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## **‘Your Rights at Work’ campaign: Australia’s ‘most sophisticated political campaign’<sup>1</sup>**

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The Australian labor movement faced an unprecedented challenge to trade union and workers’ rights when the conservative coalition government introduced the Work Choices legislation in 2005. The unions’ Your Rights at Work campaign became the most significant political campaign mounted by a non-party political group in Australian history for its blend of television advertising, mobilizing and grassroots organizing, web-based campaigning and televised national days of protest. The unions’ strong campaign influenced public opinion powerfully against the laws, and in response the government mounted a fierce attack on the legitimacy of unions as ‘bullies’ and unrepresentative of ordinary working people. The contest had high stakes for the future of unions in Australia and for the 2007 federal election. This article examines the unions’ campaign strategies, with a particular focus on their use of information communication technologies. It argues that the significance of the campaign was its hybrid nature, combining innovative media-based campaigning with traditional organizing through communities. The campaign was a major influence over people’s votes and the Australian Labor Party’s victory in the November election.

### **Introduction**

The tendency for mainstream news media to report trade unions and unionists as hostile to the interests of ‘us’, their presumed audience, is well documented.<sup>2</sup> Many unions around the world have become adept users of alternative media to communicate their achievements, mobilize membership and community support, and deliver calls for action.<sup>3</sup> The LabourStart website run by Eric Lee is probably the most familiar example as it covers international issues and news. It is best known for its alerting service through which individual unions can call upon subscribers to take action in the form of boycotts or emails in support of unionists who have been victimized by employers or governments. Unions are rapidly adapting to the potential uses of new communication technologies. One such example is the Australian trade union movement’s Your Rights at Work campaign (RaW) against the conservative coalition government’s extreme Work Choices legislation. This legislation severely limited the rights of workers, excluded unions from the bargaining process and dramatically restricted union rights. The campaign commenced in 2005 and ran until 24 November 2007, the day of the federal election. Combining web-based campaigning, mobile phone text messages,

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mass-media advertising together with traditional education and community-based activities, this multi-platform offensive stands as the most significant campaign mounted by a non-party political group in Australian history.

### **Background history**

In October 2004 the Liberal-National (conservative) coalition government in Australia was re-elected for a fifth term with an increased majority. This gave it control of the Senate as well as the House of Representatives for the first time in over twenty years. Previous attempts by the coalition to introduce regressive industrial relations legislation had been blocked or amended by minor parties and independents who held the balance of power in the Senate (the house of review in Australia) from 1981 to 2005.

The Australian Prime Minister John Howard had long been a proponent of deregulation of industrial relations and restrictions on union activity. Unexpectedly gaining control of the Senate provided an opportunity for the government to introduce far-reaching restrictions on trade unions and major deregulation of industrial relations laws, particularly those that protected workers' rights and union activity. The previous legislation had protected seventeen working conditions, whereas the Work Choices legislation only protected five.<sup>4</sup> The Australian trade union movement, headed by the Australian Council of Trade Unions (ACTU) and supported by various state trades and labor councils and large national unions, realized immediately that it would be facing a dramatic fight for its members and its own survival.

The Australian union movement had already demonstrated sophisticated campaigning skills, winning the hearts and minds of the public in some high-profile and contentious disputes over the last decade. It succeeded in doing so despite tiny campaign budgets and major corporate and government efforts deployed against them. Two particular events – one successful and one a public relations disaster – are relevant in relation to the discussion of the present campaign.

The first occurred in 1996, the opening year of the Howard government, when it introduced a suite of workplace relations laws into the Australian Parliament. To coincide with the introduction of the legislation, the ACTU and affiliated unions organized a 'Cavalcade to Canberra' mass rally outside Parliament House the day the laws were introduced into the senate. Satellite rallies were also held in every state to protest against the 'unAustralian' nature of the proposed changes. Promotional material had also strongly focused on the term 'unAustralian'. Unfortunately for the union movement, a small group of participants were blocked by police from joining the main crowd and instead ran towards the main doorway of Parliament House to protest. This group attempted to force entry and some property damage and injuries to both protesters and police resulted. The Prime Minister and media pronounced it a national affront, 'unAustralian hooliganism', 'wanton destruction' and trade union 'thuggery'.<sup>5</sup> It was a public relations disaster for the union movement and was seen by many officials as the hijacking of their careful political strategy by irresponsible militant elements. This event had a lasting impact on the planning and management of subsequent union campaigns.

