

INDUSTRIAL RELATIONS - DISPUTES

~~1990~~ 1991

NOV. — DEC.

11/11/91
Industrial council
plan hits snags

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■ Negotiations for a national industrial council in the contract cleaning industry have hit unexpected snags, following a major revolt by the Transvaal region of the National Contract Cleaners Association (NCCA).
w/ mail 111-111191.
The Transport and General Workers' Union said this week that the NCCA's

Transvaal region had rejected the recent agreement settling the five-week cleaners' strike in Natal schools, arguing that the Natal region had not been mandated to agree to national pay talks before the registration of an industrial council.

One of the largest members, Prestige Cleaning Services, had resigned from the NCCA in protest—rendering the organisation unrepresentative in the Transvaal and possibly the Cape. This posed severe problems both for national pay negotiations and

for the registration of a national council, the union said.

Ellerines workers stand firm

Star 4/11/91
By Brian Sokutu

SA Commercial and Catering Allied Workers' Union members, in a national wage dispute with Ellerines, last night called for a boycott of the company and a march on its offices throughout the country during today and tomorrow's anti-VAT strike.

The ANC, Pan Africanist Congress, Azanian Peoples' Organisation,

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Cosatu and the National Congress of Trade Unions supported the call.

Converging at the union's Johannesburg offices, singing and slogan-chanting workers said their demands included

- March 21 as a paid holiday

- An 8 percent increase in commission on sales
- A R205 across-the-board increase.

Tight-rope balance

LABOUR law proposals on the closed-shop agreement — membership of a trade union becomes a condition of employment — are akin to a tight-rope act

The National Manpower Commission's draft for a consolidated Labour Relations Act offers a delicately balanced freedom of association and "freedom of dissociation" mix.

It is proposed that all workers belong to a particular trade union if two-thirds, voting by secret ballot, are in favour

But the agreement can be terminated if more than 50% of workers — again voting by secret ballot — are against it

To hold the ballot, 10% of workers would have to petition the Industrial Registrar

Several closed-shop agreements are in operation and have been negotiated through industrial councils

SI Times (Buss) 17/11/91
By ADRIAN HERSCH

(15) The moderate Trade Union Council of SA (Tucsa), now defunct, comprised many unions involved in these agreements

Cosatu unions, often vying for membership with their Tucsa counterparts, saw the closed-shop as an obstacle

But matters have changed
Cosatu's 186 000 member SA Clothing and Textile Workers Union (Sactwu) endorsed the closed-shop principle at its congress this year

Two former Tucsa affiliates, now part of Sactwu, had closed-shop agreements with industrial councils in the Cape and Natal

Sactwu has kept the closed-shop agreements going

LABOUR

By DREW FORREST
A UNIQUE dispute over production targets has erupted at the giant Volkswagen plant in Uitenhage

As part of their drive to expand worker control, black unions are increasingly seeking to push back management prerogatives in the area of production. The National Union of Mineworkers, for example, defends its shift to productivity bargaining as a bridgehead in a traditional management sphere
At VW, management has declared

Dispute over VW targets

a dispute with the National Union of Metalworkers (Numsa) over the refusal of workers in one street of the press shop to meet new production targets.

Numsa national organiser Gavin Hartford said that after conducting time and motion studies, the company had raised the target from 160 to 211 parts an hour. Workers were adamant they could not meet the new

requirements and Numsa had asked to bring in its own expert to conduct a time study.

The company based its declaration of dispute on claims that the workers' refusal to meet the target constituted unprocedural industrial action. Two dispute meetings had been held.

"Historically, management has unilaterally set production targets," Hartford said. "Insofar as these are

unrealisable, they clearly create a problem between the parties.

"Increasingly, the union and its members are going to want to negotiate on this sort of issue."

The dispute has implications for workers' job security. In terms of this year's national settlement in the auto industry, employers conceded a moratorium on retrenchments. This can, however, be withdrawn if repeated unprocedural industrial action prevents production targets from being met

Six white schools open to all

51 CT 23 11/91

Beer, said yesterday the Model D schools were "for all pupils who are within reach and who have a need for the education which such a school provides".

The schools will be run by the Department of Education and Culture in the "white" House of Assembly Administration

The named schools had already been closed or had been notified of their closure

Mr Marais and Mr De Beer said Model D had been instituted primarily to meet the needs of the Department of Education and Training, which is responsible for the education of black pupils, but "any pupil who satisfies the admissions requirements could be admitted to the schools".

The first Model D schools would be run in the buildings of six schools: Orange Grove Primary School, Laerskool Johann Rissik

and Laerskool Malvern in the Transvaal, Northcrest Primary School and the Grange Primary School in Natal, and the Tweespruit in the Orange Free State, which would be run as a secondary school.

The Orange Grove Primary School was the focus earlier this year of a campaign against segregated schooling.

"With the co-operation of the school communities concerned, both departments are determined

to make a success of this project to help satisfy the great need for quality education," Mr Marais and Mr De Beer said.

The effect of their statement is that the government accepts that the bulk of the pupils in these schools will be black, although their admission policy will be non-racial and they will be administered by the white own affairs education department.

It will also mean educational facilities will still be used for schooling, instead of being sold off or handed to other government departments.

Vital labour judgment soon

S/Times 24/11/91 (15)

THE Appellate Division is expected to hand down judgment in the next few weeks on a vital point of law which could affect all unions and employers

At the centre of the dispute between the National Union of Mineworkers (NUM) and the East Rand Gold and Uranium Co (Ergo) is whether an employer can negotiate behind a union's back and deal directly with its employees.

Deadlock

Both parties agreed that workers could use a lawful strike to soften management up during collective bargaining. But there was a dispute over whether a strike in 1987 was lawful or not.

The NUM and Ergo signed a recognition agreement in 1984 which said the

By CATHY STAGG

union was the sole collective bargaining agent

During 1987, when wage negotiations became deadlocked, a conciliation board failed to resolve the matter. An overwhelming majority of union members voted to strike.

Ergo wanted to avoid the strike, particularly a sit-in, because industrial action in previous years had led to damage to the plant. So it sent its employees a letter setting out its last offer — which included back-dating the increase to June 1.

Of more than 12 000 workers, 70 — including five union members — accepted the offer. But the strike went ahead.

And so did the sit-in. The company obtained an urgent interdict, but the

workers ignored the court order, the police were called and used teargas to clear the plant. The strike continued.

The company issued an ultimatum — return to work or be fired. By August 28 virtually all the workers were back on the job.

The issue which led to court action was that strikers and non-strikers were treated differently. Strikers' increases were effective from August 28, non-strikers' from June 1.

The NUM claimed this was an unfair labour practice, took the matter to the Industrial Court and won. But on appeal, the result went the other way.

Finally the Appeal Court was asked to make a ruling because, it was said in argument, the Labour Relations Act did not give clear enough guidelines.

Attack

A full bench of five judges was asked to draw the line between what was fair and what was unfair.

Mr Martin Brassey, for the union, said that to bypass the union — even after deadlock — was to attack the collective bargaining structure itself.

The recognition agreement was designed to ensure industrial peace. And instead of breaching its terms, the company should have cancelled the agreement or dismissed workers, he said.

But Mr John Myburgh SC, for Ergo, said dismissal was the last weapon employers should use in the present economic climate.

The strike was unlawful, Ergo claimed, because the NUM had bargained in bad faith — it had never intended to reach agreement.

Judgment was reserved

Key collective bargaining ruling

JOHANNESBURG — In a finding which could significantly swing the balance of collective bargaining power away from employers and towards unions, the Appeal Court ruled yesterday it was an unfair labour practice for management to offer a preferential deal directly to individual union members to induce them not to strike.

The case arose from a 1987 wage dispute between the East Rand Gold and Uranium Company (Ergo) and the NUM.

On the first day of the strike, August 12, Ergo distributed a letter offering to backdate the wage offer to June 1 provided employees undertook not to support any industrial action over the matters in dispute. Seventy workers accepted this offer. Employees who did choose to strike (about 300) would not have the wage increases eventually agreed upon backdated.

Following the end of the strike on August 28, a wage agreement was reached. However, the NUM did not accept Ergo's refusal to backdate the agreed increases. Part of the agreement was that the fairness of Ergo's action would be referred for adjudication to the Industrial Court.

The Industrial Court found that Ergo's conduct fell within the definition of an unfair labour practice in that it might have had the effect that "the relationship between employer or employee is or may be detrimentally effected thereby".

The Labour Appeal Court subsequently overturned this judgment, ruling in favour of Ergo. However, Mr Justice Goldstone yesterday reversed this finding.

Mr Justice Goldstone accepted the argument by counsel for the NUM that it was "subversive of collective bargaining" for the employer to "treat directly" with members of a recognised union. This would "usually, if not invariably, have a detrimental effect upon the union and its members . . . and could, in the long run, be detrimental also to the employer itself".

The judge said an employer should not be forbidden from unilaterally implementing an offer already made.

However, he added, "Unilateral action means no more than that the employer may unilaterally implement changes in wages or conditions of employment no more favourable than those offered prior to impasse. If the employer wishes to nego-

CF 28/11/91
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tiate further, he remains bound to do that only with the collective bargaining agent, that is the union."

The judge said this applied where the union had bargained in good faith. "Where an impasse is reached because of bad faith bargaining, the position may be different and it may be that direct negotiation would not be unfair."

However, "whatever bad faith bargaining the NUM was guilty of, the evidence does not establish that it was present or relevant at the point of impasse." He said there was no evidence to suggest that bad faith bargaining by the NUM caused Ergo to consider that further negotiations would serve no purpose.

Mr Justice Goldstone stressed his finding did not mean he condoned the conduct of the NUM during negotiations, which gave Ergo "every reason to have felt frustrated and aggrieved." Management had given evidence that NUM negotiator Marcel Golding had been disparaging of members of management.

The Industrial Court ruling that strikers receive an amount equivalent to the back pay forgone was reinstated.

17:30:00: 11/11/91

AD overturns Ergo dispute ruling (S1)

u/maw 29/11-5/12/91

■ The Appellate Division has overturned a Labour Appeal Court ruling in an important dispute between the National Union of Mineworkers and Anglo American's East Rand Gold and Uranium Company (Ergo).

The LAC had held that Ergo's refusal to implement agreed pay increases retrospectively to workers who went on a legal strike in furtherance of a 1987 wage dispute was not an unfair labour practice.

This struck down an earlier Industrial Court decision finding the practice unfair and ordering Ergo to pay the workers an amount equivalent to wages foregone over the period.

In the AD, Mr Justice Goldstone found that on balance of probabilities, the deadlock between the parties was not the result of bad faith bargaining by the NUM. A union offer to go to arbitration was crucial in that regard, he found.

Ellerine talks go on ISI

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) and Ellerine Holdings were yesterday locked in negotiations in an effort to end a more than six-week old wage strike

More than 1 000 union members out of a total workforce of 3 808 were still on strike this week, company human resources manager Pierre de Villiers said

16/11/97
B/Day 29/11/97

Labour: Courts or constitution?

By DREW FORREST

AT a glance, the 12-article section on worker rights in the African National Congress' draft Bill of Rights seems absurdly detailed

The right to form unions, bargain collectively and strike — fair enough. But is there really a need to protect the right to picket, to "reasonable" union access to company premises and to the deduction of union dues "where appropriate"?

Shouldn't such relative minutiae, evidently included at the behest of the ANC's labour ally, the Congress of South African Trade Unions, be dealt with in statute law or collective agreements?

Also enshrined in section 6 of the ANC's Rights Bill — which covers workers and unions — are union rights to participate in lawful political activities and to form national federations and join international federations, the principles of equal pay for equal work and equal access to employment, and rights to state-provided pension, unemployment and workplace injury benefits.

Internationally respected labour law expert Bob Hepple, of the University College of London, certainly believes ANC proposals to be off-mark. He has written to the ANC arguing that section 6 should be largely enacted in ordinary labour law, rather than in the constitution.

Hepple is vitally concerned that the nurture of

progressive labour legislation in South Africa requires "an autonomous labour court administering a self-contained system of labour law"

If article 6 is dropped holus-bolus into the constitution, he argues, the Constitutional Court, whose officials may know nothing of labour law, may have to determine fundamental labour law issues.

Hepple believes no more is needed than constitutionally guaranteed rights to freedom of association, to form and join unions, to bargain collectively and to strike, subject to certain limitations.

Legal advisor to Cosatu Halton Cheadle concedes the danger, but argues that a balance has to be struck between giving labour too little protection and putting too much in the hands of an unspecialised court.

"Consider what happened under (former British premier) Margaret Thatcher: there was no British court to strike down laws which substantially undermined trade union rights and were severely criticised by the International Labour Organisation."

A possible compromise, he said, would be to second an officer of the Labour Appeal Court as an ex officio member of the Constitutional Court when labour matters were at issue.

Cheadle defends section 6 by arguing that the job of a democratic constitution must be to

protect and foster collective bargaining within a common law system which is fundamentally hostile to it.

"The law must provide a protective arena in which unions and employers can both exercise power, and in that context negotiate with each other," he said.

Unlicensed picketing, for example, had been typically prosecuted in South Africa as a form of illegal advertising.

Property and privacy rights preclude automatic union access to companies and to the disclosure of "such information as may be reasonably necessary", another right enshrined by section 6.

What of the "left" argument that by encouraging too much reliance on the constitution, one may indirectly sap the labour movement's organisational vitality? Isn't the ultimate guarantee of rights the collective power of "civil society"?

"We've had 50 years of the all-powerful state, and we've seen what that has done," Cheadle said.

"In South Africa, civil society consists of a couple of struggle organisations."

"I accept that you need people to insist on and defend constitutional rights. At the same time, you've got to entrench freedom of association, to protect associations from the state. You've got to have a framework within which civil society can thrive."

w/mant 29/11/91 - 5/12/91.

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Sactwu wins ^{w/ma} 6-month Tvl 29/11 - 5/12/91 wage deal

By DREW FORREST

THE South African Clothing and Textile Workers' Union (Sactwu) has notched up an important advance in its push for central bargaining by winning a six-month wage deal in the Transvaal clothing and knitting industries

The agreement, clinched at the eleventh hour last Friday after strike ballot forms had been printed, will bring Transvaal industrial council negotiations in line with those in Natal and the Cape, where 75 percent of clothing workers are concentrated. The Transvaal talks have historically taken place later in the year.

About 100 000 workers will be affected, confronting employers with the threat of industry-wide disputes and strike action. Sactwu's long-term goal is a single national council for clothing, textiles and footwear.

In the Transvaal, a further consolidation took place this year when knitting and clothing employers met Sactwu for the first time in one bargaining forum — although there was a differentiated wage settlement. Negotiations had previously been conducted in different industrial councils.

Sactwu said in a statement that employers had vigorously resisted a six-month agreement.

