter his judgement that ratification would be against the public interest.[49] On Wednesday 1 November, government ministers, railways and union representatives met at the Victorian Parliament. Premier McDonald declared that the government would not give instructions to the Railways Commissioners and claimed a Part 7 settlement was repugnant to the commissioners.[50]

The response of participants to Hall's decision was to try yet another arbitral option. On 3 November, a meeting of government ministers, railways management and the ACTU agreed to support the ARU in an approach to the Arbitration Court to ratify the September agreement. The court ruled on 14 November that certification of the agreement was outside its power as it did not concern any

matters that had been left within the jurisdiction of the court by the 1947 amendments.[51]

The trial of strength

With the strike stalemated, railway management began to encourage a return to work. On Monday 30 October, Wishart called for striking workers outside the traffic branch, to return to maintenance duties. The commissioner argued this would ensure a quicker return to full operation when the strike ended.[52] Railways management was cautious. Newly-arrived Displaced Persons were sent to training courses rather than used as strike-breakers.[53] The ARU leadership was anxious that support for the strike might erode outside of the traffic branches. On 12 November, the union added a demand for general wage increases to its claims.[54] By 20 November, Wishart claimed that a thousand members had returned.[55] The AFULE remained solid.[56]

The success of the ARU in the nine-day day strike of October 1946 had cemented the appeal of the Brown leadership to rail workers, but as the strike dragged on the union faced new challenges. The militant mood of the immediate post-war years had passed. Strike pay was a problem. Although some railway workers, such as tradesmen, could readily obtain skilled work, those with more rail-specific skills were in a difficult position.[57] The union's insistence that workers sign an affidavit that they were not in receipt of other income was resented. Claims of political bias in allocation of strike pay and disputes about administration persisted for months after the strike finished.[58]

Brown and his colleagues misjudged the position. His propensity for impulsive decision-making had been the object of disapproval from his fellow Communists. His oratorical skills inspired young radicals and mass meetings, but some Communists disparaged him as a 'tub-thumper'. [59] As it is often the case in long strikes, the ARU leadership under siege began to lose touch with its members.[60]

At the Arbitration Court hearing of 14 November, Justice Foster had told unions that no conceivable industrial gains could compensate for wages lost through strike action.[61] It is a common argument against strike action, but misleading. In practice, one industrial victory, however costly, makes it more likely employers will make

concessions in the future.[62] Despite this, by late November, militants in both unions made appeals to explicitly non-economic motives for which the support of the rank and file was doubtful. *Rail Strike News*, produced by the ARU-dominated Central Strike Committee, admitted that rail workers were making sacrifices to defend the wages of other workers.[63] At a late November AFULE executive meeting, delegates clashed on this question. A moderate complained about workers' loss of wages. A militant responded: 'What is 70 or 80 pounds? Men go on holidays and throw it down the drain'.[64] On 23 November, the Arbitration Court confirmed that unions with members on strike would be excluded from an upcoming increase in the basic wage. [65] ARU and AFULE members outside Victoria now faced a material cost.

The exhaustion of the arbitral road led the ARU to propose an extension of the strike. On 15 November, it proposed to the unions' conference that black bans be placed on the delivery of oil for road transport. The AFULE successfully opposed this proposal. The meeting did resolve that if the dispute was not settled within a week, extension of the strike would be considered.[66]

The ARU leadership was unimpressed with the AFULE's caution. Brown complained to AFULE militants that Harrison and Carey were weakening in their resolve.[67] Brown should have focused on his own union. The weakening base of his leadership was dramatically displayed at a mass meeting of members held on Wednesday 15 November. In the morning, Industrial Group members on the union executive had proposed a return to work.[68] An Industrial Group motion to this effect at the meeting was ruled out of order by the chair of the meeting, ARU state president GC Harding. Enraged Group supporters moved dissent, but Harding hastily declared this motion lost and closed the meeting amidst uproar. Brown claimed Harding's ruling was upheld 3,000 to 4,000.[69] Industrial Group supporters claimed there was a two to one majority against him.[70] The debacle exemplified the dogmatic and authoritarian style of many Communists at the time.[71] It was a contrast with the AFULE meeting of the same day where a thousand voted unanimously to remain on strike.[72]