The second significant challenge to the Australian union movement was the major waterfront dispute in 1998 during which the Australian government supported Patrick's Corporation in its attempt to summarily dismiss its entire stevedoring workforce without notice and to replace them with labor hire. Patrick's sacking of its workforce en masse at midnight, through the agency of balaclava-clad security staff with guard dogs, created enormous anger amongst the workforce and significant outrage in the wider community. There was great concern amongst the union movement that this anger would boil over into violence and that public support for the wharfies (never high) would evaporate. However, the Maritime Union of Australia (MUA) and other unions involved maintained discipline in the face of extreme provocation and implemented a multifaceted campaign strategy that included legal action to declare the sackings illegal and get the workers their jobs back. The campaign included mass community protests at the affected ports every day; attempts (through both protests and the legal system) to stop the newly hired contract (scab) labor from starting work; and a major public relations effort to challenge the myths that wharfies were lazy, corrupt and overpaid. They sought to build awareness that if the government and Patrick's could treat wharfies in this way, then other workers would be next. Whilst this largely focused on free-to-air media, such as talk-back and newspapers and discussion through community and workplace education forums, one short television advertisement was made for this campaign. It ran over only three nights, Friday to Sunday on one weekend. It was an unusual development in an Australian union campaign and featured Hazel Hawke, the much-loved wife of a former ALP Prime Minister, whose presence generated the advertisement wider publicity in the free media. This campaign was also the first time in Australia that a union made their website a central feature of their campaign. The MUA website included union history, the stories of workers and their families, accounts from the picket lines, photos of protest activities, and political background to the dispute. Journalists found it a very useful resource, as did unionists, politicians and interested community members. It won recognition from LabourStart as website of the week in February 1998 and was voted runner-up in the website of the year award in 1998. Melbourne activist Takver also created an independent dynamic up-to-date website with daily news and photos from the docks (especially from Melbourne docks), workers' stories and maritime history. Eric Lee commended this 'extraordinary effort' in proclaiming it website of the week on 9 April 1998. These alternative media sources were critical in getting out information that the mainstream media at first ignored, and really demonstrated to unions the value of an online presence.<sup>6</sup>

These two events are important in considering the campaigning tactics, and in particular the use of information technology, in the recent struggle over the Work Choices legislation. From the day after the 2004 federal election, unions began to plan for the onslaught. Over the period from December 2004 to February 2005 (normally a quiet time in Australian political and union affairs) unions began strategizing. At a meeting of the ACTU executive early in 2005, a plan was proposed which involved a vast and unparalleled media advertising campaign, the development of a dedicated website, mobilizing and education activities with members and community groups, and high-profile national events. The unions planned to build momentum throughout the three years leading up to the federal election, due in

late 2007. The campaign was to be funded by a levy of \$5.50 per member, per affiliate, per year.

### **‘Your Rights at Work’ campaign**

‘Your Rights at Work: Worth Fighting For’ was the campaign slogan proposed for the initial awareness-raising and support-building phases of the campaign. The slogan was tested extensively through focus groups concentrating on the key demographics, those earning less than \$60,000 per year with dependent children. Although many had anticipated that the key message that would resonate with the electorate would be the *unfairness* of the proposed legislation, focus-group research showed this to be a fluid term with mixed meanings for different respondents. The key term found to resonate with the public was the issue of rights. Unfairness, however, remained a key theme in the campaign, as the ‘fair go’ is still widely regarded as the centrepiece of any claim by Australia to be an egalitarian society. It is a community value that still holds great relevance for people.

The third phase of the campaign for the year leading up to the federal election focused on shifting people’s votes. At the national day of community action held on 30 November 2006 the slogan for the year ahead was unveiled as ‘Your Rights at Work: Worth Voting For’ (‘Voting’ replacing the verb ‘Fighting’ in the initial slogan; many unions’ slogans combined both as ‘worth fighting and voting for’), to suit this campaign focus. Unions recognized that the only way to overturn the legislation was through a change of government. They also realised that the business community would exert significant pressure for certain elements of the legislation to remain (for example, the exemption from unfair-dismissal legislation for businesses employing under 100 people, and the constraints applying to trade union operations). Strong and consistent pressure from people in the community demanding that the legislation be overturned was seen as essential to ensure the ALP honour its commitment to ‘tear up these unfair laws’.<sup>7</sup>