In terms of the settlement, most of industry's 15 000 clothing workers will receive 8,2 percent for the six-month period, bringing sewing machinists' wages to just under R800 a month.

Mediation for Saccawu, hotel

VÉRA VON LIERES

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) and management of the Riviera International Hotel at Vereeniging have agreed on mediation in a bid to resolve a prolonged dispute over wages and centralised bargaining.

A spokesman for owners Sun International said yesterday the parties would meet on Friday. He said between 35 and 40 workers who had been locked out since November 25 had accepted the company's offer of a R103 across-the-board increase and a monthly minimum wage of R841.

Meanwhile, about 50 striking workers at Cuthberts, Barnes and ABC stores were arrested this week.

A union spokesman said they were arrested for allegedly contravening a court order obtained by the company last week.

Cuthberts group human resources manager Paul Gartner said the order prevented the strikers from intimidating customers and staff.

Appellate decision boosts bargaining

By FERRAL HAFFAJEE

LAST week's Appellate Division judgment in the dispute between the National Union of Mineworkers and Anglo American's East Rand Gold and Uranium Company (Ergo) has been hailed as one of the most important this year and a "healthy and significant" boost for collective bargaining.

"It is an explicit recognition of collective bargaining," said Paul Benjamin, NUM attorney.

Added Pat Stone, of Andrew Levy and Associates "It establishes in law that management cannot bypass a recognised bargaining unit, and emphasises that the bargaining relationship does not break down during a

strike or when wage negotiations reach an impasse."

The judgment would encourage employers to show respect for the bargaining forum, he said.

In the AD, Mr Justice Goldstone ruled that Ergo's offer of a better deal to individual workers, as an inducement not to strike, was an unfair labour practice.

He accepted the NUM's argument that "Ergo's action was subversive of the collective bargaining relationship".

During deadlocked wage negotiations in 1987, the company sent letters to individual workers offering to backdate their wage increases if they did not take part in industrial action

related to the wage dispute.

Seventy workers took up the company's offer, and when the dispute and strike was settled four weeks later, the company tried to implement the offer. The preferential offer was ruled unfair by the industrial court — a ruling later reversed by the Labour Appeal Court.

Ruling on the NUM's subsequent appeal, Goldstone found that where a recognised union took part in a bargaining forum, it was unfair for employers to seek deals with individual workers.

Benjamin commented that an additional significance of the judgment was that it reversed the "increasing trend in the Labour Appeal Court to

tilt the playing field in management's favour". The LAC, and particularly its narrow common-law approach to labour disputes, has been a longstanding bugbear of the labour movement.

Mr Justice Goldstone also followed recent practice in the Industrial Court by not awarding costs to the winning party. The practice aims to encourage parties to bring labour cases to court, by removing the risk of carrying both sides' costs if they lose.

It was also the first time the Appellate Division had dealt with a labour case on the merits, Benjamin said. Previously, it had only had exercised review powers over labour cases.

Cuthberts and union seek to resolve strike

VERA VON LIERE

CUTHBERTS and representatives of the SA Commercial, Catering and Allied Workers' Union (Saccawu) will hold a meeting tomorrow to try to end a more than two-week-old strike by about 150 workers at Cuthberts outlets. *BID day 6/12/91.*

Saccawu spokesman Stanley Mngomezulu said yesterday the union had proposed the meeting.

The strike had already resulted in the arrest of 18 union members in Johannesburg yesterday for allegedly contravening a court order limiting the size and location of pickets and barring strikers from intimidating staff and customers, Mngomezulu said.

A customer at one Cuthberts shop was also apparently arrested in a mix-up. Workers were also arrested in Pretoria and Germiston this week.

Cuthberts personnel manager Paul Gartner confirmed the meeting would take place and said the company had issued an ultimatum for workers to return to work by next Tuesday or face dismissal.

Gartner said the strike, which started on November 20, was non-productive and was crippling the company's business.

He said workers were striking in response to the company's reluctance to negotiate on a collective basis given the union's limited membership.

The union represented slightly more than one out of 10 employees and the company would therefore not concede to a demand to negotiate wages and working conditions until the union represented a majority of workers.

Saccawu said workers embarked on strike action after management refused to enter into negotiations over wages and working conditions saying the union's membership was far less than 50%.

Trash ^(S) clash ^(S) looms as talks ^{8/12/91} fail

By KURT SWART

A SHOWDOWN over garbage collection seems inevitable between the Cape Town City Council and municipal workers since crisis talks ended on Friday night without a solution.

Further industrial action by the SA Municipal Workers' Union (Samwu) cannot be discounted after the failure of the talks and the decision by the council's Executive Committee (Exco) to dock the pay of workers engaged in a "go-slow", sources said.

Workers are demanding a return to twice-weekly removals, claiming that halving collections has placed an "intolerable strain" on them because of the increased volume.

At the same time there is a growing feeling among some councillors that Exco has mismanaged the situation.

Workers launched a wildcat strike on Friday in protest against the council's announcement that it would dock pay.

About 50 workers complained that between R11 and R88 had been deducted from their weekly wage packets.

Consult

Samwu has warned that it is considering laying charges against the council because it believes the pay deductions are illegal.

However, when the union's negotiating team met Exco on Friday night, it was agreed that the workers should end their sit-in over pay cuts, said Samwu branch chairman Mr Salie Manie.

Samwu argues that workers are not on a go-slow but are working to rule after years of doing more than their service contracts stipulate.

"The crux is that council's cleansing branch said it would not implement the new system without full consultation with the union," Mr Manie said. "The department acted unilaterally."

A member of the council, Mr Arthur Wienburg, said some councillors were unhappy because Exco was not keeping them informed.

"The feeling is that Exco is not being consistent," he said.

He caused a stir this week when he suggested that residents dump their garbage bags outside councillors' homes.

Motor unions agree on pay

(5) GERALD REILL

PRETORIA — Three motor industry unions representing 150 000 workers in the sector (which includes retail outlets and garages) agreed with employers at the weekend to minimum wage increases of between 8% and 10%.

The unions were the Motor Industries Staff Association (representing white collar workers), the Motor Industries Employees Union (representing artisans) and Numsa.

Motor Industries Staff Association president Johan du Plessis said the settlement was one of the lowest in recent years but the dire straits in which the industry found itself had to be taken into account.

"The union representatives took a realistic stand. They could not ignore declining vehicle sales and the threat of unemployment in the industry"

Motor Industries Federation director Vic Fourie said agreement was reached only after protracted negotiations and a third mediation session

"Conditions in the industry are depressed and there is little prospect of a significant improvement in the short term"

He said the small wage increases should be seen against last year's 25% hike

6/12/11

Ellerine ^{B (200)}
^{11/12/91}
strike ends

A TWO-month-old national strike at the Ellerine Group ended yesterday following agreement between the SA Commercial, Catering and Allied Workers' Union and the company on wages and conditions of employment, according to the SABC

The union undertook to cease picketing

VERA VON LIERES reports the strike involved more than 1 000 workers and started on October 7

About 133 of the 344 outlets in the group were affected. ~~344~~

The parties agreed on an across-the-board increase of R175 and that no employee should be paid less than R1057,50 per month. ⁽¹⁵¹⁾

The parties also agreed on 7,5% commission after sales exceeding R30-000 for sales advisors. — Sapa.

Highveld strikers expected back at work

610am 11/12/91
WORKERS at Highveld Steel and Vanadium are expected to return to work this morning after several days of illegal industrial action which has knocked production at the group's steel, vanadium and ferro-alloy divisions

Nearly 4 000 members of the National Union of Metal Workers of SA (Numsa) started strike action on Tuesday last week in protest at the retrenchment of 600 workers

Management and worker representatives agreed yesterday to continue talks to resolve the dispute, after Highveld issued an ultimatum on Monday for workers to return to work yesterday or face dismissal

A Highveld official said "Management and employee representatives at the Highveld group have agreed to hold further talks (this morning) and all employees

VERA VON LIERES
and MATTHEW CURTIN

will return to work for their respective shifts."

All four Highveld operations at plants near Witbank were affected by the industrial action, but production had continued "albeit at a level lower than normal"

A market source said yesterday that it was unlikely that the company's ability to market its products had been affected

Worldwide demand for vanadium pentoxide and ferro-alloys is weak at the moment, and there has been such an oversupply of vanadium products that Highveld has been able to close down its Vantra division twice in the past year. Most of SA's ferro-alloy producers are operating under capacity

Falling steel prices and a glut in ferro-alloy markets saw Highveld's interim earnings tumble 43% from 1990 levels. Pre-tax profits fell 57% from R117m to R50m

Numsa spokesman were locked in talks yesterday and could not be reached for comment.

The Highveld official denied a report in this week's New Nation that Highveld had simply informed the union of the 600 retrenchments and had refused to negotiate a severance package.

"In terms of an agreement with the union, employees were given three weeks' notice of the impending retrenchments, which were discussed at numerous meetings

"Severance pay has been given," the official said

Staff Reporter

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(1ST)

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STAR

12/12/91

Metalworkers call off strike

The 4 000 employees of Anglo American's Highveld Steel Corporation in Witbank who were given an ultimatum to return to work on Tuesday or face dismissal returned to work yesterday, an Anglo spokesman said

The spokesman said this followed an agreement reached with management on Tuesday.

In terms of the agreement, Tuesday's talks continued until yesterday and management and employees' representatives

agreed to hold further talks today to resolve the situation, the spokesman added

All employees would return for their respective shifts, the statement added.

The illegal strike by the workers, in defiance of a court interdict obtained by the company which ordered them back to work by Monday morning, affected the vanadium and ferro-alloy operations

The spokesman said the strike's impact on Highveld's ability to market its products had not been seriously affected

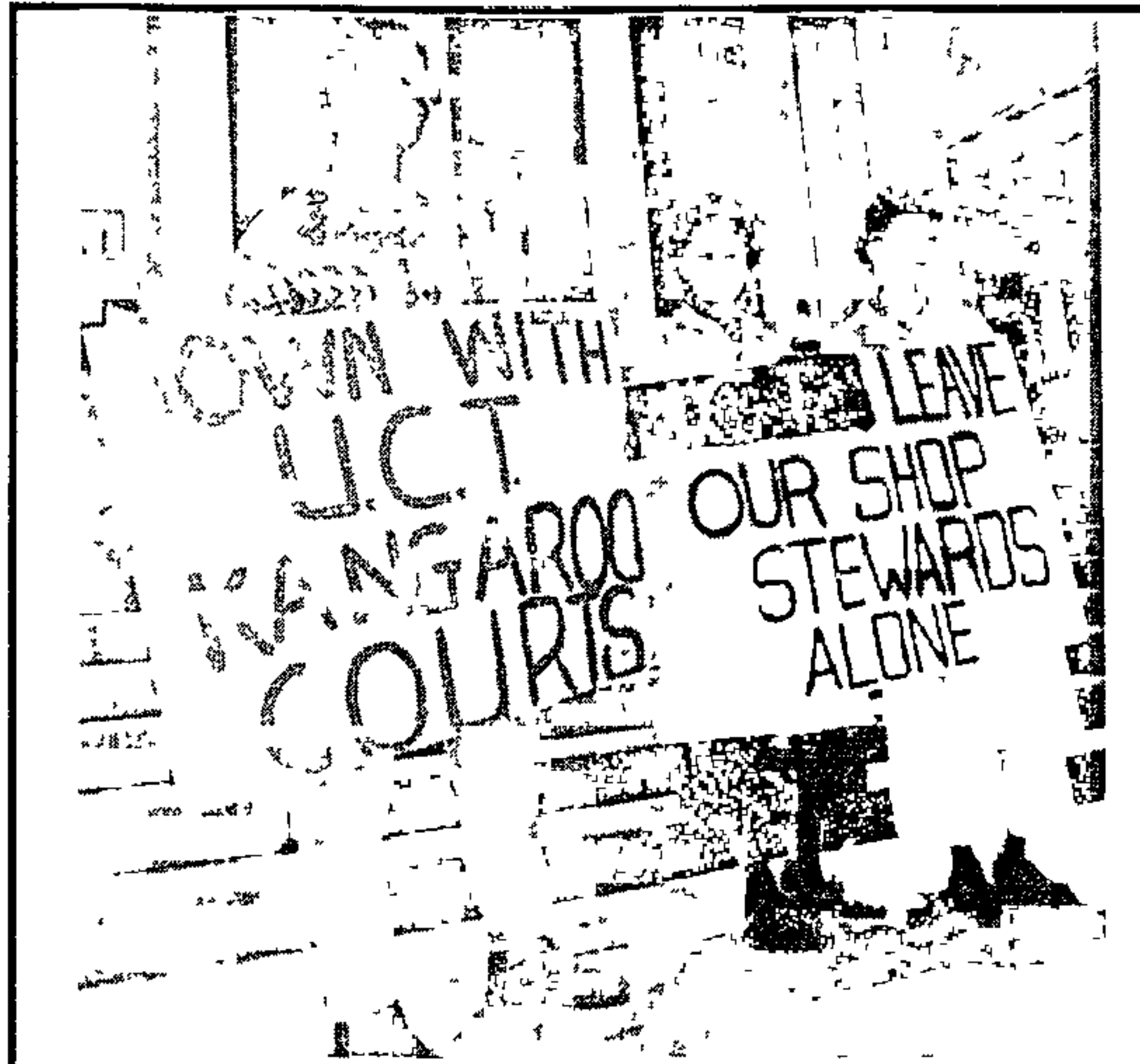
The spokesman denied claims by National Union of Metalworkers regional secretary Frank Boshelo that the union was forced to act immediately as management had informed the union of its intention to re-trench workers only on November 12, three weeks before they

were due to lose their jobs

He said that in terms of the agreement with the union, employees were given three weeks' notice of the retrenchments, which were also discussed at several meetings. In addition, severance pay had been paid

Mr Boshelo said workers went on strike in an attempt to block the retrenchments

The strike is a sequel to the downing of tools by workers at the mine last Tuesday in protest against the retrenchment of 600 employees



PLACARD PROTEST: UCT workers protest at the graduation ceremony in support of dismissed workers

Five UCT strikers sacked

South 12/12 - 15/12/91 (151)

By Quentin Wilson

FIVE UCT workers have been dismissed following disciplinary hearings relating to a strike earlier this year.

A total of 47 workers face disciplinary measures and all hearings should be completed by the end of this week, according to the university "court" roll.

Mr Harold Harvey, spokesperson for the Transport and General Workers Union, has voiced disapproval at the ongoing procedures.

"We have found disciplinary measures so far to be very inconsistent. Other than the five who have been dismissed there have been 12 or 13 others who have been issued final warnings for offences more serious than that committed by those dismissed," he said.

The September strike followed dead-locks on several issues during wage negotiations. Demands included a R300 across-the-board increase and more say in the restructuring of the university.

