

Organizing worker struggles through direct democracy

The Barcelona bus drivers struggle for two days off, 2007–2008

Tom Wetzel

2008

This is about a successful struggle of bus drivers on Barcelona's transit system between the fall of 2007 and March of 2008. Unlike the transit workers in Madrid, who had two days off each week, bus drivers in Barcelona were forced to work a six-day week. To gain a victory in their fight for two consecutive "rest days", the workers organized regular worker assemblies independent of the union bureaucracy and elected their own rank-and-file committee to coordinate the struggle.

The struggle is also interesting in what it reveals about Spain's collective bargaining system. Under Spanish labor law since the late '70s, enterprises with more than 50 workers in a local area must allow workers to collectively bargain through a committee elected by the workers, the *comite de empresa*. I'll refer to these as "bargaining councils." Typically unions run slates of candidates and they elect a number of delegates in proportion to their vote. The bargaining councils are not required by law to adhere to a vote of workers in a contract ratification meeting. Although only 17 percent of Spain's workers belong to unions, unions collectively bargain for a vastly larger number of people through the bargaining council system.

People are entitled to 40 hours off with pay per month when elected to the bargaining committee, and unions that can receive at least 10 percent of the vote throughout Spain receive additional perks. At present the only union federations that receive more than 10 percent of the vote throughout Spain are the General Union of Workers (UGT), a union aligned with the PSOE, Spain's governing social-democratic party, and the Workers Commissions, a union influenced by the Communist Party. Delegates and unions receive subsidies from employers and the government through this system. This makes them independent to some extent of workers supporting their work through union dues.

At the Barcelona TMB, there are separate bargaining councils for the 2,800 bus system workers and the 2,500 subway system workers. There are currently five unions on the bus system bargaining council. At the time of the December 2005 contract negotiation, there was a large meeting of drivers who voted NO on the proposed 3-year contract because it did not guarantee two days off per week. However, three unions with a very narrow majority of the 27 delegates on the bargaining council voted to ratify the contract despite worker opposition. Those unions are the UGT, Workers Commissions, and Independent Workers Union (SIT). Thus the delegates

of these three unions signed the contract behind the backs of the workers. The largest union of the bus drivers is the Transport and Communications Industrial Union of the General Confederation of Labor (CGT). Although the CGT voted “No” on the contract, it did not have an absolute majority of the delegates and was unable to block it. The fifth union on the bargaining council is an independent, the Association of Urban Transport Drivers of Barcelona (ACTUB). The CGT transport union is also the largest union of workers on the Barcelona subway system.

A similar problem of the bargaining council voting against workers’ wishes happened in the contract struggle on the Barcelona subway system in 2003. In that case, TMB management had been demanding a concessionary contract. Like French transportation workers, the Barcelona subway workers were entitled to earlier retirement than other Spanish workers under their contract. Management wanted to lengthen required length of service to the average in Spain. As in the current bus system struggle, subway workers conducted a series of brief strikes. The CGT union on the subway collected signatures from 1,200 workers demanding an assembly to ratify any proposed contract. But the Workers Commissions held a poorly advertised meeting one night with only 60 people present. Since this meeting approved the contract, the Workers Commissions, UGT and two pro-company independent unions voted to approve the contract. Although the CGT are the largest union on the subway system, they are not an absolute majority on the bargaining council and could thus not block the concessionary contract.

The CGT describes itself as a “revolutionary, libertarian” union. The CGT advocates what would be called “social movement unionism” in the USA: ““The CGT is an anarcho-sindicalist organization... which acts in the working world. But not all the problems are just in this area, nor are workers unaware of this fact. Thus, unionists, anti-authoritarians, pacifists, immigrants, ecologists, movements against sexism and the Anti-Globalisation Movement are in the end one movement, one without ‘professional revolutionaries’ in charge and with the consciousness that the transformation will involve all groups.” The CGT in recent years has been receiving the votes of about a million workers — about 8 percent of the vote — in bargaining council elections in Spain. Thus the union is still too small to challenge the current dominance in Spain of the UGT and Workers Commissions, which receive around 70 percent of the votes.

The current struggle on the Barcelona bus system began November 2007 when the CGT and ACTUB developed an alliance and agreement on how to proceed. On November 21st, a general assembly of bus drivers was held at one of the bus garages. The bus system was shut down for five hours so that this meeting could take place. At that assembly workers voted to approve the demand for two days off with no cut in pay and elected a Rest Days Committee (comite de descansos) (<http://comitedescansos.blogspot.com/>) to conduct the struggle. The idea was for the workers to direct the struggle themselves through their general assembly, “independent of the trade unions.” The UGT and Workers Commissions boycotted that meeting.