### **Framing the message**

From the inception of the campaign, the ACTU determined that it would ‘ensure union publicity and campaigning reinforce our position as representing the interest of *employees, families and communities*’.<sup>8</sup> Focusing solely on the rights and entitlements of trade union members was never an option. Instead, the campaign had to be framed in such a way that it would appeal to the largest possible group of people. The campaign strategy group was clear that low-to-middle-income voters, who had voted for the coalition in preference to the ALP in previous elections, had to be wooed back to Labor. Issues such as interest rates, economic management, and aspirations for material prosperity had been the reasons they had swung to the coalition, and in consequence they had become known in the press as ‘Howard’s battlers’.<sup>9</sup> The ACTU saw the issues of rights at work, loss of penalty rates, the removal of unfair dismissal laws, and the difficulty of balancing work and family life within the context of the new laws as the best issues through which to appeal to this constituency. The campaign also appealed to those who felt the government had moved too far in the interests of business and no longer cared enough about

ordinary people. In pursuit of these target audiences it was decided that the campaign would have a threefold focus: first, on the legislation's impact on families, thus increasing the chance of building bridges with social conservatives who were usually coalition government supporters; second, on the loss (or potential loss) of pay and conditions that was a burning issue for those earning \$60,000 a year or less; and third, on the issue of democratic rights, which was identified as an issue of concern for middle-class and more educated voters. It was envisaged that these three facets of the campaign would also attract the support of older and retired workers who were concerned about the future of their children and grandchildren.

The challenge of identifying the likely effects of the legislation before it had even been introduced or the details released was met through the choice to fund a major national television advertising campaign. The advertisements focused upon typical dilemmas that, the ACTU predicted, families would face should the planned legislation come to pass. Television advertising was a new strategy for the ACTU, unions having been historically unable or unwilling to spend the money required to gain saturation coverage of the electronic media. However, on this occasion it was seen as the most effective strategy to quickly reach the target audience, many of whom were not union members.

The first advertisements went on the air in June 2005. They featured scenarios in which fictional workers were pressured to work shifts that would have a negative impact upon their family life or that would result in their dismissal if they refused. Other early advertisements featured issues such as loss of shift and penalty rates, overtime and other benefits, including some testimonies from real workers. The advertisements were enormously successful in capturing the problems experienced by ordinary families and replicating familiar, everyday domestic tensions. With their element of novelty and the credibility of the scenarios, the campaign's advertising blitz provoked wide discussion on talk-back radio and in the press. The government denounced the advertisements as an exaggerated and inaccurate scare campaign, thus increasing the newsworthiness of the story and contributing to public awareness of the planned IR legislation.<sup>10</sup>

In response to the success of the initial ACTU advertising, the government rushed into production its own publicity campaign promoting Work Choices prior to the drafting of the legislation. The first government advertisements were broadcast in July and the second advertising buy was in October 2005. Together with 'information' brochures that were delivered to over six million Australian households, the advertising costs of the government's media blitz were in excess of \$55 million of taxpayer funds.<sup>11</sup> The Business Council of Australia also funded a \$6 million advertising campaign in support of the government's legislation. The ACTU's budget for all aspects of the campaign in this first year was in the vicinity of \$8 million. The scale of the government's print, television and radio advertising campaign, together with the fact that it was funded through taxpayers' funds, created even more controversy.<sup>12</sup> Even conservative opinion and editorial writers, who were firmly supportive of the proposed changes themselves, were highly critical of the extent of the government's expenditure and the manner in which the so-called information was being sent out before the legislation was introduced into Parliament, let alone passed.<sup>13</sup> Critics claimed the government was arrogant.



**Rights at work: a hybrid campaign building awareness, identity and solidarity**

One of the continuing challenges faced by the union movement internationally has been negative public perceptions of unions and hostile reporting by the media. Despite polling by unions that shows the community supports the role and existence of unions, membership is falling in Australia, as it is in many other western democracies, and thus fewer people have personal experiences of the roles unions can play and their relevance. Public relations strategies are one means the labor movement can utilise to communicate its message. However, the heart of the labor movement consists of its members and their families and communities. At its best, the community of labor can be a powerful collective that not only protests over external injustices but also has the potential to be mobilized to build internal solidarity.<sup>14</sup> The Australian union movement had to convince its members who had previously voted for the Howard government that this was no longer in their interests. It also needed to convince members to actively and vocally oppose the laws and the government that had designed them. Whilst paid television advertising was a critical mass-communication strategy, union members provided the personal evidence of the need to protect workers' rights. Furthermore, their mass opposition to the laws – together with the opposition from sections of the broader community – signified that this opposition was widely thought and deeply felt. The government had 'gone too far'.

Membership and community mobilization was achieved through the adoption of a hybrid, multi-platform structure for the RaW campaign. Paid advertising was complemented by the organization of large national strategic events to demonstrate mass popular support for the campaign. As Taylor and van Dyke argue, positive outcomes are enhanced by 'public displays of protest that tap into prevailing beliefs about democratic practices'.<sup>15</sup> The large public events provided the unions with an opportunity to frame the issue in ways that linked it into existing mainstream discourses of fairness, democracy, and other widely accepted social values. Thus these themes enhanced the chances of the campaign's success. In addition to these centrally organized events, affiliated unions and state-based labor councils organized activities in specific industries and geographical locations to extend and build on the message, and the ACTU established an Internet Your Rights at Work site through which it ran a parallel virtual campaign. To build the political momentum in the lead-up to the election, the unions established a network of paid political organizers in over twenty marginal electorates across the country. These coordinators were funded by affiliated unions but the ACTU organizing unit was responsible for overall campaign planning and training and for supporting their activities.