Lectures were disrupted and burn-

ing barricades were erected at university entrances during the strike.

"We are still in dispute with the administration on the issue of disciplinary action and are suggesting mediation on this and all other issues and ways of re-establishing our relationship with the administration," Harvey said.

"This has been made more difficult as management has embarked on a retrenchment exercise in the canteen area. We have submitted to them that doing this is in breach of Industrial Court guidelines.

"They haven't consulted with us on the necessity of these retrenchments, ways of avoiding or minimising them or the selection criteria of those to be retrenched," he said.

The union sees this as a further attack on them as most of those who are to be retrenched took part in the strike action.

UCT registrar Mr Hugh Amoore denied not consulting TGWU. "We have consulted and will continue to consult," he said. He declined to comment about the disciplinary hearings as he was busy with graduation ceremony preparations.

Metal ⁽¹⁵⁾
workers
return ⁽¹⁵⁾
Sowetan
to work

^{12/12/91}
ALL 4 000 members of the
National Union of Metal-
workers of South Africa
who had been involved in
industrial action at
Highveld Steel in Witbank
returned to work yesterday

This was confirmed by
both Numsa and a spokes-
man for Anglo American
Corporation

Negotiations between
Highveld Steel's manage-
ment and the union were
still continuing yesterday -
*South African Press Asso-
ciation*

AGRICULTURE IN SOUTH AFRICA
IN THE EIGHTIES AND NINETIES:
AN ANNOTATED BIBLIOGRAPHY.

W/Mail 13/12-18/12/91
Dismissal deadlock (151)

■ Negotiations for the re-employment of 3 000 Iscor workers fired last week at the Durnacol mine, have reached impasse.

They were dismissed after failing to comply with an ultimatum to return to work after a legal wage strike. Golding said that thus far, Iscor has turned down all union proposals on re-employment.

31 Dec 13/12/91
**Retrenchment
talks continue**

BY ANITA VON LIERES (15)

TALKS between the National Union of Metalworkers (Numsa) and management at Iscor's Highveld Steel plant on the retrenchment of several hundred employees were expected to continue today, a Highveld official said.

This follows a return to work by nearly 4 000 workers who had been engaged in illegal industrial action at all four Highveld plants near Witbank since last Tuesday because of the retrenchments.

Meanwhile, management at Iscor's Durnacol mine in Natal yesterday accepted a request by the NUM for mediation on the re-employment of 3 100 workers

LABOUR

RECSSION and retrenchments will be the main legacies of 1991 for the labour movement. But with the strength of escalating membership, the unions also used the year to make a number of inroads into new areas

In a year of unprecedented job losses, almost 60 000 workers were retrenched in three kingpin industries

In Andrew Levy and Associates' end-of-year report, Erica Jancowitz writes that 35 000 jobs were lost in the metal industry and 43 545 in the mining and quarrying industries. And, according to the South African Clothing and Textile Workers' Union (Sactwu), 10 000 jobs were lost in their factories

Unemployment now stands at between 40 and 50 percent of the economically active population and Bankorp has warned that this figure

Some gains but many job losses

W/Mail 13/12-18/12/91

could swell by 700 000 next year. "This is based on an expected decline of 80 000 jobs opportunities in 1991 and no growth in 1992," says Bankorp.

The recession is not loosening its grip and economists believe that at the earliest, an economic upswing is only expected in the second quarter of 1992

Predictably, job security and fair retrenchment packages were high on union demands this year. Training of workers was seen as an alternative to retrenchment and training agreements were concluded in a number of industries. Unionists believe that having multi-skilled employees is a way out of retrenchments, as is training unskilled

workers

But despite the recessionary climate, union membership is soaring. In the past 10 years, registered membership has grown by 104 percent. There are 200 registered trade unions in South Africa, with 2 750 000 members and membership of unregistered trade unions stands at 300 000. With union membership over three million, Jancowitz says, "25 percent of the economically active population is now unionised"

In 1990, union membership increased by 15.4 percent. Jancowitz attributes this to the Congress of South African Trade Unions' organising drive in the public sector and the fact that workers

W/Mail 13/12-18/12/91

in a year marked by the Inkathagate scandal and anti-Value-Added Tax mass action, union membership increased while the recession bit deeper and the unemployment queues grew longer

FERIAL HAFFAJEE looks at 1991 on the labour front

turn to unions as a "bulwark" in times of economic insecurity

With the move toward institutionalising labour relations, the work of the industrial courts increased significantly. In 1990, the courts heard 6 366 applications compared with 4 492 the previous year and 2 989 the year before that

The Labour Appeal Court established in 1988 has a reputation as a conservative court, tilted in management's favour. In 1990, 110 cases were referred to the Labour Appeal Court. It overturned 22 industrial court decisions and 84 were still pending at the end of the year

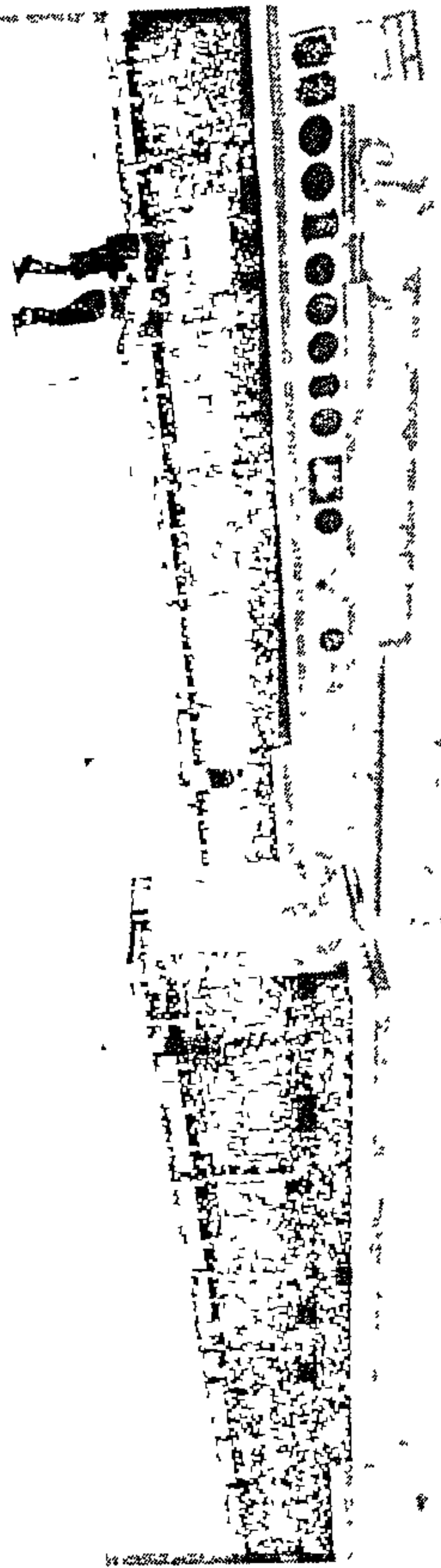
A significant development in labour negotiations is the move toward arbitration and mediation as a way of escaping lengthy and expensive litigation. In the first nine months of this year, the Independent Mediation Services handled 456 mediations and 313 arbitrations. Arbitration showed a marked increase from the 251 cases heard in 1990.

(151)

13/12-18/12/91

LABOUR

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year. Jancowitz believes that with the swing toward centralised bargaining, industrial councils are likely to be resuscitated. Already an industrial council for the contract cleaning industry in Natal was established this year. In the past decade, employers moved away from these forums fearing union domination. Jancowitz says that in the past decade, 13 industrial councils have been shut. There were 104 councils covering more than a million workers in 1981.

In 1990, the liquor and catering industry councils in three areas and the tobacco industry council in the Transvaal were closed. Only one new council has been established, in the grain co-operative industry.

If anything rocked the relationship between government and labour this year, it was the revelation that government had been funding Inkatha's labour wing, the United Workers' Union of South Africa (Uwusa). At the same time, Cosatu released the names of companies accused of colluding with Uwusa. A few months later, it emerged that government had also set up a consultancy called the Liaison Bureau for Labour Relations Services.

The debacle resulted in Cosatu and the South African Employers' Co-ordinating Committee on Labour Affairs (Saccola) agreeing to a code of conduct. "The code would cover matters like preventing employer funding of trade unions, collusion in violence and forced union recruitment," says Jancowitz.

Many greeted the National Manpower Commission's proposed legislation for farm, domestic and public sector workers with elation, hoping that by the end of the 1991 parliamentary session, the proposals would be legislated into law.

No progress has been made with the legislation and the issue erupted in a war of words. Cosatu pulled out of the National Manpower Commission, accusing the government of "dragging its feet" over the legislation.

The only nation-wide stay-away called by Cosatu this year was the anti-Value-Added Tax strike on November 2 and 3. It was a resounding success—four million of the country's six-million strong industrial workforce stayed away from work. But the government shows no signs of re-opening negotiations on VAT.

Photo. KEVIN CARTER

Deserted . . . Cosatu flexed its muscles last month with a national stayaway to show opposition to government's Implementation of Value-Added Tax

The call for centralised bargaining gained momentum this year with the Chemical Workers' Industrial Union citing the demand as one of the major reasons for the strike in the petroleum sector in August this year. Sactvu is also pushing for a centralised bargaining forum in the clothing and textile industries.

Other campaigns are by the Transport and General Workers' Union for centralised bargaining in the security industry. Although the Paper Printing Wood and Allied Workers' Union has not conducted a campaign, demands for centralised bargaining forums in the paper/pulp and print industries are likely to surface again next year.

Union declares dispute over FNB 'refusal' to talk

13/10/91 13/12/91
THE SA Commercial, Catering and Allied Workers' Union (Saccawu) said yesterday it had declared a dispute with FNB, alleging the bank had refused to negotiate working conditions with the union.

Spokesman Stanley Mngomezulu said Saccawu, which represents 1 500 FNB employees, wanted to negotiate on issues including the bank's medical aid scheme, racial discrimination, the refusal to extend stop order facilities for union fees to Saccawu

VERA VON LIERES

members, maternity leave, and the abuse of the bank's disciplinary code and procedure by management

According to the union, FNB was unwilling to negotiate, saying Saccawu represented an insignificant number of employees in the bank's 23 000-strong workforce and because the company had established a sound collective bargaining relationship with the SA Society for Bank Officials.

FNB spokesmen could not be reached for comment yesterday.

The union had referred the dispute to a conciliation board which was expected to sit next January.

Meanwhile, a lockout of 500 workers engaged in a labour dispute with Sun International (Ciskei) continued yesterday.

And at the Riviera International Hotel in Vereeniging a two-week lockout of Saccawu members remained unresolved.

Road to a social contract

S Times (BASS) 15/12/91.
SEVERAL corporations are considering agreements at plant level to provide for shared decision making with trade unions in exchange for worker compromises

If such agreements are concluded, says Andrew Levy & Associates (ALA) in its annual report, they could provide the clues about the form of "social contract" that could emerge in SA

Whereas the social contract process in Western Europe was initiated at national level, this is unlikely in SA

There are widely differing viewpoints about what a social contract should comprise — and even its desirability

By ADRIAN HERSCH (S)

"The agreements which stick are likely to be negotiated at company or industry level.

"A national level strategy only is likely to delay or even end the process since the agreements are unlikely to stick."

If unions and management in specific industries begin to develop a working relationship which delivers benefits to both, it will provide the right climate for a national social contract

But ALA warns that the process could take several years to achieve, if at all.

Bank responds to union's allegations

(151) VERA VON LIERES

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) had not provided proof of membership at FNB despite the bank repeatedly inviting it to do so, FNB senior GM Jimmy McKenzie said on Friday.

McKenzie was responding to a Saccawu statement last week that it had declared a dispute with FNB, alleging the bank had refused to negotiate working conditions with it.

McKenzie said the format of a relationship with the union would depend on its representation within the bank. *Blum 17/12/91*

Meanwhile, Sapa reports FNB employees have instructed the 38 000-member SA Society of Bank Officials to conduct a strike ballot after a breakdown in salary talks.

Bid to end Saccawu strike after attack

(151) VERA VON LIERES

MANAGEMENT at Riviera International Hotel and the SA Commercial, Catering and Allied Workers' Union (Saccawu) were yesterday locked in mediation in a bid to resolve a strike that started more than three weeks ago, company and union spokesmen confirmed.

This follows the "setting alight" at the weekend of hotel worker Gladys Bengu as she was about to report for duty.

Witwatersrand police spokesman Lt Col Dave Bruce said yesterday Bengu alleged she was attacked by two chefs and a waiter who worked with her at the hotel. Police were still searching for the suspects.

A Saccawu spokesman said the union did not support violent solutions to strikes, and on that basis initiated mediation in a bid to settle the dispute. He said details surrounding the incident were still under investigation and it was not clear whether Saccawu members were involved.

About 150 workers were locked out of the hotel on November 25 after the declaration of a wage dispute earlier in the year. A company spokesman said the lock-out was linked to a dispute over wages and employment conditions and union demands for a centralised bargaining forum in the industry. *Blom 18/12/91*

Management said at the time workers could return to work only if they accepted its final offer on wages and other conditions of employment.

The union spokesman said the company was offering a R103 across-the-board increase backdated to July 1. Saccawu was demanding an additional R9 from January 1 and that the company agree to join a forum consisting of all Sun International regions where the union had recognition to negotiate centralised bargaining.

He claimed the company's intransigence in dealing with the dispute had created a confrontational situation at the hotel.

No agreement on hotel dispute

VERA VON LIERES

MANAGEMENT at the Riviera International Hotel in Vereeniging and the SA Commercial, Catering and Allied Workers Union (Saccawu) were yesterday still exploring ways to resolve a four-week-old wage dispute, the union said.

Agreement had not yet been reached after several mediation sessions over the past few weeks, a union spokesman said.

Mediation aimed at resolving the dispute started five days after about 150 Saccawu members were locked out of the hotel on November 25 and was not in response to a recent attack on a hotel worker as reported earlier this week, the spokesman emphasised. @ 10:4 20/12/91

Riviera International GM Alex McMath confirmed earlier this week that mediation was continuing around a number of outstanding issues.

Meanwhile, a more than two-week-old lock-out by about 500 workers at Sun International hotels in the Ciskei continued

yesterday.

The union claimed management was using Ciskei police to stop union members from picketing and had forced a number of workers to accept its final wage offer of R135 across-the-board by threatening to dismiss them if they failed to sign.

The key issue was the company's refusal to agree to full back payment of the increase to the traditional increase date of July 1, it said.

It was reported earlier this week Sun International regional manager Graham Vos said management believed its final offers were fair, correctly motivated and market-related.

And in another development, Saccawu members at 25 Kentucky Fried Chicken outlets went on strike yesterday after a breakdown in negotiations over centralised bargaining, the union said.