The fiasco of 15 November accelerated the drift back to work by ARU members. By 20 November, railways management claimed a thousand ARU members had returned.[73] This was despite the fact that the official

policy of the ALP Industrial Groups remained that strikers should not return as individuals.[74] On 16 November, South Australian ARU members voted to return to work in defiance of their union executive.[75] The Victorian ARU leadership retained the support of the guards. They voted to remain on strike by 390 to 10 on November 19 and confirmed this decision 267 to 13 a week later.[76]

Arbitration once again

The Arbitration Court ruling of 14 November made clear that the original agreement of September was beyond retrieval. The strike seemed stalemated, but Hall and Austin now began to suggest that the union claims might be revisited if and only if workers returned to work. On 22 November, Austin advised the ACTU he would recommence hearing the AFULE claim within 24 hours of a return to work.[77] The next day, the union's federal council resolved that they did not oppose acceptance of Austin's offer.[78] AFULE federal President Harrison allied himself with the Victorian leadership to push for a return to work. They faced strong opposition from the Victorian executive, which resolved the next day to recommend to branches that the strike be continued.[79] On 26 November, branches voted 20 to 4 to continue the strike and city members voted 891 to 44 to stay out.[80]

The AFULE's public show of unity contrasted with the unravelling of the ARU. At a chaotic mass meeting on 27 November, members rejected a recommendation from the union executive for a partial return and instead voted 890 to 742 for a full return to work. Industrial Group supporters argued that the only workers who benefited from the dispute were guards.[81] It was a massive rebuff to the union leadership, but Brown insisted it was merely a recommendation for consideration by the executive. The next day the ARU executive voted for a partial return to work. In defence of this position, Brown argued that the wishes of the guards and the AFULE should be taken into account.[82] Guards voted 265 to 5 to continue the strike on 30 November.[83]

The AFULE leadership was by now in full retreat. Harrison met with Premier McDonald, Labor leader John Cain, Railways Commissioner Wishart and the Crown Solicitor on Tuesday 28 November. Harrison advised them that his union wanted to 'lose the tag' that tied its claim to that of the ARU. Wishart suggested that Austin would be

more sympathetic to the drivers' claims than Hall was to that of the ARU.[84] Harrison conveyed these hints to the union executive the next day, but executive members voted to recommend to branches that the strike continue.[85] Harrison's response was to telegraph branch secretaries and argue that Austin's offer should be accepted. Despite this, a majority of branches backed the executive after heated debates at meetings on Thursday.[86] AFULE militants complained that the ARU members who had voted for a return were 'dirty rats'.[87]

The Victorian Government intervenes

It was at this point that the Victorian Government determined to act. Until this point ministers had declared that the strike was not their concern and it was up to the Railways Commissioners and the Arbitration Court to resolve the strike.[88] This caution was largely a result of its alliance with the Labor Party, whose leader John Cain was of the centrist stamp of the AFULE office-bearers. With the unions in disarray the state government now felt enabled to act.

On 4 December, the Victorian Cabinet resolved to instruct the Railway Commissioners to seek deregistration of all branches of the AFULE and ARU under the *Commonwealth Arbitration Act*. Premier McDonald also declared that the government might deprive rail workers of their rights of superannuation and long-service leave.[89] The threat to retirement benefits would, as Carey argued, have been devastating to those members of the AFULE with long service with the railways.[90] Deregistration would have enabled other unions to attempt to recruit ARU and AFULE members. A particular danger here was the National Union of Railwaymen (NUR). This small union originated in NSW as an organisation of strike-breakers during the 1917 general strike and was detested across the spectrum of the labour movement. Advocates of a return to work, such as Carey, stressed the danger that 'the SCAB NUR' posed.[91]

The response of the AFULE and ARU leaderships to the deregistration decision was to move decisively to end the strike. On Tuesday 5 December, the AFULE Victorian president called an emergency state conference for 11 am on Thursday in an attempt to bypass the militant majority on the state executive.[92] On Wednesday, McDonald agreed to a request from Harrison to delay the deregistration application until noon on

Friday. The same day, an ARU deputation met the Premier in discussions described as 'conciliatory'.[93] That evening Brown flew to Sydney to meet with Hall. The media predicted that Brown would support a return to work. A similar judgment was made by the Commonwealth's security services.[94] Hall now followed Austin in the provision of encouraging words. On Thursday morning he declared that there were,

certain merits in the claims that have been made and which appear to justify some reasonable expectations on the part of the men. Obviously I can make no promises and I make none. The case will proceed as soon as practicable after the men are back at work.[95]

