

# DEFEND THE RIGHT TO UNIONIZE

## FAU Berlin: Banned but not bowed!

What happens when people make a determined and autonomous stand against precarious working conditions? They are successful and set an example, which some can learn from and others can't tolerate. This is how the de-facto ban of the Free Workers' Union (FAU) Berlin came to be--a one-of-a-kind occurrence in the history of the Federal Republic of Germany and a blow to the rights of all wage earners there.



The ban is the culmination of an lively and unyielding labour struggle at Berlin's Babylon Mitte cinema. Employees at the cinema, known for its meager wages, wanted to organize in a union where they had a say--that's why they joined the FAU. The bosses, however, refused to negotiate with the FAU about an innovative contract proposal that had the support of almost the entire staff.

The FAU then called for job action. This lasted many months; whereby, everything was done to stop the FAU. The cinema could rely on the support of the Left, a left-wing party that is part of Berlin's coalition government, which subsidizes the Babylon with 300,000 Euro per year. The Left called on ver.di (a big union in Germany, part of the umbrella

organization of mainstream unions, DGB) to negotiate with the Babylon, thus undermining the job action. With only a couple of members in the staff to press for their demands, ver.di's intervention resulted in a labour contract well below their own master contract with other cinemas. To finally bring an end to the conflict the Senate of Berlin decided to give the Babylon bosses an additional 30,000 Euro per year to pay for wage increases. Unfortunately for them, the situation didn't calm down. The Babylon's choleric bosses took the FAU Berlin to court to stop them from ever taking job action

again and even from calling themselves a „union“ or „grassroots union“. Incredibly, the judges sided with the boss in both cases.

The verdict is not only an attack on the FAU, it also makes it practically impossible in Germany to form an autonomous union, to speak for yourself and to fight for yourself. The workers at the Babylon are thus forced to accept ver.di as their union if they want a labour contract. The monopoly of centralized unions lives to see another day and militant alternative unions are nipped in the bud.

What happened in Berlin is emboldening, telling and distressing-- emboldening because of the workers' unyielding and self-assured struggle; telling of the unscrupulousness of the Left and ver.di, who subverted the job action, thus making the ban possible; distressing in that the German courts allow the employer to define what a union is.



The ban is also in blatant disregard of international labour conventions that Germany has signed, such as those of the International Labour Organisation. The indignation has been international. There have already been a dozen protests in front of German embassies and consulates in the past weeks. On the 29th and 30th of January protesters will be picketing German diplomatic missions worldwide. The FAU will continue to do everything to defend the workers' right to organize in the union of their choice. The FAU and their international supporters will also continue and expand protests until the courts and politicians see reason and rectify this travesty of justice.

**Now is the time to show solidarity if you don't want to see workers' rights trampled on.  
For more information and ideas how you can support us, visit [www.fau.org/verbot/en](http://www.fau.org/verbot/en)**

ATTENTION: The Babylon bosses have filed for charges against the FAU Berlin. This could result in a fine of up to 250,000 Euro or imprisonment for up to six months--apparently because the FAU Berlin didn't follow the court order ban to the word. Members of the FAU Berlin are thus being threatened with jail time because of their activities on behalf of workers! This is tantamount to an attack on basic human rights.

**FAU ★ IAA**