Resolutions Board plans public mediation course

2 Day 20/12/91

VERA VON LIERES

THE Resolutions Board — a trust to facilitate the development of alternative dispute resolution (ADR) — will hold SA's first public mediation training course next February in a bid to bring "law to the person in the street", says board MD John Howard

Training courses in conflict management have in the past been conducted on a closed shop basis by professionals and have been largely inaccessible to the public, he says

The course — designed in consultation with leading business, legal, and labour academics — will cover an introduction and background to negotiation and mediation in the SA context and also emphasise the practical application of negotiation and mediation. Follow-up courses will be held in all main centres

Effective use of mediation and ADR — the process of resolving disputes using a neutral third party facilitator acceptable to all disputing parties without

recourse to formal court procedures — was still at a formative stage in SA conflict management, a Board spokesman says

It dates back about 10 years although widespread use was only made in recent years

Says board chairman Prof Nic Wiehahn "Against this background, the time is right for the sharing of knowledge through training courses and seminars which will help in cementing proficiency levels in the use of ADR" (15)

Management and labour relations consultancies increasingly claim proficiency in ADR, says Wiehahn

Conflict

"The claims are too often made prematurely, prior to consultants having gained adequate experience in the field," he adds

The board was formed more than a year ago and is currently the only organisation geared towards implementing ADR in the wider spectrum of conflict resolution extending beyond the labour field into civil, commercial, agricultural and even domestic conflicts, Wiehahn says

"The Resolutions Board did not assume an immediate high profile as we took care to develop our access to expert panelists and our infrastructure before we began to publicise the service"

After handling many successful cases, the board had now designed a two-day certificate course in mediation skills which will be held at Unisa at the beginning of February

A MILLION FRENCH BUBBLES FLIRTING WITH YOUR TASTE-BUDS



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Labour issues move to centre stage

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1992 promises to bring in some dramatic changes on the labour front.

FERIAL HAFFAJEE looks at the prospects for the year

THE new year is set to herald exciting developments for the labour movement internationally, nationally and on the shopfloor

The Congress of South African Trade Unions' call for a macro-economic negotiating forum will become more urgent this year and planning meetings will take place in the new year, according to Erica Jancowitz of the Andrew Levy and Associates management consultancy

The demand gained ground during last year's union-led anti-Value-Added Tax campaign, when Cosatu warned the government to not undertake any restructuring exercises without first consulting all major players.

With the plans for the new forum, the year is also likely to sound the deathknell for the National Manpower Commission in its present form, especially after Cosatu's widely publicised walk-out from the body last year

Instead it is likely to be replaced by a more representative body with the power to implement its decisions and able to deliberate on national issues like economic restructuring

In another measure to maximise union influence nationally, unity



between Cosatu and the National Council of Trade Unions could develop further this year. Last year, Nactu general secretary Cunningham Ngcukana delivered a keynote address at Cosatu's national congress reflecting on all that the two federations had in common

Internationally, it is also likely to be an exciting year for labour with a high-powered commission from the International Labour Organisation (ILO) planning a visit to South Africa next month

Cosatu is also forging a leading role in southern Africa through its work in

the Southern African Trade Union Co-ordinating Committee. The federation played a key part in the drafting of a social charter for the region by Satucc earlier last year

And through its work in Satucc, Cosatu is also likely to exert influence throughout the continent through the Organisation of African Trade Union Unity

Meanwhile, the shopfloor will feature both new and old demands from management and trade unions in 1992

Job security will still feature prominently, according to Jancowitz. With the recession unlikely to let up for at least four months and the call for a moratorium on retrenchments not very successful last year, the new year is likely to find the trade union movement grappling with new ideas on job security

Productivity deals like the one concluded between the National Union of Mineworkers and the Chamber of Mines last year will gain more prominence, believes Jancowitz.

And in industries where productivity is difficult to measure, wastage and shrinkage could become the determining features

"Reductions in both these areas can lead to significant savings and increased profitability, which in turn can be shared with the workforce," according to Jancowitz

Centralised bargaining, a demand ratified by the Cosatu congress last year, is likely to feature prominently in the trade union movement this year

Centralisation of benefits schemes like provident funds and medical aid schemes is also on the cards

Campaigns for harmonisation of working conditions to line up working conditions for production and administration workers will get off the ground this year, believes Jancowitz

She says "This often entails the reduction of working hours in the production facility, introducing the same provident/pension and medical schemes and paying similar bonuses"

The affirmative action campaign is also likely to increase in prominence

The ILO has commissioned a study on affirmative action in South Africa and already many companies are promoting blacks from within into management positions

But unions will push for a collective form of affirmative action encompassing training for all workers so that all are able to be promoted along clear career paths

From the management corner, Jancowitz believes more companies will move away from across-the-board increases to merit increases. She also notes an increased move toward linking bonus payments to attendance — unauthorised absence being debited against the full sum of the bonus

Samancor to meet Numsa on takeover

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THE National Union of Metal Workers of SA (Numsa) will meet Samancor management next week to request more information on the group's takeover last September of Middelburg Steel & Alloys which Numsa says intends retrenching 400 workers.

Numsa national secretary Bernie Fanaroff said yesterday the company had not yet provided information on the takeover. He confirmed Samancor had proposed to retrench about 400 workers in the restructuring of the enlarged group's operations from January 31.

Barlow Rand sold Middelburg Steel and Alloys (MS&A) to a consortium including Anglo American, De Beers and Gencor — which owns Samancor —

VERA VON LIERES

for R1bn Samancor bought MS & A's ferro-alloy division for R487,5m

It was reported at the time that Samancor would retrench 400 workers from the Middelburg Ferrochrome plant bought from MS&A. The plant employs about 3 000 people

Samancor G M (chrome division) Wilrich Schroeder has said the rationalisation of its operations was due to market conditions. He said discussions with employees and employee representative organisations regarding rationalisation were underway

A Samancor spokesman said yesterday he could not confirm that a meeting would take place next week

LABOUR

BY FERIAL HAFFAJEE
COLONEL SANDERS needs another secret recipe if he is to find a successful solution to the strike gripping 42 Kentucky Fried Chicken outlets in the Cape and Reef.

And more feathers are likely to fly with the prospect of the strike spreading to Natal and the northern and eastern Transvaal where strike ballots are currently being taken
Central to the strike is the demand for

Feathers fly in Kentucky dispute

WIMBIE 10/11/92
centralised bargaining and it is a test case for other fast-food outlets, according to South African Commercial Catering and Allied Workers' Union (Saccawu) organiser Allan Horwitz.
There is employer resistance to establishing bargaining units for fast-food franchises, with each branch

claiming it is an autonomous company which cannot be forced to bargain centrally, says Horwitz.
But after a dispute was declared in June last year, employers agreed to set up regional bargaining forums. However, the parties deadlocked on the issue of a bargaining unit.
Horwitz says that centralised bargaining will improve the deplorable working conditions of fast food workers. The average wage in this sector, bearing in mind the wage differences between the urban and rural areas, is R350 a month. There is no guaranteed night transport, and no benefits.
Vincent Farrel, a representative of Devco franchise specialists who own the Kentucky franchise, says that all 42 stores affected by the strike are still trading, using non-Saccawu members and strike-breaking labour.
He added that store owners had last year agreed to regional bargaining structures but Saccawu had walked away from the table on the issue of the exclusion of store managers in negotiations with the union.

10/11-16/11/92

Gloom over the Sun empire

It's a little gloomy at the Ciskei Sun where the 700-strong workforce has been locked out after going on strike. And management has issued a directive that workers will be dismissed if they do not return to work by the end of the month.

According to the South African Commercial Catering and Allied Workers' Union, management has refused to re-open negotiations. They

believe that their offer is "fair and market-related". The company is offering R810 a month, an increase of R110.

At the Riviera Sun, the parties are still in deadlock over disciplinary procedures. And at the Wild Coast Sun, a conciliation board meeting this week tried to solve a deadlock which arose after the company refused to backdate the wage agreement to July 1.

Only the Venda Sun has had some success at effective labour relations. A

wage agreement of R150 a month was successfully concluded and will be backdated to July 1.

Hot under the white collars

SA Times (Bus) 12/1/92
By ADRIAN HERSCH

WHITE-COLLAR militancy appears to be growing.

A strike ballot is being held among First National Bank employees — and one is looming at the Perm

Both disputes relate to the annual pay talks.

The SA Society of Bank Officials (Sasbo) wants a 16% increase — FNB offers 13%

The discussions affect 25 000 employees

Sasbo general secretary Ben Smith says that in 1991 FNB produced a 16,8% taxed increase in profit to R385,1-million

FNB senior general manager Jimmy McKenzie says given the state of the economy it is important the bank protect itself for the future

"The salary bill is R1-billion a year. Each 1% increase involves a large sum"

The outcome of the strike ballot will be known on February 4.

Mediation failed to resolve the dispute between the Perm and the Building Society Officials Association (Bsoa)

Management offers a 10% rise, but the union wants 12%

The Perm says in a hand-out to employees that a housing allowance — to those who did not previously benefit — is the equivalent of a 1,6% addition to the salary bill

A union circular says the Perm has implemented its final offer to non-union members with effect from January 1.

The circular also says the Bsoa received a "positive response" to an "opinion poll" about industrial action.

REPORTS Business Day Reporter, Super

BIDday 14/1/92

Retail sales decline

DEALERS and businessmen said yesterday retail sales in December had been disappointing.

Spokesmen for large chain store groups said although sales in real terms had been better than the previous year, they showed a significant decline in real terms.

They attributed the decline to the recession and said consumers bought only bare necessities.

BIDday 14/1/92

Labour law 'inflexible'

THE Alternative Dispute Resolution (ADR) Act is unlikely to succeed in its objective to provide alternative, creative and cheaper methods of resolving disputes, says Centre for Dispute Resolution director Simon Garvey.

"The Act seeks to tie up practitioners in an autocratic and inflexible manner which is in absolute contrast to the spirit of ADR," Garvey said yesterday.

"True mediation requires flexibility and scope for the mediator."

BIDday 14/1/92

Kaunda quits politics

FORMER Zambian president Kenneth Kaunda has quit active politics to promote global peace.

His decision to resign as leader of the United National Independence Party, through which he ruled Zambia for three decades, and the gulf between those who support him and those who reject him now threaten to destroy the once-powerful party.

REPORTS Business Day Reporter, Super

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BIPDAY 14/1/92

LABOUR: Unions and employers pull together ...

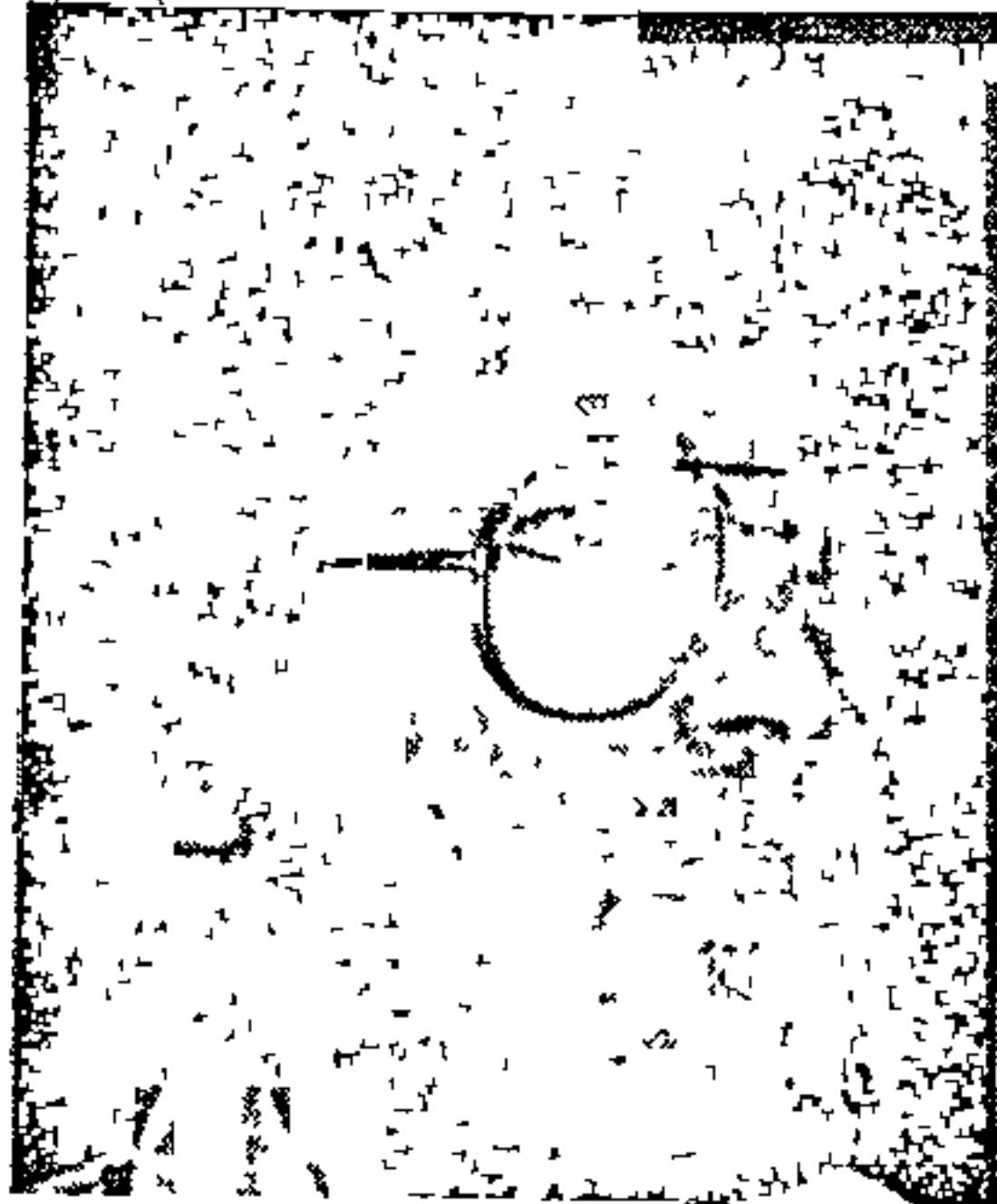
Textile industry sews up new restructuring deal

A ground-breaking deal to restructure the ailing textile and clothing sectors also heals rifts among employers, reports **DREW FORREST**

IN A decisive step towards industrial co-determination, employers and organised labour have clinched a deal aimed at securing growth and stemming job cuts in the recession-hit clothing and textile sectors

The plan — South Africa's first industrial restructuring agreement involving labour — will now go to cabinet for a decision. Trade and Industry Minister Org Marais is known to favour the agreed approach.