Around 1:30 pm on Thursday, Brown advised Hall that he would return to Melbourne and get the guards to return.[96]

That morning, the AFULE special conference assembled. The claim that Brown had already promised to Hall that the guards would return clinched the debate in favour of a return to work. By now most workers could see no path to victory. Delegates voted 23 to 11 to end the strike,[97] and, later that afternoon, guards accepted Brown's recommendation that they return to work.[98] In public Brown and the rest of the ARU leadership claimed that Hall's hints represented a great victory, but some of his fellow Communists fretted about Brown's bureaucratic style.[99] The trains ran again on Friday 9 December, and[100] a grateful government paid a bonus to tramway employees.[101]

Hall and Austin handed down their decisions on 24 January 1951. Hall once again refused the ARU's claims for the abolition of passive time and overtime after eight hours duty. He presented himself as the defender of fiscal responsibility against the commissioners. This decision was greeted with outrage by the ARU who accused him of failing to honour the promise he had made in settlement of the strike.[102] Austin's decision was more generous. He agreed to the abolition of passive time prior to the commencement of work duties.[103]

Conclusions

On one level, the strike was an example of the failure of the arbitration system. The conciliation commissioners did not conciliate in any meaningful sense, they arbitrated against the union. It seems a classic example of how the old arbitration system discouraged direct negotiations between workers and unions.[104] Despite this, Hall and Austin did perceive that the railways faced a crisis. They were caught between declining demand for their services and rapidly rising costs including wages. In the later 1950s arbitral authorities became more tolerant of workplace bargaining, but the steady growth in wages added to rail losses. By the 1980s, huge deficits and endemic industrial conflict demoralised railway staff at all levels.[105]

For the Communist Party the strike was a heavy blow. The ARU leadership had worked closely with the AFULE and the ACTU, despite its political disagreements with their leaderships. This was a united front rather different from the sectarian hostility to the Labor Party that Communists had displayed in the late 1940s. Brown argued in June 1950 that whatever the political disagreements of rail workers they could find common ground in defending their material interests.[106] The strike revealed that this judgment was incorrect. Workers' perception of their material interests is shaped by competing ideologies.[107] Over the next few years the Communist leaders of the ARU lost to the Industrial Group candidates at union election. Brown was in the last to fall in June 1954.[108] For the AFULE the strike was disappointing, but its members' sense of superiority was confirmed by their record of unity during the strike compared to that of the ARU, despite the latter union's more militant pretensions.[109]

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Endnotes

[1] Age, 14 October 1950, p. 3; M Carter, 'The service sector', in Rodney Maddock & Ian W McLean (eds), *The Australian economy in the long run*, Cambridge University Press, Melbourne, 1987, pp. 211–212; Victorian Railways Commissioners, 'Report for the year ended 30 June 1951', in *Papers presented to Parliament*, vol. 2, 1951, p. 12; Robert Lee, *The railways of Victoria*, Melbourne University Press, Melbourne, 2007, p. 210; PROV, VA 2876 Victorian Railways, VPRS 10457/P0 Minutes of Officers' Meetings, Unit 10, Traffic Branch Officers' Conference, 29 September 1950, no. 562; PROV, VA 2876 Victorian Railways, VPRS 12805/P1 Minutes, Railway Commissioners' Conference, Unit 14, Minutes of Commissioners' Special Conference 4–15 June 1915.

[2] Argus, 24 April 1940, p. 8; Argus, 9 April 1949, p. 5.

[3] PROV, VA 2876 Victorian Railways, VPRS 10217/P0 Minister's General Correspondence Files, Unit 58, 1950/383, Transport Minister to Premier, 9 August 1950; PROV, VPRS 10217/P0, Unit 59, 1951/73, Minister of Transport to TT Holloway, MLA, 1 February 1951.

[4] Malcolm Rimmer, 'Unions and arbitration', in Joseph Isaac & Stuart Macintyre (eds), *The new province for law and order?: 100 years of Australian industrial conciliation and arbitration*, Cambridge University Press, Melbourne, 2004, p. 287.

[5] *Award—Railway and Tramway Employees 58 1947 Commonwealth Arbitration Reports (hereafter CAR) at 302 and Award—Locomotive Enginemmen CAR 1948*, vol. 60 at 1056.

