

German rail dispute: two unions act as strike-breakers

By Peter Schwarz
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Despite a legal ban on their strike and strike-breaking by two other railway trade unions (Transnet and GDBA), thousands of train drivers took renewed strike action on Tuesday morning, paralysing a great deal of the German railway traffic network.

As it did one week ago, the train drivers' trade union GDL (Gewerkschaft Deutscher Lokführer) once again called a limited strike to back its demand for wage increases of up to 30 percent for train drivers on the basis of a separate contract. At present a train driver is paid a basic gross salary ranging from just €1,970 to a maximum of €2,142 per month.

One week ago the two unions, Transnet and the GDBA (Gewerkschaft Deutsche Bundesbahnbeamten und Anwärter), had also taken part in strike action for higher wages. On Sunday evening, however, both unions agreed a deal with their employer Deutsche Bahn, (DB—German Railways Co.), which served to isolate the train drivers. This was the main aim behind the decision by the DB chairman, Hartmut Mehdorn, to increase his original offer to the two trade unions.

At the same time, the DB had applied for a legal ban on strike action by the train drivers. The application by the DB was then rapidly passed by the Düsseldorf labour court in North Rhine-Westphalia and the labour court in Mainz. The ban was applied to all of Germany. The courts prohibited the GDL from calling or carrying out strikes, and threatened fines of up to €250,000 for failure to comply with the ban. The ban applies for an unlimited period, until the dispute is resolved.

The court in Mainz justified this blatant attack on the right to strike with a statement claiming that with its token strike the GDL was violating the no-strike clause laid down in German industrial law, and which is valid as long as the existing contract is in force. The court made no response to the claim by Deutsche Bahn that the train drivers' strike was "disproportionate" and therefore illegal.

The GDL carried out its token strike on Tuesday despite the court ban, but sought to avoid any open confrontation by means of a legal manoeuvre. It did not send its own representative to the hearing on the ban application, which meant that the prohibition could not be drawn up in a finished legal form in time to prevent the strike.

The GDL then broke off its strike after two hours, having originally announced it would strike for three. It has also

announced it will call no further action until renewed negotiations with Mehdorn planned for Friday of this week.

The main beneficiaries of the train drivers' militancy are the trade unions Transnet and the GDBA, which have openly attacked the GDL and denounced its wage claim as excessive. In order to isolate the train drivers, the DB offered Transnet and the GDBA a wage increase of 4.5 percent—more than they had expected. DB head Mehdorn maintained that this was the highest contract wage agreed by the company since the end of the Second World War.

In fact, his statement is incorrect. The contract has all sorts of supplementary clauses, including a duration of 19 months. A one-off payment of €600 is to be made to cover the period from July through December 2007 and the agreed wage increase only begins in 2008. The original claim lodged by Transnet and the GDBA was for a 7 percent increase with a duration of 12 months.

Above all, however, the current contract in no way compensates workers for the real wage losses agreed upon by Transnet and the GDBA in preceding years. Through a combination of miserly contracts with the employers the unions have insured that the average annual wage increases for their members have remained far below the rate of inflation.

Originally a state-owned enterprise, German Railways was converted into a corporation in 1994 (provisionally still in the possession of the state). The consequences for railway employees have been devastating. The company was split up into nearly 200 subsidiaries—a measure which has led to spiralling negative consequences for wages and working conditions. Productivity has increased by 180 percent while personnel costs have decreased by 28 percent. DB has shed nearly half its workforce since 1994—approximately 150,000 workers. At the same time, the remaining workers are required to work increasing levels of overtime—14 million hours in 2002 alone.

All this has taken place with the cooperation of Transnet, the GDBA, as well as the GDL. In 2003, Transnet and the GDBA signed a contract for over 24 months, involving one-off payments for the current year only and a rise of 3.2 percent for the following year, i.e., an annual average of 1.6 percent. The GDL, which had quit a joint contract agreement with the

GDBA in 2001, had prepared strike action against the 2003 contract but was then banned from doing so by the labour court in Frankfurt.