"We see it as the first step in securing a role for the union movement in macro-economic decision-making. It complements the Congress of South African Trade Unions' demand for a role in broader economic restructuring," said South African Clothing and Textile Workers' Union (Sactwu) assistant general secretary Ebrahim Patel.



Ebrahim Patel

Agreed in the "working group" on clothing and textiles set up to advise the government last year, the plan entails an initial, transitional phase which seeks to limit the damaging effect of cheap textile and clothing imports, largely from the East, by means of a tariff quota system.

This would permit imports at current rates of duty in quantities agreed by the various sectors, with imports above the agreed quantities being permitted at higher duties.

In phase two, the industry will formulate a long-term growth plan to make it more competitive internationally and a larger employer.

From agriculture through to retailing, the industry "pipeline" employs some 500 000 workers — although it has shed 20 000 in the past 18 months. The intention is to stem the loss of a further 12 000 and create 30 000 new jobs.

Agreed by Sactwu and employers in the cotton-growing, spinning, knitting, textile and furniture industries, as well as clothing retailers, the agreement has healed an ancient breach in employer ranks.

Textile and clothing employers have been at odds for years over tariff protection. It is understood that Sactwu played a constructive role in bringing together these historic antagonists.

Cosatu and employers will next week resume talks on the creation of a macro-economic negotiating forum, but the Sactwu deal bears out predictions that progress towards joint policy-making is likely to be most rapid at industry level.

Restructuring talks in some form are also under way in the metal, motor assembly and mining industries.

w/m ad 17/11 - 23/1/92

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UAA

NUM may pull out of talks

By DREW FORREST

w/meal 1-7/11 - 2-3/1/92

COMPLAINING of "disappointingly slow progress", the National Union of Mineworkers has warned that it may review its participation in vital employer-union talks on the future of the hard-pressed mining industry

This week, NUM chief Marcel Golding accused the Chamber of Mines and the government of "heel-dragging" in their response to union proposals. The NUM's central executive committee would assess its participation at the end of this month, he said.

Reacting, a chamber spokesman said the talks had established "some fairly useful co-operative structures".

Progress on NUM proposals of a permanent mining commission and safety commission had been slow, but the issues were complex and there had been too little time to resolve them, he said. The chamber wanted to maintain the dialogue, and would respond to the NUM soon.

At the historic union-employer "summit" on the future of the mines last June, four "commissions" were set up to examine the co-ordination of mine closures and

industry downscaling, how to prolong the life of mines, the protection of agreed work conditions and the maintenance of health, safety and welfare standards, the training and retraining of retrenched and aid to communities hit by job cuts.

Including representatives of the chamber, all mine unions and the departments of manpower and mineral and energy affairs, these were asked to make recommendations to a steering committee chaired by Idasa's Van Zyl Slabbert.

None of the commissions had yet reported, Golding said. "We don't believe there has been satisfactory progress. Employers have been reactive and uncreative," he said.

Of particular concern was the chamber's slowness in responding to NUM proposals of a permanent mining commission. Representing major players and with its own charter, this would keep the industry under continuous review.

"Employers are worried about a command economy and see this as a command structure," he said. The NUM had also made detailed proposals on health and safety and mining taxation.

151

NUM may pull out of talks

By DREW FORREST

w/mend 1-7/11 - 2-3/1/92
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BOSSES, ^{S Times} workers plan a Codesa clone

By CHARLENE SMITH

TOP businessmen and unionists are proceeding with plans to set up an economic equivalent to Codesa in time for the second round of constitutional talks in March.

Representatives of both groups meet on Tuesday to set the plans in motion

Codesa working groups, meanwhile, will be meeting tomorrow to consider how both sectors can be drawn into it

The mustering of workers and bosses reflects the fears of both that constitutional and political negotiations are leaping ahead of the debate on economic issues

Delegates at Tuesday's summit in Johannesburg include the Steel and Engineering Industries Federation of SA, the SA Chamber of Business, the Chamber of Mines, the National African Federated Chamber of Commerce, the Federation of African Business and Consumer Services and the SA Employers' Consultative Committee on Labour Affairs

Permanent

Ten union delegates — each from Cosatu, Nactu and the public sector Federation of Salaried Staff Associations — will also be present.

The government will not be represented at the meeting, although it is sympathetic to the cause of both groups

The forum is envisaged as a permanent body to resolve disputes, plan economic policy, advise the government and regenerate growth. It will function parallel to Codesa with some sources saying it might even be absorbed into it

The first meeting of Codesa's five working groups will consider accepting submissions from employers and employees on economic aspects of a draft bill of rights and on transitional arrangements affecting control of the Budget

Decide

Saccola chairman Anton Roodt said this week that "a constitution could be written in a week, but to agree on a political economy will be a long, hard struggle

"How, in the domain of public policy, will we decide on the proper allocation of resources to stimulate the necessary economic growth and tangibly remove wealth disparities?"

One leading businessman observed, "We need to move incredibly fast. We have already paid the costs of not having such a body, with the VAT stayaway of November 4 and 5 last year."

● See Page 4



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Mediation⁽¹⁵¹⁾ ⁽²⁾

S Times (BUS) 19/1/92

to the fore

MORE than a million workers were affected by private mediations in industrial relations last year — an all-time record

One of the key benefits of mediation is that it reduces red tape

Its growing popularity will add weight to calls by the National Manpower Commission (NMC) that "private conciliation centres be officially recognised"

The Independent Mediation Service of SA (Imasa) conducted 621 mediations and 432 arbitrations last year

This compares with 580 and 344 in 1990 respectively.

Imasa director Charles Nupen says over 80% of mediations related to wages and the others included retrenchment and collective dismissal disputes

Most mediations are carried out between July and October because most pay talks come to a head at this time

Two major pay disputes settled by mediation were in the national metal industrial council and the motor component industry

These settlements affected nearly 500 000 workers

Mediation in the national

By ADRIAN HERSCH

strike in the auto-assembly industry led to a settlement which included a retrenchment moratorium — provided production targets are met

Mr Nupen sees this type of deal as significant for the bargaining climate this year

But Mr Nupen warns that forces outside the workplace, such as developments in constitutional negotiations and the inflation rate, will play a significant role in bargaining

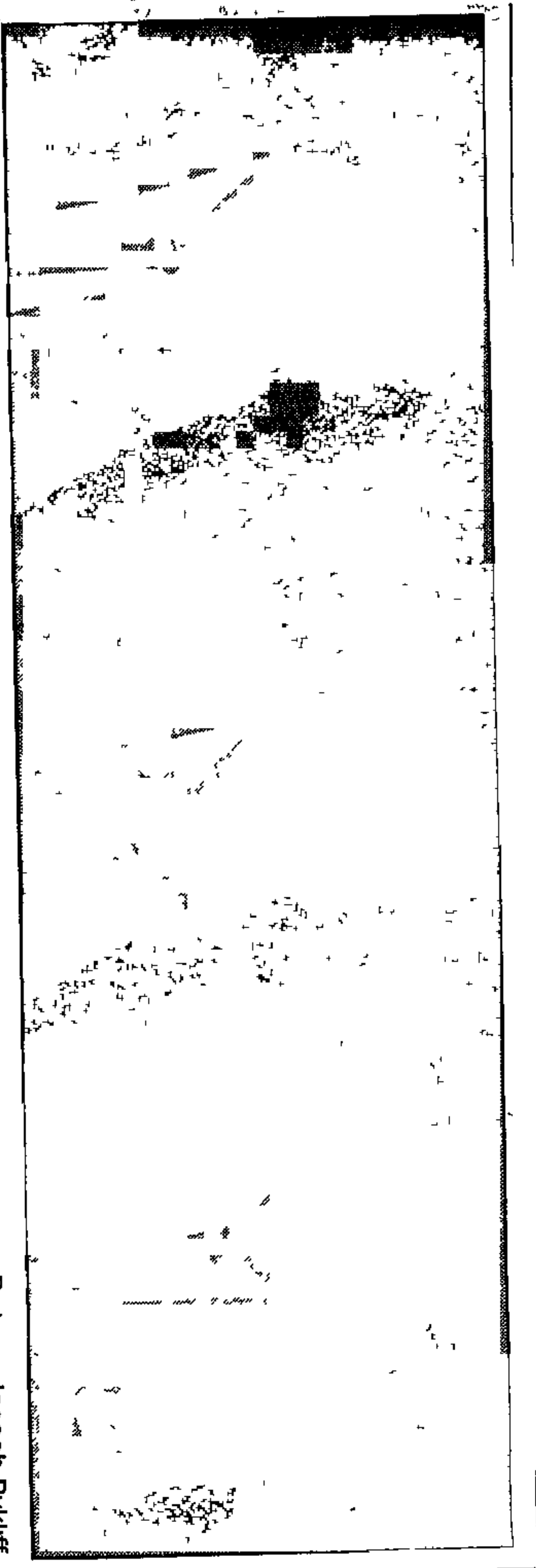
Dismissals

Most of the 432 arbitration cases last year related to disciplinary and dismissal disputes

There was a large increase in the number of mediations in the Western Cape and in arbitration in the Eastern Cape and Free State

Imasa is likely to set up permanent offices in the Eastern and Western Cape in 1992

Besides industrial relations the organisation is involved in mediating disputes in the community



At Codesa . . . Barend du Plessis (left), Dr Dawle de Villiers and Roelf Meyer yesterday.

Picture: Jacob Ryliff

Cosatu set to seek representation at negotiations

By Mike Sliema *151*

The Congress of SA Trade Unions, which today meets in business leaders in talks to discuss the formation of a macro-economic negotiating forum for the country, is to seek direct representation at Codesa, The Star has learnt.

Sources close to the organisation's national executive, which met in Johannesburg yesterday, said Cosatu leadership would decide to apply for membership of Codesa. There is no union representation on the body.

Cosatu's involvement in the

constitutional talks has been the subject of much debate within the federation as well as inside its alliance with the ANC and the SA Communist Party, both of which are Codesa participants.

The decision to seek membership of Codesa follows a decision taken last year that Cosatu would only attend Codesa in its own right, and not as part of the ANC or SACP delegations.

Cosatu has insisted that, as one of the key players in South African civil society, it should be allowed to take part in constitutional talks —

Star 21/1/92

a position backed by the other major union federation, the National Council of Trade Unions (Nactu).

Referring to the absence of union representation at Codesa, Nactu general-secretary Cunningham Ngcukana said yesterday "We believe there are collective worker rights which need to be entrenched in any new constitution, such as the right to strike

"No organisation can claim to represent our interests."

But when asked whether Nactu would seek membership of Codesa, Mr Ngcukana

said Nactu would have to ask itself "many questions" before joining Codesa.

On a related matter, Cosatu and Nactu, together with the Federation of Staff Associations, will meet business organisations to plan the establishment of the economic forum. The forum was one of labour's key demands during November's anti-VAT strike.

Union leaders are confident that, unlike last year, when they accused the Government of foot-dragging on the issue, chances of reaching agreement are greater this time.

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Security Act talks (151)

SECURITY industry employer and worker representatives will meet Deputy Law and Order Minister Johan Scheepers in Cape Town today to discuss possible Security Officers Act amendments, said a Transport and General Workers' Union spokesman.

Participants include the Security Officers Board, the Consumer Council, the SA National Security Employers and the TGWU



Sacob president John Hall, right, greets Fabcos delegates at yesterday's meeting in Johannesburg between employers and trade unionists to discuss convening an economic summit later this year. The Fabcos delegates are, from left, Jabu Mabuza, Joas Mogale and Mike Ntlatleng. Picture ROBERT BOTHA

Bosses, labour call for forum

Monday 22/1/92
DIRK HARTFORD

MORE than 60 delegates from organised business and labour yesterday agreed on "the urgent need to set up an economic forum", said the meeting's facilitator, the Consultative Business Movement (CBM)

The CBM said a working group had been set up and would report back in March. It would approach government to take part in the forum.

Representatives of Cosatu, Nactu and Fedsal, and Sacob, the AHL, Fabcos, Nafcoc, Seifsa, Saccola and the Chamber of Mines attended the meeting.

Sacob director-general Raymond Parsons said the working group would examine whether the forum should make an input at Codesa. In an Agenda TV discussion he said he was "very positive" about the meeting.

Cosatu assistant general secretary Sam Shilowa said during the Agenda programme Cosatu was not contemplating an alternative "Budget".

Labour, business take initiative

By DREW FORREST

IN A giant stride towards co-determination, business leaders this week signalled their clear backing for macro-economic negotiations with the labour movement.

At a heavyweight meeting convened by the Consultative Business Movement in Johannesburg, both sides agreed to set up a working group with 50/50 representation within two weeks which will debate the aims, scope, powers and composition of an economic forum, as well as urgent issues such as its relationship with the Convention for a Democratic South Africa (Codesa)

The plenary will reconvene within weeks and sources were confident a forum would be in place by mid-year

Speaking for labour were the Congress of South African Trade Unions, the National Council of Trade Unions (Nactu) and the largest representative of organised white workers, the Federation of Salaried Staff Associations

On the employer side of the table were the South African Chamber of Business, the South African Co-ordinating Committee on Labour Affairs (Saccola), the Afrikaner Handelsinstituut, the Steel and Engineering Industries Federation, the Chamber of Mines, Federation of African Business and Consumer Organisations (Fabcos) and National African Federated Chambers of Business and Industry (Nafcoc)

Business has been equivocal about the forum concept, mooted last year by Cosatu. As long ago as last July, a meeting between Cosatu, Saccola

and the government yielded a draft agreement on a procedure for establishing a forum, which business and the state subsequently failed to endorse

"The dominant employer view is that this must be pursued," said a business source. "Other business organisations will come in as the process develops"

A potential stumbling-block is the issue of state involvement. Influenced by its experience of the National Manpower Commission — where employer-union compromise proposals were regularly overridden last year — Cosatu insists that the government must participate directly in the forum as a negotiator

The government's view is unclear, but the dominant view appears to be that the forum should be a bilateral affair with advisory powers. Unionists see Finance Minister Barend du Plessis and Law and Order Minister Hennis Kriel as key obstacles

Business sources contacted this week were confident that once a forum was in place, government would find pressure to join it irresistible — as happened with the "Saccola Accord" on the Labour Relations Act.

On the forum's scope and powers, there are differences of emphasis between employers and unions. Cosatu is looking in the long-term for negotiations on economic policy, but its immediate goal is to agree "transitional economic arrangements", including immediate, concrete measures to stem job cuts and create employment and an end to "unilater-

al restructuring" by business and the state.