Nearly one hundred local campaign coordinating groups were established across the country, with more than forty in New South Wales (NSW) alone. Other activities included the Your Rights at Work bus in NSW. A team of young organizers, together with the secretary of UnionsNSW, John Robertson, travelled the state for several weeks each year, going to small towns and large regional centres. In each they ran workplace meetings, public forums, street stalls and similar activities together with local supporters. Their presence generated local publicity for the campaign and at the same time they collected evidence of worker exploitation and intelligence about local issues. Traditional on-the-ground campaign work such as petitions, boycotts, lobbying of politicians, talk-back radio participation, and community

awareness-raising activities continued concurrently. Members of local campaign committees included retired unionists, students, members of church and women's groups, and mothers of young children.

Two of the national days of action were broadcast simultaneously by the satellite Sky Channel to several hundred national venues (such as sports, community clubs and hotels), as well as to subscribers via pay-television.<sup>16</sup> For the first time people in regional and remote locations were able to hear in real time the speeches by major national union, political, religious, and community leaders denouncing the new laws and to see the testimonies by workers from various states and diverse industries about the impact the laws had on them. The uniqueness of these broadcasts and complementary local actions built local networks and also resulted in significant positive local media coverage. Regional media had hitherto rarely covered national industrial issues. DVDs of the broadcasts were subsequently distributed to unions and community organizations. Key speeches were also made available both as transcripts and as short videos on the Your Rights at Work website and via YouTube, thus extending their potential audience. The sophisticated message produced by the unions appealed to television news broadcasts, many of which included clips in their news and current affairs coverage. The Sky Channel broadcasts of the days of action ensured that a consistent and high-quality public relations message was relayed around the country across several different media platforms. This was the first time the union movement had achieved such consistent coverage.

The ACTU's days of community protest were multi-dimensional events combining traditional capital city demonstrations with local and regional satellite events, workplace actions, very strong televised and web presences and a wide range of sophisticated messaging. Each day of community protest was just one event, albeit a high-profile one, in the extensive (and ongoing) campaign. These actions in real time and in virtual space extended available opportunities for people to identify themselves as opponents of the legislation, and in association with trade unions, even if they were not members. They created a strong and dynamic vision of contemporary union identity and solidarity.

Despite the positive media and public response to the ACTU's Sky Channel broadcasts and television advertising, not all unionists were initially happy with the mediated nature of the campaign. Some saw the imposition of a message from headquarters in Melbourne as undemocratic and felt that it did not allow for expressions of unionism and militancy that were relevant to their specific experiences or to their cultural and industrial histories. A minority of unionists from sectors such as construction and manufacturing were frustrated that their traditional industrial and cultural expressions of protest were constrained by a centralized, sanitized and more passive form of protest action managed by tertiary educated professionals and 'spin-doctors'.<sup>17</sup> Trade union leaders were clearly aware of this. Greg Combet made his position on the need for discipline extremely clear in his 2005 day of action speech when he pledged that he and other leaders would fight but at the same time warned: 'We must be disciplined and responsible. There is no place for foolhardy or reckless behaviour.'<sup>18</sup> He reinforced this to affiliates at every subsequent campaign meeting.

In considering the ACTU's emphasis on new and traditional free and paid media over mass industrial action one must take account of the context of the campaign



and the political risks it faced. As Martínez Lucio argues, the political nature, identity and history of individual unions and peak councils, together with their organizational culture, need to be considered in assessing the use of ICTs.<sup>19</sup> The ACTU's campaign, and specifically its days of national action, were the product of a peak council, not a single union, or group of unions in one specific industry. They had, therefore, a diverse constituency with different identities and modes of expression, different cultural histories, and different agendas.

The ACTU, as Australia's single peak union body, was operating within a particular political, historical and cultural context that invested the desirability of control of the unions' campaign messages with special urgency. Previous conflicts between unionists and police (such as that occurring during the Cavalcade to Canberra in 1996 discussed above) often resulted in damaging headlines and widespread political and media demonizing of unions as 'bullies' and irrelevant. There were therefore specific political and communication imperatives for the ACTU that created high stakes in the planning and implementation of high-profile national protests. Any impromptu outbreaks of unstrategic, individualistic or hot-headed militancy would have provided ammunition to the coalition government and seriously undermined the effectiveness of the ACTU campaign. As the evidence grew that the ACTU's campaign was having a substantial and apparently lasting impact upon public opinion, the government and business groups mounted hysterical scare campaigns against trade unions and the perceived negative and retrogressive influence they exerted over the Labor party. Union leaders were acutely aware that an outbreak of militancy in one industry would jeopardize their success.