In 2005 Transnet, the GDBA and the DB agreed a so-called “Future Program for Economy and Employment.” The DB proudly announced that the new program meant a reduction in labour costs of 5.5 percent based on an unpaid extension of working times, increased flexibility and a new contract involving one-off payments with a two-year duration. Only at the end of this period were wages to be increased by 1.9 percent. This means that the current deal concluded Sunday amounts to an increase of just 1.9 percent above the wage levels of 2005.

The “job guarantee” until 2010, which DB promised two years ago in exchange for the deal, only guarantees protection against redundancy for workers with a minimum of five years service. This leaves DB with sufficient room for manoeuvre to step up job cuts through a combination of early retirement and the sacking of short-term contract employees.

According to the motto of the DB, “No railway worker will become unemployed, when he participates in the company job market actively, flexibly and with mobility.”

The task of the 2005 “future program” was to transform the loss-making German Railways into a highly profitable company and prepare its launching on the stock exchange—a goal that has now largely been realised. In the past two years the DB has notched up high profit levels.

Both Transnet and the GDBA enthusiastically support this goal. In October last year they drew up a joint paper, in which they wrote, “Transnet offers the federal government its advisory services with regard to the definition of the content of the privatisation law.” Professing their adherence to the principle of profitability for the denationalised company, which the union declares is just as important as the security of employees’ rights, they added, “The economic stability of the DB and its competitiveness in Germany, Europe and worldwide are just as relevant for job protection as the securing of existing contract rights.”

On this issue the chairman of Transnet, Norbert Hansen, stands even to the right of the Federation of German Trade Unions (DGB). At a meeting of the DGB executive, Hansen was the only bureaucrat who voted against a resolution opposing the privatisation of the railways.

It is therefore not surprising that Transnet and the GDBA are now playing the role of strike-breaker in the train drivers’ dispute and have denounced the latter’s wage claim. In this respect, both unions can rely on support from the DGB as well as from political parties—in particular the Social Democratic Party (SPD) and the Greens.

On German radio, DGB Chairman Michael Sommer accused the train drivers of weakening the trade union movement and employees with their demands. The transport speaker of the SPD parliamentary group, Uwe Beckmeyer, has requested the

GDL accept the deal agreed by Transnet and GDBA, and his Green Party colleague Winfried Hermann accused the GDL of a “lack of solidarity” with its wage demand. “I have no sympathy for this special demand raised at the expense of customers and colleagues,” he told the *Passauer Neuen Presse*.

With around 35,000 members, the GDL is far smaller than Transnet (270,000) and the GDBA (65,000). It is considered to be the oldest German trade union and represents the majority of train drivers working for Deutsche Bahn and other private railway companies.

Six years ago, and under pressure from its membership, the GDL quit a contract alliance with other trade unions and since then it has been demanding a separate contract—without success. While the union has undertaken somewhat broader action than Transnet and the GDBA in the current dispute, its leadership is not opposed in principle to the anti-working-class policies of Germany’s governing parties and management, but rather is motivated by its own narrow interests. The GDL is also not opposed in principle to the privatisation of the railways.

The train drivers’ strike comes as the latest in a series of industrial actions by sections of German workers and it is necessary to draw the lessons from these disputes. The militancy of Telekom workers, who voted by an overwhelming majority for strike action, was insufficient to prevent the leadership of the workers’ union, Verdi, from recently signing a deal that largely corresponded to all the demands made by the Telekom executive. And although German doctors had broken with Verdi and organized themselves independently in the Marburg Federation, they were unable to realise their wage demands in their strike last year.

The struggle against low wages, worsening working conditions and welfare cuts requires a perspective capable of unifying broad layers of the working class. The train drivers confront not only Mehdorn and the DB executive committee, but also the German government, the judiciary and the combined weight of the trade union bureaucracy—including the leadership of their own union.

The strike at Deutsche Bahn must become the starting point for a break with the trade unions and the SPD in a struggle to unite workers across Europe in the fight for a socialist reorganization of society. Train drivers must seek the solidarity and support of other railway workers and the working class as a whole. They must establish independent strike committees in order to take the dispute into their own hands. This is the only way they will be able to withstand the pressure now being exerted upon them from all sides

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