[6] Age, 21 January 1950, p. 4; Century, 10 November 1950, p. 7.

- [7] BA Santamaria, 'The Movement 1940–1960: an outline', in *The price of freedom: the Movement after ten years*, Hawthorn Press, Melbourne, 1966, p. 10; Ralph Gibson, *The fight goes on: a picture of Australia and the world in the postwar decades*, Red Rooster Press, Melbourne, 1987, p. 31; Eddie Butler-Bowden, *In the service? A history of Victorian railway workers and their union*, Hyland House, Melbourne, 1991, pp. 118–129; John Playford, Doctrinal and strategic problems of the Communist Party of Australia, PhD thesis, Australian National University, 1962, p. 230; Ian Turner, 'My long march', in *Room for manoeuvre: writings on history, politics and play*, Drummond, Melbourne, 1982, pp. 132–134; G Wheeler, *The 'Movement' in the railways*, Communist Party of Australia, North Rail Branch, Melbourne, 1946.
- [8] *Age*, 21 August 1953, p. 2.
- [9] University of Melbourne Archives (UMA), Australian Federated Union of Locomotive Enginemen, Twenty-Third Annual Council (Convention), General Secretary's Report 16 October 1950.
- [10] Steve Gibson, 'Some experiences of a Party member active in the Trade Union Movement,' *Australian Marxist Review*, no. 34, 1995, available at <<http://www.cpa.org.au/amr/34/amr34-03-some-experience-gibson.html>>, accessed 8 March 2017; Keith Headland (AFULE member in 1950) interview with the author, 20 September 1994.
- [11] PROV, VPRS 10217/P0, Unit 58, 50/540, RG Wishart to Minister for Transport, 28 August 1950.
- [12] *Railway Union Gazette*, September 1950, p. 1.
- [13] *Locomotive Journal*, vol. 13, no. 3, 14 December 1950, p. 21.
- [14] *Railway Union Gazette*, July 1950, p. 3.
- [15] PROV, VA 2876 Victorian Railways, VPRS 12623/P2 Self-Indexing Register of Secretary's General Correspondence, Unit 115.
- [16] PROV, VA 2876 Victorian Railways, VPRS 13279/P0 Correspondence with Australian Railway Union regarding industrial issues, Transportation Division, Unit 4.
- [17] *Age*, 31 October 1950, p. 2.
- [18] C Wright, *The management of labour: a history of Australian employers*, Oxford University Press, Melbourne, 1995, pp. 108–110.
- [19] *Commonwealth Conciliation and Arbitration Act 1947*, s. 13.
- [20] *Variation—Railway and Tramway Employees Award*, 68 CAR 492 at 507 (Hall CC).
- [21] *Age*, 14 October 1950, p. 1. *Variation—Locomotive Enginemen's Award*, 70 CAR 1950–51, 229 (Austin CC).
- [22] Tom Sheridan, 'Of mindsets and market forces: the contribution of historical research to industrial relations,' in Greg Patmore (ed.), *History and industrial relations*, Australian Centre for Industrial Relations Research and Teaching, Sydney, 1990, pp. 52–53.
- [23] *Age*, 16 October 1950, p. 1.
- [24] *Age*, 17 October 1950, p. 1.
- [25] *Age*, 20 October 1950, p. 1.
- [26] *Locomotive Journal*, vol.13, no.3, 14 December 1950, p. 20.
- [27] *Age*, 20 October 1950, p. 1.
- [28] *Railroad*, vol. 26, no. 21, 27 October 1950, p. 1.
- [29] *News Weekly*, 13 December 1950, p. 1.
- [30] *Age*, 27 October 1950, p. 1.
- [31] *Age*, 23 October 1950, p. 3.
- [32] *Age*, 16 October 1950, p. 1.
- [33] PROV, VPRS 10217/P0, Unit 59, 1951/3A, MH Dolamore to TS Linford, Secretary for Transport, 11 January 1951.
- [34] *Age*, 23 October 1950, p. 1, and 28 October 1950, p. 1.
- [35] *Age*, 21 October 1950, p. 3, and 3 November 1950, p. 3; *Argus*, 7 December 1950, p. 3.

[36] UMA, AFULE (Federal) Collection, Arbitration Item 7.1.47.2, AFULE v VRC (No. 513 of 1950) before Austin C, 18 October 1950, Transcript of Hearing.

