

Workers win in landmark union case against Australia's richest airline Qantas

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Workers win in landmark union case against Australia's richest airline Qantas after mass pandemic

Sydney, August 1 (RHC)-- In an historic win for trade unions, Australia's federal court ruled in favor of the Transport Workers Union's case against airline giant Qantas. The outsourcing scandal saw over 2,000 employees laid off amid the COVID pandemic.

Justice Michael Lee said he was not convinced of the evidence put forth by Qantas – Australia's most dominating airline – that the laying off of thousands of employees was not, at least in part, motivated by their union membership.

Qantas dismissed more than 2,000 ground handlers during the pandemic, whose roles were outsourced to save money for the corporation, which in 2019 recorded AU\$18 billion (\$13.2 billion) in revenue.

The TWU employed Josh Bornstein as its head lawyer to argue the airline's actions contravened the Fair Work Act. The case was centered around claims that Qantas's bullish moves – led by CEO Alan Joyce – were made to squash the union's power in wage negotiations.

"The Federal Court has found for the first time that a major employer has sacked over 2,000 workers because it was seeking to deprive them of the ability to collectively bargain with the company for a new enterprise agreement," said Bornstein.

The union's lawyer said that Qantas had "lost" in the case, and highlighted that: "large companies have used outsourcing for decades to prevent employees from being able to collectively bargain with them," suggesting that Friday's decision should be used as precedent in future worker's rights cases.

In a tweet following the ruling, the TWU said: "Today is a great day – for Qantas workers, for aviation workers and for all transport workers."

While the ruling means that the workers who were laid off could potentially regain their jobs or receive compensation, no details have been confirmed – which was strongly reiterated by Qantas the same day.

Qantas have denied any wrongdoing and in an official statement on Friday said "Today's judgment does not mean Qantas is required to reinstate workers or pay compensation or penalties," claiming that the matters have not yet been considered by the court and they will oppose any such orders.

"Qantas will also seek to have its appeal heard as soon as possible and before any remedy hearing," the statement read. The company justified the outsourcing by claiming it would save its owners and investors AU\$100 million (about \$73.5 million) a year.

As part of their official statement in response to Friday's ruling, Qantas called the union "hypocritical" and said their behavior – referring to their effort to protect workers' rights – "undermines the strong safety culture that exists throughout Australian aviation."

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