The first two strikes were conducted around Christmas time and in early January. At the time of the December strike, 54 buses driven by scabs were attacked and tires were punctured or rear-view mirrors were broken or windshields splashed with paint. Bus kiosks throughout the city were spraypainted with slogans supporting the bus strike. Meanwhile, the bus workers attempted to gain support from neighborhood groups throughout the city, and stated their support for a group of squatters living on property owned by the TMB.

During the January strike, a group of regional government police (Mossos d’escuadra) began shouting insults at a group of drivers doing peaceful informational picketing, calling them “whore’s sons”, “subnormals”, “pieces of shit.” A member of the CGT was assaulted by these cops

and then arrested and charged with assaulting the officer. The workers' lawyer described the behavior of the police as "a return to the era of Francoism." In addition, the management of TMB gave suspensions to 25 workers. The longest suspension, six months, was given to Saturnino Mercader, the CGT president of the bargaining council. Again in February during a drivers' march, another member of the CGT was struck in the head by police. The drivers have now made an end to "police and labor repression" another demand of the strike. The participation of 1,800 drivers in a march and mass meeting at Placa Universitat, shows majority support for the strike among the drivers.

At a general assembly on Feb. 12th, about 60 members of the UGT and Workers Commissions attended, and the UGT and Workers Commissions pledged to respect the decision of the drivers. At that assembly the drivers voted to continue with another strike March 3 to March 6. Meanwhile, the SIT, which the CGT describes as a "corporatist" (pro-company) union, was the only union to agree to management's proposal to wait for the next contract negotiations.

The management response to this struggle waffled. At first they said the drivers were already getting two days off. Then they backtracked on that, admitting this was not the case. More recently the head manager of TMB said the workers average only 7 hours 4 minutes per day. But the workers say this is a "lie". They claim that the great majority of drivers work more than seven and a half hours per day.

In March 2008, the management of TMB and local politicians have stated that they could not grant two days off with no loss in pay without either cutting service or raising fares. In response, the drivers' spokespeople point out that workers on the Madrid bus system have two days off and the fare is lower than in Barcelona. The workers point to the large number of very highly paid people at the top at TMB, the hugely generous pensions that managers get, and the lavish public relations expenditures of TMB.

In an interview on Barcelona TV, Assumpta Escarp, president of the TMB, and a Barcelona city councilwoman, declared that she'd be happy to negotiate a change in the driver's work week, but that it had to go through the "framework of the contract." But that would put the issue back in control of the same bargaining council who signed a contract workers rejected last time. Meanwhile, the head of the Workers Commissions in Catalonia came out against the strike. According to Saturnino Mercader, the bargaining council president (a member of CGT), the UGT and Workers Commissions "now count for nothing" in this struggle. "The [drivers'] assembly has swept them aside."

On the Wednesday before the last day of the strike, the independent assembly held a meeting, with about 800 workers present, at the headquarters of the CGT. They voted to continue to strike on Thursdays.

The next day the head bureaucrat of the UGT in Catalonia, Josep Maria Alvarez, and the head bureaucrat of the Workers Commissions in Catalonia, Joan Coscubiela, issued a joint statement of their intention to ask the TMB management to negotiate a solution to the struggle through the official bargaining council, "with or without the strikers." In other words, the heads of the UGT and Workers Commission were stating their intention to ignore and bypass the independent assembly and Rest Days Committee. The UGT thus went back on the pledge they made in February to respect the decision of the drivers' assembly.

Meanwhile, the bureaucrats of the TMB and city political leaders stated their unwillingness to negotiate with the independent assembly and Rest Days Committee, and their intent also to negotiate only through contract negotiations via the official bargaining council. It's clear why

the UGT and Workers Commissions bureaucracy favored the official bargaining council. At that time, the UGT and Workers Commission control a narrow majority of 14 to 13 on the official bargaining council. This gives them the legal power to impose a solution without any ratification vote of the drivers' assembly. This path also clearly had the support of the Socialist Party political leaders who control the city government.

After their strike in March, the independent assembly of drivers voted to reject management's last proposal, criticized their "dictatorial style of negotiation" and decided on an indefinite strike of the bus system for April 15th. The Rest Days Committee posted on its blog a letter of support signed by a long list of members, local officials, shop committee members of the UGT and Workers Commissions. This put these signers at odds with the leadership of the UGT and Workers Commissions in Catalonia.

Facing national and regional elections and with growing popular sympathy for the drivers, the Socialist Party politicians finally capitulated. They agreed that the workers would receive the two consecutive days off but asked that its implementation be postponed to the new labor contract at the end of 2008. Thus all the hard work of the CGT members and other bus workers has paid off. After the victory, the Rest Days Committee put on a cultural festival for the people of Barcelona to thank them for their support. Not too many weeks later, elections took place for the official bargaining council. In the new elections, the CGT/ACTUB allied gained a narrow one-vote majority, due to the defection of some members of the independent SIT.

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