Employers are more cautious some appear to see the forum as a way of setting principles and guidelines rather than policy

It is likely that the parties will agree to draw a range of political players into the process, including the African National Congress and civic organisations, but as junior partners

"If we're discussing transitional measures, major political groupings must be included," said Cosatu spokesman Neil Coleman. "Agreements on job creation schemes, for example, must involve the ANC as a potential future ruling party"

Although it is misleading to describe the forum as the "economic Codesa" — economic talks will focus on substantive issues and solutions, while Codesa is concerned with principles and procedures — the relationship between the two will have to be defined

One approach mooted at this week's meeting was the creation of a constitutional committee under the forum, with formal links to Codesa, which would make an input on economic matters

Some Cosatu unionists fear employers' primary interest in the forum will be to win union undertakings on pay restraint and industrial stability

Employer sources deny this. "We're looking for an institutional structure in which the partners can play their proper role in society — the question of strikes and wages belong at a lower level of negotiation," one commented

Government gives ground on guards

By DREW FORREST

THE government has given significant ground on the controversial Security Officers Act as a result of sustained trade union pressure — and further concessions may be on the cards

The Act, and particularly the requirement that low-wage security guards pay a registration fee and annual levy to the Security Officers Board (SOB), was the spark for mass protests last year by members of the Transport and General Workers' Union

This week the TGWU's Jane Barrett revealed that major changes to the Act had been agreed in a tripartite "working group" set up in the wake of the protests. These were embodied in a draft amendment Bill published late last year.

The working group, which includes the TGWU, the South African National Security Employers' Association, representatives of the Law and Order Ministry and the Consumer Council, was to meet again this week to consid-

er other possible changes

Barrett said consensus had been reached on including worker representatives on the SOB; changing the schedule of crimes disqualifying workers from the industry; negotiating the code of conduct, and the police's role in monitoring the industry

Barrett said that at this week's meeting, the union would press for further changes, including provision for representation for trade unions and employer bodies on the SOB

w/m cut 24/11 - 30/1/92

~~Barrett~~ ~~Barrett~~ (51)

Key Industrial

Court ruling

CT 27/11/92 (15)

Own Correspondent

JOHANNESBURG — In what could be a precedent setting decision, the Industrial Court ruled last week that Checkers should consult properly with the SA Commercial, Catering and Allied Workers' Union (Saccawu) before closing or selling shops, according to Saccawu legal officer Ros Nyman

Reasons for the judgment have been reserved until today

The judgment was the result of an urgent application brought by Saccawu against Checkers to prevent the retrenchment of 34 Saccawu members

Nyman said that when Pepkor bought a controlling interest in Checkers last year it told Saccawu there would be no change in the working conditions

However, the company then sold one of its stores said 34 workers would be retrenched.

SOWETAN BUSINESS



The National Council of Trade Unions was represented by Mr Mahlomola Skhosana, Mr James Mndaweni, Mr Joseph Maqhekeni, Mrs Agnes Molefe and Mr Tommy Oliphant.

Unions gear to shape up SA's future

Last Tuesday organised labour and big business met at the headquarters of the Premier Milling Group in Johannesburg to look at future economic and business policy. Sowetan reporter JOE MDHLELA (right) was on the sidelines and reports.

BY A strange twist of fate, last Tuesday's historic meeting between organised labour and big business took place at the same building that used to house the executive suite of the company's former managing director Mr Tony Bloom.

It was Bloom who in 1985 was in a delegation of white South African businessmen which met the African National Congress in Lusaka at a time when public contact with the then outlawed organisation was taboo.

The Lusaka meeting was later denounced and described as unpatriotic by the National Party Government, then under president Mr PW Botha.

Destiny

Last Tuesday, it was the same businessmen who were meeting with black leaders, some of whom are members of the ANC.

This time the Government was cheering from the sidelines.

It was a pity that Bloom, who has since left the country, was not at this meeting.

One thing emerged at the forum - the labour movement will play an important role in shaping the political destiny of South Africa.

Predictably, the meeting was conciliatory, perhaps a harbinger of the stormy sessions still to come. For, it is this forum that will deal with the bread and butter issues of change in South Africa.

One observer said: "Given the volatile politi-

cal climate, it was a miracle that these people reached agreement within hours."

Although political parties were not represented, the forum resolved that the Government be invited.

It is logical to assume that the presence of the Government in the forum will imply that other political players should form part of the economic process.

But it will also be realistic to imagine that trade unions will use the forum to articulate their displeasures about, for example, the Government's unilateral implementation of the Value Added Tax.

The unions will also have the opportunity to warn the Government that it would be walking on live landmines if it were to increase VAT.

The Congress of South African Trade Unions is clearly sympathetic to the cause of ANC while big business element, which is in favour of negotiations, would also be comfortable with the idea of Codesa being bandied about.

If that happens, distinct battle lines will be drawn, with the National Council of Trade Unions - known to be uncomfortable with Codesa - showing dissent.

The more than 60 delegates were drawn from Cosatu, Nactu, the South African Chamber of Commerce, the Afrikaanse Handels Instituut, Fabcos, Nafcoc, Steel and Engineering Industry Federation of South Africa and the Chamber of Mines.

They agreed that while politicians were busy with shaping a political programme for a new society,

the forum should look at economic problems.

But it also emerged that without the Government's input into the economic debate, the forum would remain an exercise in futility; hence the decision to invite it.

What also became clear was that Nactu did not want the forum to be an extension or be a sub-committee of Codesa.

Mr Cunningham Ngcukana, Nactu's general secretary, said the forum was in fact an answer to the feelings expressed during the Laboria Minute in 1990 where Nactu and Cosatu sought a fair deal for black workers.

"The forum will have to address itself to job creation and other schemes that will improve the lot of black working class," Ngcukana said.

Movement

Chief economist of Nafcoc, Mr Vincent Phaahla, said an increasing number of blacks would need to become employers, thereby expanding the employment base.

"Black employers will help a lot towards increasing the employment base and thereby contributing in job creation," he said.

Chief executive of Barlow Rand Mr John Hall said the fact that the labour movement and big business were ready to co-operate was indicative that the parties were keen to help solve the economic crisis.

He said the move should not be seen as an attempt by big business to bludgeon unions into co-operation so as to minimise industrial action in the work place.

Checkers told to consult with union

IN WHAT could be a precedent setting decision, the Industrial Court ruled last week that Checkers should consult properly with the SA Commercial, Catering and Allied Workers' Union (Saccawu) before closing or selling shops, Saccawu legal officer Roseline Nyman said.

Reasons for the judgment have been reserved until today.

The judgment was the result of an urgent application brought by Saccawu against Checkers to prevent

DIRK HARTFORD (151)

the retrenchment of 34 Saccawu members last weekend.

Nyman said that when Pepkor got a controlling interest in Checkers last year, it told Saccawu there would be no "change in the working conditions of members".

However, the company then sold one of its stores and informed the union last week that 34 members would be retrenched.

27/11/92

Fewer exiles than planned want to return

FAR fewer exiles than originally planned for are expected to return, repatriation and government sources said yesterday

The total number of returning exiles has been substantially reduced from 30 000 to between 15 000 and 20 000

Initial estimates of how many exiles would return ranged between 30 000 and 40 000, but the current rate of registrations for return suggest the main thrust of the planned six-month programme could end sooner than expected.

UN High Commissioner for Refugees information officer Michael Keats con-

TIM COHEN

28/1/92
BIDAW 28/1/92
firmly yesterday that the rate at which returnees were registering suggested the total would be less than 20 000

Keats said that by January 25 the UNHCR had forwarded the names of 4 001 people to government, and of them 3 506 had so far been cleared. So far 82 cases had not been forwarded yet as additional information was being sought

Home Affairs director-general Piet Colyn said yesterday 5 863 exiles had returned before the UNHCR's involvement

(15)
More exiles would register, but Colyn said he did not expect the number to be large, estimating the total number of returning exiles to be 15 000

About \$25m has been collected so far by the UNHCR for the repatriation programme. It is understood that some of the donors have agreed not to seek repayment if the number of exiles is smaller than expected, although the issue has not yet been discussed with the about 40 donors

Meanwhile, a possible conflict between the UNHCR and government was averted

☐ To Page 2

Exiles ^{BIDAW 28/1/92}

yesterday after a meeting between the UNHCR mission chief Kallu Kalumya and government representatives.

The tension arose because the UNHCR said a returning exile, Enoch Mathi, was arrested on January 13 — the day after his return — and held without being charged

(15)
☐ From Page 1

Keats said yesterday the arrest was contrary to the letter and spirit of the UNHCR's agreement with government

Mathi is alleged to have beaten up a policeman and stolen his firearm in an argument. The incident is alleged to have taken place shortly after the October 8 cut-off date for indemnity

Exploratory agenda for meeting

Business and labour set to finalise forum

ORGANISED business and labour will meet at the Premier Group headquarters in Johannesburg tomorrow to thrash out the mechanisms for the establishment of a national economic negotiating forum.

The meeting results from several months of informal discussions between union and employer groups

A South African Chamber of Business (Sacob) spokesman said the meeting, which has been convened by the Consultative Business Movement (CBM), would be "exploratory" and would aim at agreement on the structure, tasks and methods of an economic forum. Several employer organisations supported this view.

The meeting is expected to discuss and, where possible, take decisions on

- The aims, objectives and terms of reference of the economic forum,
- Whether the forum should attempt to establish a social accord and/or negotiate economic policy or guidelines,
- Who should participate, in particular whether the forum should include representatives of government and political parties,
- The forum's structure and financing;
- The forum's relationship with Codesa and other transitional structures, and
- How agreements would be implemented and a time frame for them.

The CBM confirmed it was convening the meeting. It drafted the agenda in consultation with the principal parties.

Employer groups scheduled to attend include the Afrikaanse Handelsinstituut, the Chamber of Mines, Fabcos, Nafcoc, Saccola, Sacob and Seifsa. They will each

have between two and five delegates.

On the labour side Cosatu, Nactu and the Federation of Staff Associations will have 10 delegates each.

The question of government and party political participation in the forum has been a matter of intense informal debate in recent months. There are influential leaders in organised business and labour who argue that policies should be negotiated and agreed between themselves alone and then, where necessary, put before government for implementation.

Both parties fear that, were the forum to fall under Codesa, critical economic policy issues might be sacrificed in the horse-trading of broader constitutional and political negotiations.

Others in the unions argue, however, that once the ANC is in government the organisation could be a useful ally in economic negotiations.

Other groups argue that political parties should be involved as organised business and labour represent only the elite in the economy, while political parties can claim to represent a broader spectrum.

Cosatu assistant general secretary Sam Shilowa said he hoped the meeting signalled the beginning of formal negotiations at national level, but said the unions had to decide on the aims and scope of the forum and whether they were aiming for a social contract or an agreement.

He said Cosatu expected employers to use the forum to convince unions to accept wage restraint. Cosatu opposed this.

He said the unions would demand a mor-

To Page 2

Forum

atorium on retrenchments. Other issues Cosatu would seek to place on the agenda were VAT, housing, pensions and labour legislation affecting farm, domestic, public sector and homeland workers.

Shilowa said Cosatu wanted to participate in Codesa if it was open to non-political organisations.

Nactu assistant general secretary Mahlomola Skosana said the federation wanted a tripartite structure involving government, business and labour to be set up.

He said the CBM had already convened a series of meetings between parties to the talks and "while it was nice drinking tea" it

was urgent to get "a properly constituted tripartite structure off the ground".

He said the union movement did not want an economic forum to be a "junior partner" to Codesa. Nactu believes the forum must be "democratic and accountable" if it is "to take the workers with it".

Nactu's general secretary Cunningham Ngcukana, speaking last week at Cosatu's summer school, urged unions to play a "pro-active role" and said the forum should address all the macro-economic issues facing SA. He cited investment, taxation, economic restructuring, trade and GATT as examples.

From Page 1

MINE WAGES

Teething troubles

FM 31/1/92
151

Within days of the State President praising, in his opening address to parliament, last year's profit and productivity-linked mining wage agreement as far-sighted, the National Union of Mineworkers (NUM) announced that it will pull out of the deal

The miners are essentially warning employers that they should not be regarded as a soft touch, which is how the rank-and-file evidently perceive their leadership and have told them so

The choice of Kgalema Motlanthe as acting general-secretary is symbolic of the present mood Motlanthe, a socialist, was the NUM's education secretary, he is an ex-Robben Island prisoner who last year served as the first chairman of the ANC's Witwatersrand branch

But the NUM's sudden leftward swing is more apparent than real This can be inferred from the explanation of the bargaining posture put forward by former acting general-secretary Marcel Golding (now the assistant general-secretary), who stressed that the productivity wage deal runs till June Much can happen before then

As Golding puts it, the unhappiness is more to do with employers not having adhered to the agreement The principle of it has not been rejected

Golding accused the mining houses of withholding information essential for the bonus scheme to work properly, adding that implementation of the scheme "has caused substantial problems for our members"

Part of the problem seems to be an inconsistency among the mining houses in applying the agreement In general employers are dismayed and disappointed; there was hope that the productivity-linked approach would catch on

Regarding job security, Golding said the union would have to assess the gold price and its impact on the industry "We recognise the crisis of gold, in terms of its low price, and some of the problems experienced by the industry But the solutions that are being proposed and the manner in which these are being implemented raise serious concerns"

The union decided on that basis to review its position and advised its negotiators not to

participate in the scheme "But you must understand the scheme only comes to an end in June when we have to enter a new wage deal As the negotiations unfold, we will have to see what other mechanisms we can use to try to augment workers' wages"

The pragmatic approach pioneered in NUM by former general-secretary Cyril Ramaphosa remains intact at the top The leaders know they must find the best compromise between earnings and job security

But they agree with their members' complaint that the base increase of 5% agreed last June is too low It is further questioned by the members whether they can have much control over productivity in order to make any impact on their earnings

Yet there remains a great deal of scope for creative bargaining, says labour consultant Pat Stone It's possible, for example, that this year's compromise might take the form of a slightly higher base increase and better information disclosure, but with the pay rise still linked to productivity



NUM's Golding problems with information disclosure

LABOUR LAW

Not up their street

~~151~~ FM 3/11/92

When should a company tell the union that a change of ownership which could affect the employment relationship is in the offing? Furthermore, what exactly is meant by "full and proper consultation"?

These are key questions for business following the Industrial Court ruling last week that Checkers must "properly consult" the SA Commercial, Catering and Allied Workers' Union (Saccawu) before it can sell or shut down any of its stores

It is established in labour law that, where jobs are at stake and there is knowledge of this, the company has a duty to "consult" the union in question. It is part of good-faith bargaining, though it might seem an infringement of a fundamental right in common law — that is, the right to dispose of one's property as one sees fit.

One problem with last week's finding by Mohammed Bulbulia, a permanent member of the Industrial Court, is that he gave no reasons with it, these were expected to be delivered later this week. The ruling was made in terms of section 17 of the Labour Relations Amendment Act, which provides for urgent interim relief, pending a fuller hearing under section 43, which can take up to four months.

In Checkers' case, that could mean having to keep paying more than 30 workers who are sitting at home, since the (closed) Roodepoort store in question was due to be taken over by new owners at the end of January.