[37] *Variation—The Railway and Tramway Employees Award*, 68 CAR 1950 at 665.

[38] *Variation—Locomotive Enginemen's Award*, 68 CAR 1950 at 570.

[39] *Age*, 21 October 1950, p. 1.

[40] *Age*, 24 October 1950, p. 1.

[41] *ibid.*

[42] Richard McCallum & Geoffrey Smith, 'Opting out from within: industrial agreements under the *Conciliation and Arbitration Act 1904*', *Journal of Industrial Relations*, vol. 28, no. 1, 1986, pp. 74–75.

[43] *Age*, 25 October 1950, p. 1, and 26 October 1950, p. 2; Noel Butlin Archives Centre, Australian National University (NBAC), Australasian Council of Trade Unions, Secretary's Records. Railway Strike Victoria, Item N21/502, Minutes of meetings held in connection with the railway dispute at the Melbourne Trades Hall on 24 October 1950 to 8 December 1950, Meeting 24 October 1950.

[44] *Age*, 26 October 1950, p. 2.

[45] *Age*, 27 October 1950, p. 1.

[46] *Sydney Morning Herald*, 30 October 1950, p. 1.

[47] UMA, AFULE (Federal) Collection, Arbitration Item 7.1.47.2, ARU v VRC (No. 188 of 1950), Transcript of hearing before Hall C, 31 October 1950, p. 4.

[48] *Age*, 1 November 1950, p. 1.

[49] *Decision—Railway Employees (1950)* 68 CAR 665 at p. 672.

[50] *Age*, 2 November 1950, p. 1

[51] *Age*, 4 November 1950, p. 1. *AFULE v VRC; ARU v VRC (1950)* 68 CAR 687 at 691.

[52] *Age*, 31 October 1950, p. 1.

[53] PROV, VA 2876 Victorian Railways, VPRS 421/P0 Secretary's Inward Registered Correspondence, Unit 1023, Item 1950/1195N, J O'Hara, Regional Director, Commonwealth Employment Service to Secretary, Victorian Railways, 30 October 1950.

[54] UMA, ARU (Victoria) Collection, Minutes of State Branch Executive, 10 January 1950 to 12 December 1950, Special Executive Meeting 12 November 1950, Item 1.3.10.

[55] *Age*, 21 November 1950, p. 1

[56] *Age*, 21 November 1950, p. 2.

[57] NBAC, ACTU Collection, Secretary's Records. Railway Strike. Victoria, S Wookey, Secretary Boilermakers' Union to R Broadby, 17 January 1951, Item N21/502.

[58] NBAC, ACTU Collection, Secretary's Records. Railway Strike. Victoria, JJ Brown to R Broadby, 5.2.51 in Railway Strike Victoria Item N21/502; Keith Headland interview; Jim Fraser interview with the author, 29 August 1994.

[59] Report of the Royal Commission Inquiring Into the Origins Object and Funds of the Communist Party in Victoria and Other Related Matters, vol. 2, in *Victorian Parliamentary Papers, 1950–51*, Government Printer, Melbourne, 1951, p. 94; Paul Heinrichs & Dan Oakes, 'Left was right to a tough, uncompromising warrior', *Age*, 21 December 2003, available at <<http://www.theage.com.au/articles/2003/12/20/1071868699313.html?from=storyrhs>>, accessed 8 March 2017; John Arrowsmith interview with the author, 12 September 1994.

[60] Jean Hartley, John Kelly & Nigel Nicholson, *Steel strike: a case study in industrial relations*, Batsford Academic, London, 1983, pp. 117, 138, 170.

[61] *AFULE v VRC; ARU v VRC (1950)* 68 CAR 687 at 691.

[62] Richard Hyman, *Strikes*, Fontana, London, 1977, pp. 117–119.

[63] NBAC, Australian Railways Union (National Office), Passive Time Dispute 1950, Item N5/875, *Rail Strike News*, no. 3, 15 November 1950.

[64] UMA, AFULE (Victoria) Collection, Victorian Executive Minutes 1950, Meeting 29 November 1950, Item 2. 2. 34.

[65] *Age*, 24 November 1950, p. 4.

[66] NBAC, ACTU, Secretary's Records, Railway Strike. Victoria, Minutes of Meeting, 15.1.50 in Minutes of meetings held in connection with the railway dispute at the Melbourne Trades Hall on 24 October 1950 to 8 December 1950, Meeting 15 November 1950, Item N21/502.

