

REPORT TO NATIONAL CONFERENCE MARCH 1976
(Covering the period from February 24th, 1975
to February 27th, 1976)

Figures for February 1975 to February 1976

Working days - 242
New Cases - 1363

ANALYSIS

Problem:

Ordered to leave the Area	23
Issue of Reference Books	3
Housing Problems	17
Work Permits	220
Residential Permits	14
Section 10 Qualifications	9
Ex Prisoners	1
Contract Problems	154
Pensions	52
Unemployment Insurance Fund Benefits	167
Workmen's Compensation Act	80
Pay Disputes	544
Miscellaneous	79
Total	<u>1363</u>

Interviews recorded from 12/8/75
to 27/2/76 Total 622

Introduction:

This past year has been both stimulating and challenging for the Advice Office workers, as the whole concept of cases and our approach to them has changed considerably. There has been an increase in the number of people seeking advice and assistance, and as the above analysis shows, there is a marked swing away from the problems involving housing, Section 10 qualifications, residence permits and endorsements out. The emphasis is far more prevalent on the problems of the 'working' man and woman.

Consequently, we have had to become more fully versed in the laws, Industrial Council agreements and wage determinations applicable to African workers. Fortunately our close proximity to the African Trade Unions has helped tremendously in our efforts to achieve this, as all the relevant data has been made readily available to us. We are however completely separate from the Trade Unions and the people who came to us for assistance may or may not be members of a Trade Union. It is as Sash that we deal with their problems to the best of our ability.

Obviously the more knowledge and experience we have in dealing with workers' problems, the more forcefully we are able to approach management. The end result is that of a fairly tolerant attitude on their side and certainly a satisfied worker on whose behalf concrete advice has been given, or action taken. Consequently we are able to table a large percentage of 'successes', in fact we are able to carry the majority of our cases through to a satisfactory conclusion.

We did have our problems initially, especially in our approach to those of the 'worker'.

it was felt that we were too 'management orientated' and people who came in with complaints were going away dissatisfied. It goes without saying that the African Trade Unions, are naturally intensely 'worker orientated' and because of their close proximity, it was felt that the identity of Sash was being undermined. These problems have now been ironed out, and we agreed to the assistance of Miss Irene Dlamini, a very capable and competent person especially in dealing with the complaints and queries of Black workers. Consequently the office work is flowing smoothly and workers are gaining confidence in their dealings with the various problems encountered daily. In April this year we plan to hold a 'course' for Advice Office Workers in which we will study in depth the laws and acts etc. involved in this type of work.

We must not lose sight however, of the fact that the Advice Office is there for the benefit of those people seeking our assistance and it is without doubt the only place they can come to, to do so that is impartial and unbiased. It is the African and his problems that we are there to sort out. The worker too has his rights and the sooner management faces up to this fact and treats Black employees as people and not units, the first step to better industrial and in fact Black/White relations will have been taken.

Housing :

One begins to feel 'unreal' when talking about the housing situation for Africans, Indians and Coloureds. One finds one self saying the same thing year after year viz. that it is critical, and that no advancement seems to have been achieved. Surely the Department of Community Development feels the same way! There are 14,400 people on the waiting list for Umlazi alone. Just recently 144 houses were released for that township, these have been completed for almost a year now. However, because of a cemetery which was suddenly discovered in the spot where the water system was to be built, the entire operation was held in obedience while the problem of what to do with the 'remains' was sorted out.

Now at last people who applied in November and December 1970 are being given houses. This is a Homeland area, but people have still to qualify under Section 10 (1) (a or b) of the Urban Areas Act (1945), in order to get onto the waiting list.

Kwa Mashu applicants who number 664, have to ensure that both the husband and wife qualify under Section 10. This seems a little ludicrous as that township is being incorporated into Kwa Zulu early in 1977.

People wanting to buy houses are now being put onto a waiting list. Initially it was stated that anyone willing and able to purchase a house could do so at any time, provided that he had a suitable seller. Potential house owners are also having to comply with the Section 10 stipulation.

This all points to the fact that township managers and housing administrators are desperate in their attempts to somehow try and accommodate so many into a totally inadequate community development.

Lodging accommodation is equally as desperate, the hostels are full to overflowing and it goes without saying that most houses have more than their quota of occupants.

Employment Insurance Fund : (Established by Act 30 of 1966)

As far as the African contributor to this fund is concerned, there are many discrepancies and also illegal administration

part of some employers. It seems that an investigation into the operation of this fund is very necessary. Certainly the penalties for contravening this Act are not being imposed stringently enough.

Workmens' Compensation Act :

People are still having to wait for months before claims under this Act are paid out. However, following a report on this fact in our Sunday newspapers a few weeks ago, the Workmens' Compensation Commissioner has pledged to personally deal with any cases we may wish to bring to his notice!

Pay Disputes :

Black workers are continuously having to fight for their rights as regards wage and working conditions. These constitute the majority of cases with which we deal.

There is without doubt a lack of communication between White employer and Black employee. In 99% of factories and companies all written documents handed to African workers are either in English or Afrikaans. Many places of employment boast of having liason committees for the benefits of the workers. In most instances when we ask a worker if he has in fact initially gone through the correct channels and spoken to those people supposedly assigned to assist him, the answer is in the affirmative but the outcome unsatisfactory for the worker. The complaints are mainly concerned with failure to get holiday, notice or sick or overtime pay. There is also the bewilderment of being fired on the spot for no apparent reason - often after 10 years of service. It should be obligatory for employees to be given a copy of their contracts, listing the terms of employment in the vernacular.

The Department of Labour :

In the Natal Coastal Advice Office report for the year ending October 1975, a criticism was levelled against this department for it's failure to deal with the complaints of workers satisfactorily and for never acknowledging any written queries from our office. As a result of this, since the opening of the advice office this year, all our correspondence with that department has been efficiently dealt with.

The Aid Centre :

We very seldom have any dealings with this office, however, so far this year we have sent 3 'endorsement out' cases there, who had Section 10 qualifications. These were people whose 30 day workseeker permits had expired, and on going to Influx Control to have them renewed, were ordered to leave the area forthwith. As far as Influx Control is concerned, we are definitely 'persona non grata' and any appeals we send there are rejected. Consequently we do this via the Aid Centre with some success.

Work Permits :

Unemployment is at a premium at present with many companies retrenching workers often at the rate of a hundred at a time. Contract workers especially are finding it impossible to find employment and orders to leave the area are a matter of course. Here begins the same old trudge! Back to the Homeland Tribal Labour Bureau to register as a workseeker, no employment available there so back to Durban in the hope of being able to earn something in order to subsist. There seems to be no control over, or order within the Tribal Labour Bureau, and recruitment is virtually non-existent.

Legal Assistance :

This is readily available through the Legal Aid Society, and the Trade Union's legal advisors.

Press :

Press coverage has been fairly good in the past year.

Office Administration :

We still have the valuable assistance of our interpreter, Mrs Faith Khanyezi, and also that of Miss Irene Dlamini in an advisory capacity. The office is open daily from 8am to 12.30pm and we are extremely fortunate in having the facilities viz. telephone, roneo and photostating equipment and typing when necessary, at our disposal from the African Trade Unions for which we are very grateful.

Conclusion :

From this report, it is more than obvious that the need for our Advice Office is justified. However, hopefully the day will arrive when it will no longer be necessary to offer such a service, when all the people of South Africa have equal opportunities and rights

ADVICE OFFICE SUPERVISOR

SOLVIEG PIPER