The union sought an urgent application last weekend to prevent, it said, 34 members being laid off at the end of this month. A union spokesman apparently explained that when Pepkor took control of Checkers, it had told the union that members' working conditions would not change.

That, though, seems less relevant than the question of when, precisely, the union was informed that the company might close one (or more) of its stores.

A source close to Checkers — which is outraged by the court's decision — says that the union was notified, late December, that the company was closing the Roodepoort store and had started relocating employees. The union, over four meetings, refused to cooperate. While those consultations were underway, the company sold the store because the lease was up for renewal. The union was informed of this, says the source, adding that, from Checkers' point of view, it complied with guidelines on retrenchment.

The implications of the ruling as it stands, says the source, are enormous — especially in the highly competitive retail trade. For example, the duty to consult could well affect business if competitors know that a store

continued

FM 3/11/92

is due to be closed. Such sensitive commercial negotiations cannot be carried on in a public manner, he says.

Meanwhile, the company's lawyers have asked urgently to be given the reasons for this unprecedented ruling, with a view to taking it on review at the Labour Appeal Court. Checkers is also trying to find alternative jobs for the 34 employees — 26 of their colleagues had already been placed elsewhere.

The interesting point at issue, which should emerge when the court gives its reasons, is the question of when the union should be informed of a change of ownership, says Pat Stone, of Andrew Levy & Associates. This is because of the implications it could hold for ownership changes in liquidations or mergers, for example, when secrecy may be important to safeguard the transaction. ■

LABOUR

BY FERRAL HAFFAJEE
 A LANDMARK judgment in the Industrial Court compels Checkers to negotiate all store closures with the South African Commercial Catering and Allied Workers' Union.

It seems the ruling, which was made last week after Saccawu launched an urgent application to prevent Checkers from retrenching 34 workers, arose from a misunderstanding.

Saccawu says Checkers undertook not to retrench any workers after it was bought out by Pepkor in

Checkers in landmark ruling

November last year. Checkers' managing director Sergio Martinengo says the workers were going to be retrenched due to rationalisation measures long before the buy-out.

"According to our recognition and retrenchment agreements with the union, everything was done properly," he adds.

Checkers is likely to seek an urgent review of the judgment and still plans

to close 12 stores.

The takeover of Checkers has been dogged by controversy since its inception.

When the announcement of the buy-out was made public last November, workers at some stores picketed against retrenchments, there were reports of some wildcat strikes and the union threatened legal action. Scuttled negotiations won a

promise from the company that "there would not be a change in the working conditions of Saccawu members".

Yet, according to the union, workers at one of the stores threatened with closure were issued with notice that their contracts would expire on January 25.

Saccawu's legal officer, Rosaling Nymann, says: "The implication of the

judgment is that a company cannot sell a store during or even before consultations with the union".

The ruling comes at a time of mass closures and retrenchments and will have serious ramifications for industry generally.

It also comes at a time when Checkers needs it least as it battles to keep its head above water. Last year, the company lost R8,3-million and about 40 of its stores are in the red, while 10 of its warehouses are unprofitable.

Business Times Reporter

ALTERNATIVE dispute resolution, the revolutionary labour strategy which promises employers and workers quicker and cheaper solutions to industrial strife, has passed its biggest test

A team of negotiators and mediators ended a strike by 7500 workers which brought almost all operations at KwaNdebele's Ekandustria development area to a halt

John Howard, managing director of the Resolutions Board which led the talks, says "This avoided a crippling dispute which could have dragged on for months in an industrial court, incurring huge legal costs"

Simmering

The independent board was set up seven months ago with Nic Wiehahn, author of much of South Africa's modern labour legislation, as chairman

It aims to defuse tensions by making negotiation possible through the use of alternative dispute resolution (ADR) methods

Mr Howard says ADR, which has applications far beyond labour disputes, has been adopted by 500 of the biggest US companies

The Ekandustria dispute,

Jaw-jaw to end strikes

S/Time 2, (BUS) 212 192 1151

which hit almost all the 90 industrial employers, had its roots in KwaNdebele's lack of labour law

Simmering dissatisfaction was brought to a boil by the calls for mass stayaways in protest against VAT, says Mr Howard

"The union calls brought to the surface at least 10 different issues which workers wanted to resolve. Employers refused to negotiate because the strike was considered unlawful and a crisis was likely"

Professor Wiehahn, who is also chairman of KwaNdebele's Labour Advisory Commission, led a team of negotiators and mediators

appointed by the Resolutions Board to the area

The board, which has put together a panel of mediators, including attorneys, retired judges and labour consultants, believes the Ekandustria dispute was a major test for ADR

Professor Wiehahn says concessions were made by both sides, but the biggest cost was lost pay for thousands of workers

He says ADR has application in commercial, agricultural and civil disputes

"The legal system is heavily overburdened and ADR provides an effective, less costly and less damaging form of negotiation"

Demotivated staff demand 16%

Urgent talks to avert bank strike

Sowetan
LAST-MINUTE negotiations have taken place to avert a strike by more than 18 500 First National Bank employees, which could close branches throughout the country.

The results of a strike ballot by members of the SA Society of Bank Officials - the country's oldest and biggest banking-sector union - were due to be announced yesterday

Union general secretary Mr Ben Smith was locked in last-minute negotiations with management yesterday, according to a union spokesman.

Earlier Smith said he was confident workers would vote in favour of tak-

5/2/92
Sowetan Correspondent

ing some form of industrial action

The union accused the bank of "demotivating" its 25 000 employees by failing to keep a five-year-old "payment-on-performance" agreement and adopting a "market-related" policy for pay increases

The members of the 38 000-strong union are demanding an increase of 16 percent based on performance

The management is offering 13 percent

First National Bank senior general manager Mr Jimmy Mackenzie said

(150) (151) (1505)
although he did not believe workers would vote to take industrial action, if there was "total support" for a strike, the bank would have no option but to close, review the situation and take necessary steps

Smith said employees felt "cheated"

"The bank vowed not to move the goal posts if their staff achieved outstanding results. Our members accepted the challenge and have produced record profits for four consecutive years," Smith said

Last year was another record year with bank profits rising 16,8 percent from R329,8 million to R385,1 million, Smith said

Companies 'spying on unions'

AN INTERNATIONAL security firm is being used by company managements to spy on unions, a labour affairs publication has alleged. *Bipca 7/2/92*

The SA Labour Bulletin says in its latest issue it has documents proving that Lodge Security Services has passed on information on union activities to firms it is contracted to

SA Commercial, Catering and Allied Workers Union (Saccawu) assistant general secretary Kaiser Thibedi yesterday said "severe action" would be taken against companies which used Lodge in this way — if the allegations are proved authentic.

He said "these underhand methods are likely to undermine the economic forum. We are already suspicious about the bosses intentions in such forums"

The bulletin claimed "a web of agents employed by Lodge Security Services collected information on union activities" in Natal in 1990. The Bulletin said its sources believed this was still going on

The companies using Lodge services, as far as the bulletin was aware, were Pick 'n Pay, Dunlop and Cabana Beach Hotel

Pick 'n Pay's Frans van der Walt said it could not "prescribe to agents what they should write about or not" and if an agent wrote there was a strike looming "it would be a warning sign for us and we would try

and act on it" He said undercover agents were employed to prevent pilfering but it was possible an agent "could end up at a union general meeting" He added that the company would be very circumspect about how to use information

Lodge Security Services MD Edel Ashman said they passed on whatever their agents reported to their clients. Ashman was "not aware" of any reports on union activities currently

The bulletin quotes from a letter sent by the then investigations manager for Lodge in Durban, Warwick Freishich, which said the objective of an undercover investigation was "to bring to the attention of management .shop steward and union activities. This enables management to act quickly and make right decisions before negotiating with shop stewards and the unions" This letter was addressed to Tommy Smit at the Four Seasons Hotel

The bulletin article is based on reports in its possession from agents operating at a range of Pick 'n Pay stores in Natal. The bulletin said "it's clear from the reports that some of the agents are shop stewards" as not only general union meetings, but shop steward and Cosatu regional executive meetings are reported on

DIRK HARTFORD

Transport industry nearer to striking

THE transport industry has edged closer to a wage strike after four unions declared a dispute with employers and announced they had started moves for a strike vote (15)

The Transport and General Workers Union made the declaration last week saying the four unions would meet on Friday to review the situation

"The TGWU, which is by far the major representative, has initiated the meeting and is already preparing for the ballot next week," the statement said

Management and union leaders have failed to reach a compromise in wage talks that began last year

The workers are demanding increases of between 49,4 and 44 percent on weekly wages for the higher and lower paid brackets

Management has in turn offered increases of between 14 and 18 percent - Sapa

Southern 10/2/92

Retailers negotiate over provident fund

DIRK HARTFORD

B (15) aug 13/2/92 (151)

TWENTY major employers in the retail industry are negotiating a national provident fund with the 100 000 strong SA Commercial, Catering and Allied Workers' Union (Saccawu), says Saccawu assistant general secretary Kaiser Thibedi.

The talks are the result of a Saccawu initiative to involve the entire industry in setting up the fund.

The employers, who have grouped together in a Participating Employers' Association, include Checkers, Clicks, Edgars, OK Bazaars, Pick 'n Pay, Foschini, CNA/Gallo, Ackermans, Pep Stores, the Beares Group, Game, Metro Cash and Carry, Morkels and SA Druggists. Other retail employers, who were originally involved in discussions around the proposed national provident fund, have pulled out at this stage.

The major problems were whether to make membership of the fund compulsory and whether to merge existing funds into the new national fund. The employers are adamant that membership should be voluntary and that the new fund should run parallel with existing ones, says employer spokesman John Corlett.

Thibedi argues that Saccawu members should join the fund and that existing funds should be "collapsed" into the national fund.

The companies involved employ about 90 000 people.

The existence of this new negotiating forum's does not address the question of whether an industrial

council could be established in the retail trade. Corlett said yesterday the diverse nature of the industry militated against the formation of a council and the issue "wasn't even on the agenda". Thibedi said while an industrial council was desirable in the industry, Saccawu was concerned only with the provident fund issue at the moment.

Meanwhile, Checkers is asking for the setting aside tomorrow of an industrial court order that "proper consultation" take place between the company and Saccawu before retrenching workers.

Nearly three weeks ago Saccawu sought urgent relief from the industrial court to stop Checkers retrenching workers in a store it had closed. In a ground-breaking ruling, relief was granted and Checkers was obliged to consult Saccawu before retrenchments could take place.

This has apparently sparked a wave of applications from unions seeking to halt retrenchments.

At issue is whether a company has the right to unilaterally retrench workers when closing or selling its operations or whether the union should be involved in the decision.

A source said there had been nearly 60 hours of consultation and Checkers now wanted the order set aside. A Saccawu spokesman said the union would oppose Checkers' application.

Dispute at Kentucky (15)

THE two-month strike by 650 Kentucky Fried Chicken workers in Transvaal and the Cape could be resolved soon, a well-placed source said yesterday

Kentucky employers spokesman Vincent Farrell confirmed the SA Commercial, Catering and Allied Workers' Union (Saccawu) had accepted that outlet managers were part of management. This was a disputed point as the union wanted to represent managers.

There was also consensus on regional bargaining. The strike at 50 Kentucky outlets was over the union's demand for national centralised bargaining.

8/10 day 13/2/92

Hawker stalls form part of responsibility programme

Sowetan 13/2/92

IN SUPPORT of the informal business, Mercedes Benz of South Africa (MBSA) will shortly provide stalls from which hawkers will conduct their business, chief executive of the company, Mr Christo Kopke said.

The stalls, to be erected at the factory's East London plant, have had the support of hawkers and workers, Kopke said.

He said this was part of the company's social responsibility programme.

"We could never have erected them without involving workers," Kopke said.

He said hawkers would operate from a hygienic environment.

The union and management were working hard to bring about a sound industrial relations climate.

By JOE MDHLELA

He said the hourly-paid work force was represented by the National Union of Metal Workers of South Africa.

"Numsa represents 60 percent of all hourly-paid employees"

He said the nine-week strike action that rocked the company in 1990 served as a lesson that there was a lot to be achieved in the area of industrial relations

"We are proud that we are working more closely with the union to the satisfaction of both management and workers.

"Of course, we are far from perfect, but we are working hard to resolve the problems," he said.

New Act gives pickets the Kentucky blues

W/Mail 14/2-20/2/92

IN THE eighth week of the Kentucky Fried Chicken strike, feathers continue to fly. Negotiators from the South African Commercial Catering and Allied Workers' Union (Saccawu) and Devco Franchise Specialists, which owns the Kentucky franchise, are attempting to resolve the conflict before the end of the month

The conflict is also exposing the new Intimidation Act as a potential stumbling block for workers' picketing rights

The strike, which began in mid-December in the PWV, has spread to Cape Town, the southern Cape and Durban. According to Saccawu organiser, Allan Horwitz, the Transvaal West Rand towns will join the strike by today

Last weekend, Saccawu organiser Bethuel Mdokane and two organisers were arrested and held at the Bethal police station for the weekend when they went to conduct a strike ballot in the northern Transvaal, says Horwitz

They were released on Monday and not charged

Many stores have been picketed and "Kentucky is pulling out all the stops to prevent Saccawu members from picketing" says union lawyer Richard Spoor. He says franchisees are resorting to various methods to stop pickets like saying the protests

*The Intimidation Act
is proving a stumbling
block for organised
pickets in the Kentucky
Fried Chicken strike,
reports*

FERIAL HAFFAJEE

● Contravene municipal by-laws which stipulate that you need permission to gather

- Advertise without permission
- Obstruct pedestrian traffic
- Create a public disturbance

But the most sinister defence being used to interdict picketers is the Intimidation Act, passed last year as the enlightened brother of the Internal Security Act, says Spoor

In terms of this new Act, a person is guilty of intimidation if he does anything to make another fear for his property, safety or economic livelihood.

The clause on "economic livelihood" is a "stumbling block for labour", say Spoor.

"It has the potential to criminalise strikes, pickets and ballots and contradicts the Labour Relations Act which gives workers the right to

picket

"It is an important time to test the right to picket now that the ban on outdoor gatherings has been lifted," says Spoor, adding that "the right to picket is vital to unions especially for Saccawu at outlets where their negotiating power is limited."

Devco representative Vince Farrell says his organisation met Saccawu this week. The union put forward a proposal aimed at ending the strike and the various stores would come back to him by the end of next week with their responses

Farrell said some store owners had to resort to action where striking workers had threatened other employees or customers and that business had been adversely affected in black areas

However, no stores had been closed and replacement labour was keeping the stores running

Horwitz confirmed that the union had held a meeting to thrash out the issue of a single bargaining unit for the various stores as well as clarify the position of store managers.