The ACTU's decision to broadcast one message all over Australia via Sky Channel and to emphasize paid advertising over industrial action recognized the political realities of mediated political campaigning.<sup>20</sup> It also reflected the limitations to collective union action under the Work Choices legislation. For instance, under these laws union officials could be fined \$33,000 for calling on workers to take an 'illegal' industrial action. The ACTU strategy produced a sense of virtual solidarity, ensured a consistent level of professionalism, and made certain that all campaign activities were 'on message'. This approach minimized the risk of alternate expressions of militant, muscular unionism detracting from the message. In suppressing divergent and radical union and workers' identities it did, however, lead to some dissatisfaction on the part of some groups of unionists.

The ACTU's strategic choices in the construction and framing of its campaign as an inclusive protest attempted to pay tribute both to the contributions of traditional blue-collar unionists to the existing suite of rights the unions were trying to protect, and to the growing numbers of casual and contingent service-sector workers. Workers in the service sectors are less well organized and have less well-defined identities as unionists. The unions argued, however, that these workers were in most need of protection as they would be most adversely affected by the laws. The ACTU's decision to frame it as a 'community' campaign over values attempted to reach *all* workers, not only current unionists, and necessitated a high level of centralized control. Its choices did reduce the range of performances of unionism that were welcome and to some extent the range of democratic expression, at least on the street. Diverse political expressions and opinions were, however, facilitated

through the Your Rights at Work Community Forum discussion board on the website, which encouraged open debate on tactics and political views.<sup>21</sup> In the context of the ACTU's specific strategic requirements and its cultural and industrial identity, its decision to promote one message across Australia through paid media and the Sky Channel broadcasts was tactically understandable.

### **Solidarity through online communities: use of the web and community forum**

The RaW website was strongly promoted through all the publicity material and advertisements and on the large screens at the national days of action. People were encouraged to access the website for more information and for ways to participate in the campaign. The use of the web was a new element for the ACTU. As Greene, Hogan, and Grieco have observed, solidarity can be facilitated by a strong media campaign and by a dynamic web presence. It is therefore no longer so reliant on physical or even real-time proximity.<sup>22</sup> The website received a huge number of hits, signing up over 100,000 subscribers in the first few months it was operational. In April 2007 over 170,000 people had subscribed to the email news service and the action alerts. More than 6000 individuals donated money to different aspects of the campaign through the website. Your Rights at Work was established as a stand-alone site that was also linked to the ACTU home page and those of most unions.<sup>23</sup> It included the community forum, archived advertisements, educational materials, sample letters, a secure donations link, and an activist newsletter, which the web manager Jessica Stanley says she always used as a means of asking people to *do* things rather than just letting it function as a one-way information conduit. Stanley says the community forum sought 'to move people from online action to offline action'.<sup>24</sup> Contributions to the forum and to specific discussion topics were also featured on the main page. For example, the contributions of 275 people stating their rationales for voting in particular ways were featured on the front page of the website in the days immediately before and after the election.<sup>25</sup>

Most of the television advertisements and a selection of other clips, such as workers' testimonies and speeches from the days of action and Sky Channel broadcasts, were also uploaded to YouTube together with satirical commentary by individual activists. The campaign also had a dynamic presence on MySpace. It featured a profile of the RaW campaign, together with profiles of a number of younger activists and campaign groups as friends.<sup>26</sup> Whilst it is impossible to tell how many new young supporters such presence attracted, it was encouraging to see an activist presence in these commercialized but highly popular spaces.

Individual artists and activists with creative skills produced educational, humorous and satiric videos for the campaign. One of the best known of these, Shane T. Hall's *36 Ways to Get Fired Thanks to John Howard*, achieved near-cult status through its placement on websites and through promotion on youth-culture television and radio programs.<sup>27</sup> Activists also established community radio programs, composed songs, and placed photographic collections online. In April 2007 Unions NSW ran a Rock'n for Rights concert at which many of Australia's most popular musicians performed for free to support the campaign. Some of these artists composed songs that specifically dealt with the issues.

**Work Choices: 'a damaged brand'**

That the government was worried about the impact of the ACTU's campaign on its credibility and popularity became obvious in April 2007. In early April the Prime Minister called for business to fund an advertising campaign in support of the government's Work Choices legislation, since businesses were the prime beneficiaries.<sup>28</sup> This public call for support put business in an awkward position. With a real possibility of the government losing the election, corporate leaders might not want to alienate the ALP. In early June, nevertheless, two peak business councils announced that they would still fund a series of television advertisements.