[67] UMA, AFULE (Victoria), Executive Minutes 1950, Meeting 23 November 1950, Item 2.2.34.

[68] UMA, ARU (Victoria) Collection, State Branch Executive Minutes, 10 January 1950 to 12 December 1950, Meeting 15 November 1950, Item 1.3.10.

[69] *Age*, 16 November 1950, p. 1.

[70] *Age*, 18 November 1950, p. 1.

[71] Jim Fraser interview, 1 August 1994.

[72] *Locomotive Journal*, 14 December 1950, p. 24.

[73] *Age*, 21 November 1950, p. 11.

[74] *Age*, 22 November 1950, p. 4

[75] NBAC, ARU (South Australia), Minutes of Council Meetings 20 June 1950 to 5 June 1951, Minutes of Mass Meeting 16 November 1950, Item E197/3/27.

[76] *Age*, 27 November 1950, p. 1.

[77] UMA, AFULE (Victoria) Collection, Strike News 1950, Item 6/9/1.

[78] UMA, AFULE (Victoria) Collection, Strike News 1950, Item 6/9/1.

[79] UMA, AFULE (Victoria), Executive Minutes 1950, Meeting 23 November 1950, Item 2.2.34.

[80] *Age*, 27 November 1950, p. 1

[81] *Age*, 28 November 1950, p. 1.

[82] UMA, ARU (Victoria), State Branch executive 10 January 1950 to 12 December 1950, Meeting 28 November 1950, Item 1.3.10. (Victoria) Branch Collection.

[83] *Age*, 1 December 1950, p. 3.

[84] *Age*, 29 November 1950, p. 1. This account of these discussions has been constructed from Harrison's comment at the AFULE executive meeting that night: UMA, AFULE (Victoria), Victorian Executive Minutes 1950, Meeting 29 November 1950, Item 2.2.34.

[85] UMA, AFULE (Victoria), Victorian Executive Minutes 1950, Meeting 29 November 1950, Item 2.2.34.

[86] *Age*, 1 December 1950, p. 3.

[87] *Age*, 28 November 1950, p. 2.

[88] *Age*, 17 October 1950, p. 1.

[89] *Age*, 5 December 1950, p.1; *Argus*, 5 December 1950, p. 1.

[90] UMA, AFULE (Victoria), Minutes of Annual Conference 1951 Carey comments in Business Arising Out of Executive Report to Annual Conference on Special and Financial Matters, Item 2/1/ 42.

[91] Mark Hearn, *Working lives: a history of the Australian Railways Union (NSW Branch)*, Hale & Iremonger, Sydney, 1990, pp. 112–115; Carey comments: UMA, AFULE (Victoria), Minutes of Annual Conference 1951, Business arising out of Executive Report to Annual Conference on Special and Financial Matters, Item 2/1/ 42.

[92] *Age*, 6 December 1950, p. 1.

[93] *Age*, 7 December 1950, p. 1.

[94] *Age*, 7 December 1950, p. 1; National Archives of Australia: Attorney-General's Department, A432, 1950/1973 Victorian Railway Strike 1950, R Williams, Deputy Director, Attorney-General's Department Investigation Service to Director, Commonwealth Investigation Service, 7 December 1950.

[95] *Railway Union Gazette*, November–December 1950, p. 1.

[64] UMA, AFULE (Victoria) Collection, Victorian Executive Minutes 1950, Meeting 29 November 1950, Item 2. 2. 34.

[65] *Age*, 24 November 1950, p. 4.

[66] NBAC, ACTU, Secretary's Records, Railway Strike. Victoria, Minutes of Meeting, 15.1.50 in Minutes of meetings held in connection with the railway dispute at the Melbourne Trades Hall on 24 October 1950 to 8 December 1950, Meeting 15 November 1950, Item N21/502.

[67] UMA, AFULE (Victoria), Executive Minutes 1950, Meeting 23 November 1950, Item 2.2.34.

[68] UMA, ARU (Victoria) Collection, State Branch Executive Minutes, 10 January 1950 to 12 December 1950, Meeting 15 November 1950, Item 1.3.10.

[69] *Age*, 16 November 1950, p. 1.

[70] *Age*, 18 November 1950, p. 1.

[71] Jim Fraser interview, 1 August 1994.