From April 2007 onwards, debate over IR was fierce. Opinion polls continued to show significant public opposition to the laws. The ALP's industrial relations policy 'Forward with Fairness', announced at its national convention in April, was damned by business and the government as favoring the unions. They also claimed it was hostile to business and Australia's economic prosperity. In particular, Labor's continued commitment to abolish Australian Workplace Agreements was portrayed as likely to cripple the mining industry. The business response was described by some media commentators as 'hysterical', and it persisted over months and featured in business-funded television advertisements in October 2007. The government tried to revive the 1970s and 1980s image of trade unions as thugs and bullies holding the country to ransom. This attack on union credibility and legitimacy was vigorously pursued in the months immediately prior to the election. The Liberal party ran television advertisements that included archival footage of violent scuffles to discredit unions as a risk to the economy. The government and business advertisements significantly misrepresented the realities of Australian industrial disputation. Days lost to strike actions in Australia have fallen dramatically over the past two decades, whereas days lost due to lockouts by employers have risen substantially.<sup>29</sup> Trade union polling conducted by Unions NSW has consistently shown that the public is not opposed to trade unions per se and does not believe that they have too much power. However, some highly regarded pollsters argued that the electorate does not like or trust trade unions. Rod Cameron, for example, argued that whilst the ACTU Rights at Work campaign had been a 'huge communications triumph' and had 'absolutely sullied' the Work Choices name and, by association, the government, it was insufficient to deliver government to the ALP. Cameron's view, and that of many other political commentators, was that the ALP had moved too far to accommodate unions and that it had misread the mood of the electorate.<sup>30</sup> Since the election, however, the union campaign has received widespread credit (or blame) for being one of the most influential factors in the ALP defeat of the government.

Disturbingly, almost no mainstream Australian journalists challenged the myth of excessive union power. The ALP, too, avoided confronting it, possibly fearing that a challenge to the framing of the debate might give oxygen to the claim. Even in the face of extreme anti-union advertising, unions and the ALP resisted the temptation to engage their opponents over the accuracy of the exaggerated claims such as that 70% of ministers in an ALP government would be ex-union officials and that this by its nature would be bad for democracy. Mike Steketee, a journalist for the Murdoch News Corporation-owned *Australian* newspaper, was one of the very few to point out that the Work Choices legislation removed key trade union rights, and therefore

the capacity of trade unions to organize effectively to protect workers' interests that other western democracies have maintained. Steketee argued that the coalition government had an ideological union-busting agenda:

[T]he legislation goes further than that in other countries that continue to acknowledge freedom of association, including through collective agreements, as a fundamental right. Every comparable country, including the US, Canada and New Zealand, allows collective bargaining where a majority of employees requests it.

Under Work Choices, an employer can veto a collective agreement even if every employee asks for one. NZ is the only other Western country to allow statutory individual contracts such as AWA, but even there they cannot override collective agreements.<sup>31</sup>

The issue of the relevance of effective trade unions to democracy and to the protection of working people was never at the forefront of the RaW campaign. The government's decision to mount a full-scale scare campaign over the issue of union power and union links to the ALP placed this question in the centre of the struggle in the lead-up to the election. The Australian media is largely hostile to trade unions, utilizing reporting frames and stereotypes that construct union power as excessive and illegitimate.<sup>32</sup> Furthermore, many journalists appear to have little personal understanding of the way unions work, or even sympathy for collective approaches to problems.<sup>33</sup> The ACTU's challenge was to use information technology to circumvent these limited and negative mainstream media representations and to explore new ways to communicate the intrinsic value of unionism through an emphasis on the need for working families to be protected from unfair work arrangements.

In a huge symbolic victory for the union movement, in mid-May 2007 the government dropped the name 'Work Choices' from the government rhetoric and from the Department of Workplace Relations telephone information service. The Workplace Relations Minister, Kevin Andrews, was replaced by the more media-savvy and affable Joe Hockey, who acknowledged that the unions' campaign had forced the government to amend the laws and develop a new television advertising campaign to deliver information to the public about the changes.<sup>34</sup> This second government advertising campaign also proved controversial for its expenditure of tax-payer funds to promote changes to the act before they had been introduced into Parliament. The assessment of the ALP and the unions was that public opinion had set firmly against Work Choices in any form. The ALP argued that the government had no credibility on the issue of fairness as it had never told the electorate it was considering such laws in the first place and denied for a full year and a half that the implementation of the laws left workers worse off. The ALP's view, and that of the union movement, continued to be that the issue would deliver a substantial swing against the government at the election. This view was vindicated on 24 November, when the ALP was elected with an overall swing of just over 5% and an average swing in excess of 7% in the seats in which local Rights at Work groups had been campaigning. The campaign was hugely successful in attracting a high level of attention to industrial relations as a key issue of concern to voters, turning it into a symbol of the government's arrogance and of its being out of touch with the experiences of ordinary voters. Furthermore, it comprehensively routed a well-resourced and fanatical anti-union campaign mounted by business and

the government. Most importantly, the ACTU can legitimately claim to have made a substantial contribution to the ALP's election victory.<sup>35</sup>

Throughout the ACTU campaign, opinion polls demonstrated high recognition of the industrial relations issue and high opposition to the Work Choices policy.<sup>36</sup> Union campaigning built that awareness over two and a half years. The ALP only picked up the issue after the unions built community opposition to the laws into a potentially election-winning movement for change. The extraordinary nature and success of the campaign was remarkable. An innovative approach to campaigning, reflecting the real-life experiences of working families, together with multiple opportunities for participation, built public recognition and support for the campaign and damaged irreparably the government's Work Choices 'brand'. The remaining challenge for Australian unions in a post-election environment is to convince the community that unionism itself is worth fighting for.

## Conclusion

As noted in the introduction, the Australian trade union movement's Your Rights at Work campaign has been one of the most significant mobilizations in Australian political history. This was the first campaign to be planned around a diverse array of information communication technologies. Although the scale of expenditure has been unprecedented for the Australian union movement, it has been modest compared to the resources available to government and business. Some of the more expensive elements of the mediated campaign were only possible through the support of specific unions. The Miners' Division of the Construction, Forestry, Mining and Energy Union, for example, sponsored the Sky Channel broadcasts of the national days of action. Particular affiliates devoted substantial resources to promoting RaW in their industry or location and thus offered a model to others of what it was possible to achieve. The intensive resourcing of local campaign groups by Unions NSW and their regional Rights at Work bus tour had a deep impact on local communities across the state, building awareness of and support for unionism, as well as providing invaluable feedback on the mood of these electorates.

Your Rights at Work was a multi-dimensional campaign waged via television, radio and the Internet, and in workplaces and communities. Whilst the campaign was centrally coordinated and many of the high-profile actions were determined and carried out nationally, there was also significant innovation at the state, union and local community level. The embedding of the philosophy and strategy of mobilizing into the campaign was unparalleled for Australia and was a key to the campaign's success. Regional communities participated in major national actions for the first time through the use of Sky Channel to broadcast to regional areas. In turn, the organizing of regional screening and meeting venues enabled local activists to extend their networks and identify others from different industries or nearby towns, thus strengthening local union presence. The broadcasts also provided a powerful and positive image for television news. The extensive paid television advertising campaign ensured that a highly sophisticated message, including the testimonies of ordinary workers, reached millions of households on a regular basis, becoming a symbol of the failures and arrogance of a government past its use-by date.

This discussion has considered the distinctive reliance on information technologies, including television advertising, web-based campaigning, and Sky Channel broadcasts, to communicate opposition to the Work Choices legislation and to project a reinvigorated image of family-friendly contemporary unionism. Many aspects of the campaign comprised familiar appeals to ideas of Australian identity built on values of fairness, mateship and democracy. For the first time, the campaign sought to protect the rights of *all* Australian workers and their families, not just union members. Most striking was the construction of a hybrid campaign that worked on a number of levels simultaneously to create a strong sense of community and a reinvigorated sense of identity. This identity, whilst not specifically labelled as 'union', clearly invited identification with trade union values and goals, and active participation in the movement for change. The success of the campaign in framing the issue of industrial relations, and the Work Choices legislation in particular, as a key issue in the mind of the electorate and the fact that this was a major factor in the ALP victory, is a testament to the Australian union movement's capacity to develop a strategy and work together in a disciplined fashion. The finely calibrated advertising that resonated so closely with the everyday domestic concerns of key demographics demonstrated both the value of research and intimate knowledge of target audiences. The maintenance of discipline and staying 'on message' over such an extended duration point to the union movement's capacity for focus and cooperation to a hitherto unexpected degree. Most significantly, the campaign has reinvigorated the union movement, attracted new activists and demonstrated to the public that Australian unions are relevant and concerned with contemporary day-to-day issues.