[72] *Locomotive Journal*, 14 December 1950, p. 24.

[73] *Age*, 21 November 1950, p. 11.

[74] *Age*, 22 November 1950, p. 4

[75] NBAC, ARU (South Australia), Minutes of Council Meetings 20 June 1950 to 5 June 1951, Minutes of Mass Meeting 16 November 1950, Item E197/3/27.

[76] *Age*, 27 November 1950, p. 1.

[77] UMA, AFULE (Victoria) Collection, Strike News 1950, Item 6/9/1.

[78] UMA, AFULE (Victoria) Collection, Strike News 1950, Item 6/9/1.

[79] UMA, AFULE (Victoria), Executive Minutes 1950, Meeting 23 November 1950, Item 2.2.34.

[80] *Age*, 27 November 1950, p. 1

[81] *Age*, 28 November 1950, p. 1.

[82] UMA, ARU (Victoria), State Branch executive 10 January 1950 to 12 December 1950, Meeting 28 November 1950, Item 1.3.10. (Victoria) Branch Collection.

[83] *Age*, 1 December 1950, p. 3.

[84] *Age*, 29 November 1950, p. 1. This account of these discussions has been constructed from Harrison's comment at the AFULE executive meeting that night: UMA, AFULE (Victoria), Victorian Executive Minutes 1950, Meeting 29 November 1950, Item 2.2.34.

[85] UMA, AFULE (Victoria), Victorian Executive Minutes 1950, Meeting 29 November 1950, Item 2.2.34.

[86] *Age*, 1 December 1950, p. 3.

[87] *Age*, 28 November 1950, p. 2.

[88] *Age*, 17 October 1950, p. 1.

[89] *Age*, 5 December 1950, p.1; *Argus*, 5 December 1950, p. 1.

[90] UMA, AFULE (Victoria), Minutes of Annual Conference 1951 Carey comments in Business Arising Out of Executive Report to Annual Conference on Special and Financial Matters, Item 2/1/ 42.

[91] Mark Hearn, *Working lives: a history of the Australian Railways Union (NSW Branch)*, Hale & Iremonger, Sydney, 1990, pp. 112–115; Carey comments: UMA, AFULE (Victoria), Minutes of Annual Conference 1951, Business arising out of Executive Report to Annual Conference on Special and Financial Matters, Item 2/1/ 42.

[92] *Age*, 6 December 1950, p. 1.

[93] *Age*, 7 December 1950, p. 1.

[94] *Age*, 7 December 1950, p. 1; National Archives of Australia: Attorney-General's Department, A432, 1950/1973 Victorian Railway Strike 1950, R Williams, Deputy Director, Attorney-General's Department Investigation Service to Director, Commonwealth Investigation Service, 7 December 1950.

[95] *Railway Union Gazette*, November–December 1950, p. 1.

[96] Carey alleged this: UMA, AFULE (Victoria), Minutes of Annual Conference 1951, Business arising out of Executive Report to Annual Conference on Special and Financial Matters, Item 2/1/ 42.

[97] UMA, AFULE (Victoria), AFULE Executive Minutes 1950, Item 2.2.34.

[98] *Age*, 9 December 1950, p. 1.

[99] *Railway Union Gazette*, November–December 1950, p. 1; John Arrowsmith interview.

[100] *Age*, 9 December 1950, p. 1.

[101] *Age*, 13 December 1950, p. 1.

[102] *Railway Union Gazette*, January–February 1951, p. 1.

[103] *Variation—Railway and Tramway Employees' Award 1947 70 CAR 1950–51 210; Variation—Locomotive Enginemen's Award 1948 70 CAR 229; Age*, 25 January 1951, p. 3; *Locomotive Journal*, vol. 13, no. 5, 8 February 1951, p. 18.

[104] John Niland, 'The case for more collective bargaining in Australia', *Journal of Industrial Relations*, vol. 18, no. 4, 1976, pp. 373–375.

[105] Lee, *The railways of Victoria*, pp. 230–234.

[106] JJ Brown in *Railway Union Gazette*, June 1950.

[107] A Przeworski, *Capitalism and social democracy*, Cambridge University Press, Cambridge, 1985, pp. 171–7.

[108] *Age*, 19 June 1954, p. 1.

[109] *Locomotive Journal*, 14 December 1950, p. 29; Keith Headland interview.