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### Notes

1. Workplace Relations Minister Joe Hockey commenting on the union campaign against Work Choices at a doorstep interview, 17 May 2007.
2. GUMG, *Bad News*; Ward, *Politics of the Media*.
3. See, for example, Lee, *The Labour Movement and the Internet*; Shostak, *CyberUnion*; and Diamond and Freeman, 'Will Unionism Prosper in Cyberspace?'
4. For a report on the impact of Work Choices, see Peetz, 'Assessing the Impact'.
5. See Bailey and Iveson, 'The Parliaments Call Them Thugs', and Muir, *The Scent of Blood*, for a discussion of this event.
6. McConville, 'The Australian Waterfront Dispute 1998', 404 and 408 n. 48.
7. ALP leader Kim Beazley made the commitment that Labor would tear up the Work Choices legislation and allow workers to replace Australian Workplace Agreements (individual agreements) with enterprise agreements if the ALP were elected. Beazley was replaced as ALP leader by Kevin Rudd in December 2006 and speculation persisted that the ALP under Rudd would back away from its firm commitment to abolish the IR legislation before the election despite Rudd pledging in radio and television interviews to 'tear up the unfair laws'. Since the ALP election victory the ACTU and many community activists have vowed to continue the campaign until the ALP government passes legislation that overturns the Work Choices laws.



8. ACTU, 'Union Update 2005: No. 1', 4 (emphasis in original).
9. The term 'Howard's battlers' refers to the way Howard's government was able – at least in the 1998, 2001 and 2004 elections – to reverse the traditional Australian mythology of the battler as being the 'natural' constituency of the ALP and the ALP as being the party best able to 'stick up for' battlers; see Dyrenfurth, 'Battlers, Refugees and the Republic', 184 and 187; and Scalmer, 'The Battlers versus the Elites'.
10. Wilson, 'Any Attention is Bad Attention', 293–94.
11. Greg Williams, First Assistant Secretary, Department of the Prime Minister and Cabinet, in evidence to Senate Committee Inquiry into Government Advertising, Chapter 4. [http://www.aph.gov.au/Senate/committee/fapa\\_ctte/govtadvertising/report/c04.htm](http://www.aph.gov.au/Senate/committee/fapa_ctte/govtadvertising/report/c04.htm)
12. In 2007 the government spent in excess of \$40 million more of taxpayer funds in promoting their changes to the Work Choices legislation, and the business campaign was reputed to cost another \$8 million. The cost of the election advertisements demonizing ALP-union links has not as yet been quantified.
13. Orr, 'Government Advertising', 15.
14. Taylor and van Dyke, "'Get up, stand up'", 279.
15. Ibid.
16. The exception was Western Australia where, because of time differences, the rallies were staged later in the day and the Sky Channel broadcast was delayed.
17. This view was also a response to the attacks on building unions through the activities of the Australian Building and Construction Commission, and some unionists in these industries argued that these attacks should be receiving greater attention. However, most recognized that this was a more complicated issue to explain to the electorate in the context of an election campaign.
18. Combet, 'Address to the National Day'.
19. Martínez Lucio, 'New Communication Systems and Trade Union Politics,' 337–38.
20. Bennett and Entman, *Mediated Politics*, 1.
21. The lively discussion on the web forum of the early days was subjected to increasingly interventionist moderation policies and control in the months immediately prior to the election. The forum had become a target for trolls, and political opponents quoted critical comments by forum participants in attempts to discredit the ALP. These challenges and appropriate moderation policies were passionately debated online.
22. Greene, Hogan, and Grieco, 'Commentary', 287.
23. The Your Rights at Work website is at <http://www.rightsatwork.com.au/>, and the community forum is linked to this home page.
24. Interview with Jessica Stanley (ACTU web manager), August 2006.
25. This total may include multiple postings (<http://www.rightsatwork.com.au/camapigns/howtovoteforyourrightsatwork>).
26. Rights at Work on MySpace: [www.myspace.com/rightsatwork](http://www.myspace.com/rightsatwork); Rights at Work on YouTube: <http://www.youtube.com/yourrightsatwork>
27. Film maker and union organizer Shane T. Hall's seven-minute video *36 Ways...* was made for \$300 in 2005 as a means of communicating the impact of the removal of unfair dismissal laws to young unorganized workers. It can be viewed through YouTube and the following link: [https://current.com/items/77318041\\_36\\_ways\\_to\\_get\\_fired](https://current.com/items/77318041_36_ways_to_get_fired)
28. John Howard, interviewed by Matthew Abraham and David Bevan on ABC Radio Mornings 891, Adelaide, 4 April 2007; and *AM*, 'PM Puts Out Call for Advertising Dollars'.
29. See Briggs, 'The Return of Lockouts Down Under'.
30. Rod Cameron, cited in Ramsey, 'Rudd May Not Be the Saviour'.
31. Steketee, 'Both Parties Still Bursting to be Different'.
32. Ward, *Politics of the Media*, 265, 267.
33. Ryan, 'It Takes a Movement', 491.
34. *The World Today*, 'Hockey Dismisses AWA Fairness Test'; see also Coorey and Irvine, 'Work Choices Backlash'.
35. Muir, *Worth Fighting For*.
36. Wilson, 'Any Attention is Bad Attention', 293.

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