Store owners believe managers should not join unions but the union say store managers — who earn an average of R700 a month — do not have the powers, rights and status of bona fide

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Security guards face suspension

MORE than 45 000 security guards face immediate suspension from the industry and dismissal in three months time for refusing to pay the annual registration fee of R48 required in terms of the Security Officers Act, the Transport and General Workers' Union (TGWU) says

In terms of the Act, all guards were required to pay the fee by the end of last year. But only a quarter of the 62 000 registered guards have paid the fee so far.

TGWU, which has 15 000 members in the security industry, has demanded the fee be waived until a new Security Officers' Board is set up with worker representation. This is likely to happen only when

of pay 18/2/92

DIRK HARTFORD

Parliament passes agreed amendments to the Act

A meeting last month between the board and TGWU failed to reach agreement on the fee. The board is insisting the fee be paid, as it is under pressure to pay back to government a R1m loan.

The union believes suspensions are imminent. It is holding a national meeting of shop stewards this week to plan action against any suspensions.

Last year tens of thousands of security guards held mass marches and protests against the introduction of the fee.

B/day 19/2/92

Pay talks deadlock (15)

NEGOTIATIONS over pay and benefits for 420 000 public servants ended in deadlock yesterday when government offered public servants' representatives an increase of between 6,4% and 8,5% Unions and staff associations had requested an increase of 21% Another meeting will be held on February 25 (2008)

May 20/2/92

Security union talks (5)

TRANSPORT and General Workers' Union stewards in the private security industry were still meeting yesterday to discuss levies required under the Security Officers Act. TGWU spokesman Jane Barrett said it had been hoped the meeting could be finalised by yesterday, but it appeared this would only happen today.

Management spy rings rife in unions

auth 20/2 - 26/2/92

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AGENTS employed by Lodge Security Services were instructed to collect information on trade union activities, the latest edition of Labour Bulletin alleges.

The journal possesses original transcripts of reports written by agents to their employers, Lodge.

Although the documents all date from 1990, sources believe spying is continuing.

Lodge operates by offering its services to companies by letter. One such letter, in the Labour Bulletin's possession was written by Mr Warwick Freislich, then investigations manager for Lodge in Durban, to Mr Tommy Smit at the Four Seasons Hotel (Freislich now runs his own debt-collecting agency, Shamricks, in Durban).

Freislich writes: "The objective of an undercover investigation is to bring to the attention of the management feelings about various management decisions, shop steward and union activities."

"This enables management to act quickly and make right decisions before negotiating with shop stewards and the unions."

Another letter, dated May 4, 1990, was addressed to Mr Brian Spurr of Natal Newspapers.

The letter refers to a discussion the day before about the theft of motor vehicles and makes recommendations for its prevention.

The letter goes on to point out that "in addition to information pertinent to this investigation, the undercover agent also gathers a vast amount of information concerning trade union activities, labour relations and attitudes concerning staff and management."

"We have found an ever-increasing demand for information on labour relations and, to this end, many of our investigators are committed full-time to industrial relations investigations and in this field we can provide a comprehensive management service informing management of staff and union activities and attitudes, thus ensuring that management is kept up to date at all times with worker attitudes to disputes, wage demands and

Last year former president of the National Union of Metalworkers, Mr Maxwell Xulu, was accused of spying for the security police. The Labour Bulletin has uncovered evidence of widespread spying on trade unions during 1990. **THORAYA PANDY** reports:

TRUST BETRAYED? Numsa president Maxwell Xulu, a trusted trade unionist, was accused of spying for the police

other labour relations issues."

This letter was written by Mr John van Stan, then Natal regional manager of Lodge Security Services.

This was the same Van Stan who told a Johannesburg alternative weekly newspaper that agents were not involved in surveillance of union activities, only in monitoring pilferage.

Once a firm accepts Lodge's services, Lodge infiltrates agents into the

workforce the Labour Bulletin alleges. The agent then reports to the security firm. The report is sifted through by Lodge management who prepare a memorandum for the firm.

One report, dated May 17, 1990, was written by an agent at Pick 'n Pay in Berea. It details the report-back of a regional meeting on May 15.

An extract from the report reads

"Minnie said the points they had on the agenda were answered by Mr Gordon Hoult, about the back pay. Then Minnie said the comrades told Hoult they wanted their back pay of March 21 and if he does not want to give (it to) them he will see what will happen."

Labour Bulletin has in its possession reports from agents at seven Pick 'n Pay branches.

Some reports are simply entitled "Pick 'n Pay general meetings". One, dated April 8, 1990, details the problems faced by the union over negotiations conducted at the time. The report details the positions of the regions and Cosatu's opposition to casual labour. It also discusses plans for a stayaway on Monday, April 9.

The investigation reveals that some of the agents are shopstewards.

An original transcript of a Pick 'n Pay shopstewards meeting dated April 30 is also in the possession of Labour Bulletin.

The agent was present as she/he was able to describe the agenda adopted and present discussions in detail. The sensitivity of the meeting is obvious from some of the items on the agenda.

Reports written by Lodge to various managements, such as a Mr Middlebrook at Dunlop Tyres, outline the crucial issues uncovered by the agents.

These reports were prepared by Freislich.

A May 9 report details a work stoppage on Monday, April 23. The work stoppage was over the dismissal of a worker and the staff were also unhappy about the company doctor. The report reveals there was a direct link between the agent and someone at Dunlop management.

There is a trend for a number of ex-SAP members to join private security companies (Freislich is a former member of the SAP).

With the reduction of the state's security apparatus, SAP members have had to find new employment.

They have knowledge and probably access to the latest surveillance techniques. They also have a particular "mind-set", committed to the undermining of unions rather than the creation of an environment conducive to

collective bargaining, Labour Bulletin says.

During the eighties it was the government's security apparatus that monitored activities of the union movement and passed it on to employers.

With the coming of majority rule and the even closer possibility of an interim government, employers will not be able to rely on the state to monitor union activities.

"Some employers seem to be preparing for this by turning to private security companies, the publication argues.

"Already some security companies like Lodge have assembled a network of agents in the Natal region. It is important that unions confront employers involved with security companies and force a withdrawal of agents.

"Beyond this, unions need to add a clause into their recognition agreement prohibiting spying and infiltration.

"Failure to end the infiltration of spies dressed up as shopstewards will seriously undermine trade union negotiating strength."

Lodge Security Services managing director, Mr Edel Ashman, said "We are an international company specialising in controlling loss and theft within the retail trade and are not interested in labour relations."

When some of the reports and letters were read to him, he conceded some clients wanted to know why staff are unhappy.

"We don't encourage staff to phone us and tell us their problems. Some are, however, not willing to speak to us."

He said agents give verbatim daily reports and these are handed to the client who can do what he wants with them. "We never tried to bring unions down."

Mr Frans van der Walt, general manager for group industrial relations at Pick 'n Pay, categorically denies the franchise has ever requested or used information on trade unions gained through spying.

"We used Lodge undercover services to investigate pilfering."

Truckers warn of Tvl strike

By FERIAL HAFFAJEE

TRUCKERS and other workers in the industry could soon cripple the goods transportation sector with strike action.

The sector's four unions have declared a joint dispute with the Motor Transport Owners' Association (MTOA) in the industrial council for the Transvaal goods transport industry.

It is the first joint dispute in the industry, involving the Congress of South African Trade Unions' Transport and General Workers' Union (TGWU) and three other unions. TGWU organiser Thulam Dlamini said. "We hope it's the start of unity." *w/mad*

Wages are a central issue, but the demand for a national industrial council is also high on the union's negotiating agenda. A strike ballot will be held next week. *2/12-27/2/92*

The MTOA is offering wage increases of between 14 and 18 percent for the highest and lowest paid workers respectively. The union's demand is for increases of between 49 and 44 percent.

■ The TGWU will also declare a dispute next week with the National Contract Cleaners' Association over the latter's withdrawal from negotiations for a national industrial council in the contract cleaning industry.

Getting the office in harmony

By MONDLI MAKAHNYA

THE obscure phrase of "harmonisation of working conditions" is set to become employers' new headache.

As union demands diversify, this issue is likely to keep popping up at negotiations. The latest issue of *Bargaining Monitor*, a labour journal produced by the Labour Research Service (LRS) — which researches on behalf of the giant Congress of South African Trade Unions and is therefore influential in the federation's policy decision — puts forward an argument for the uniform treatment of all company employees from chief executive to kitchen cleaner.

If it were to be implemented everybody would eat in the same canteens, use the same parking lots, have the same benefits and wear the same uniforms, where appropriate.

Many companies in the Nordic countries, Germany and Japan have started moving in this direction. The argument behind it is that workers tend to be more productive where conditions have been uniform than where discrepancies exist.

The only local company where it has been successfully attempted was Cashbuild, under the directorship of Albert Koopman. But much criticism has been levelled at the top-down manner in which Koopman implemented the programme.

Most local corporations have never heard of the concept, never mind begin debating it. What is at the top of the corporate agenda is equalising benefits between black and white employees.

Although no deliberate programme of harmonisation has been embarked upon in the headquarters or major South African corporations, conditions are more or less uniform because the head offices are overwhelmingly staffed by white-collar employees.

But even then, there are still inequalities depending on rank in the company hierarchy. For instance one bank's executive directors have a separate lift from the rest of the staff which

takes them directly to the seventh floor.

Even progressive companies have not yet looked at the issue. In companies such as PG Bison and Johnson and Johnson the emphasis is still on participative management — drawing worker representatives on to the board.

This may be because unions themselves have not pushed hard enough for it. LRS director Dasie Moodley attributes this to the fact that unions still see themselves solely as vehicles for mobilising blue-collar workers around bread-and-butter issues.

"Once they get past this hurdle, then they'll start putting this issue on the agenda."

But Koopman — while also blaming unions — differs: "The unions see it as a threat to their power base. They want to have control over the organisation of employees and when you harmonise working conditions you undermine

that power."

But even when the issue does finally prop up at bargaining forums there is likely to be resistance from the "suits" — executives.

"I think South African capitalists will not take kindly to it," says Moodley. "They will need lots of reconditioning before they accept it."

Anglo American human resources director Bobby Godsell argues that while the corporation identifies the need for uniformity, different levels of skill have to be recognised. He refers to Mikhail Gorbachev's book *Perestroika* which attributed the failure of the Soviet Union to the "mindless pursuit of equality".

"You just have to recognise the different levels of responsibility. Even the unions do so and that is why they negotiate different wage packages for different categories."

W/MCA 21/2 - 27/492

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The workers rally behind Mario, the improbable unionist

By FERIAL HAFFAJEE

THE one label you wouldn't think of pinning on Mario de Castro is that of trade union leader. Dressed in a neat pinstripe suit and navy net tie, he chain-smokes and talks ninety to the dozen, reminding one more of an insurance salesman or perhaps a computer technician.

Yet this unlikely unionist has a powerline construction company on the brink of a strike over his dismissal.

De Castro, a Portuguese immigrant, came to South Africa in 1984 but still has an accent as thick as if he had stepped off the plane yesterday.

A qualified electrician, he learnt how to organise workers in Lisbon, where he was a shop steward for seven years. Soon after arriving in South Africa he found a job at Feralin, on the East Rand.

At the beginning of last year, he says, he began to wonder why he didn't see any union organisers from the Inkatha-aligned United Workers' Union of South Africa (Uwusa) — the only union recognised by the company — at the workplace. Then a friend told him about the National Union of Metalworkers of South Africa.

He got hold of Numsa literature detailing its campaigns and demands. Pleased at what he saw, he went to the union's offices in Nigel and advised it to start organising at his factory

because "Uwusa was not representing the workers' interests".

The union gave him a pile of registration forms and when he left the offices, he was an interim shop steward at Feralin. Thus began De Castro's programme of urging the company to change its industrial relations practices.

Soon he had 100 members willing to leave Uwusa and join Numsa.

He gave the managing director a copy of the National Peace Accord, "to show him where South Africa was going". He was called into another manager's office and told that the Congress of South African Trade Unions was "a union for the communists".

"I told them I am not a member of the African National Congress or the Communist Party — I'm a member of the union, and the union has the right to defend the rights of the worker," De Castro says.

He asked for permission to hold union meetings in the company's canteen. When this was refused, he took workers into the streets at lunchtime and held meetings there.

When a worker was injured by a machine, he took photographs of the wounds "so they couldn't deny it happened at the factory". Then he hid the film from a supervisor who had got wind of his action.

De Castro was dismissed in

Mario de Castro ... dismissed for 'the distribution of union literature' during the VAT strike

Photo: KEVIN CARTER

November last year. The reason given for his dismissal was "the distribution of union literature" during the strike against Value-Added Tax on November 5 and 6.

Numsa declared a dispute with Feralin over his dismissal. In a show of support, 96 percent of the workers voted in favour of going on strike to demand his reinstatement.

The company alleges that De Castro acted in breach of an agreement with the union. The agreement referred to was concluded with Uwusa, restricting the display of all union literature to a noticeboard supplied by the company. Uwusa also agreed that anything displayed on the noticeboard would have the company's stamp of approval.

De Castro says the company made it extremely difficult for workers to leave Uwusa. For example, workers had to sign forms cancelling their

stop-order payments to Uwusa numerous times.

And Numsa shop steward, Rolih Xipu, says the union is still struggling to earn recognition at the factory, despite its proven support.

Feralin's personnel manager, G Apostolidis, said this week that the company was not yet prepared to comment on the matter. However, in a circular distributed at the factory last week, the company set out its position on De Castro's dismissal. It accused him of misuse and abuse of company time, ignoring company rules and regulations, and of "unbecoming behaviour towards female employees".

"Any strike action will be unlawful," the circular said, "and employees embarking on an illegal strike or any other form of industrial unrest will be placing their job in serious jeopardy."



NUM-Chamber negotiations bear fruit

21/2 - 27/2/92

Initiatives from a breakthrough mining industry summit last year seemed to have run aground—but this week unions and employers agreed on some key issues,

DREW FORREST reports

AFTER eight unproductive months, union-employer talks set in motion by last year's mould-breaking mining "summit" are starting to bear fruit. At a Chamber of Mines executive meeting this week, the mining houses finally achieved consensus on the need to back a National Union of Mineworkers' proposal of a high-level inquiry into laws touching mine health and safety.

The proposal, tabled in a commission set up by the summit to probe industry standards of health, safety and welfare, won broad employer support but was resisted by Gold Fields of South Africa, which saw it as an invasion of its right to manage GFSAs, often at odds with the other groups, apparently came under pressure at a chamber meeting last week and offered to reconsider its stance. This week, sources say, it agreed to back the inquiry proposal.

At the same time, employers have reached agreement on the need to revise the tax system as applied to workers' retrenchment packages. It is understood the issue is to be raised with government by chamber presi-

Labour loses out as inflation soars

DREW FORREST

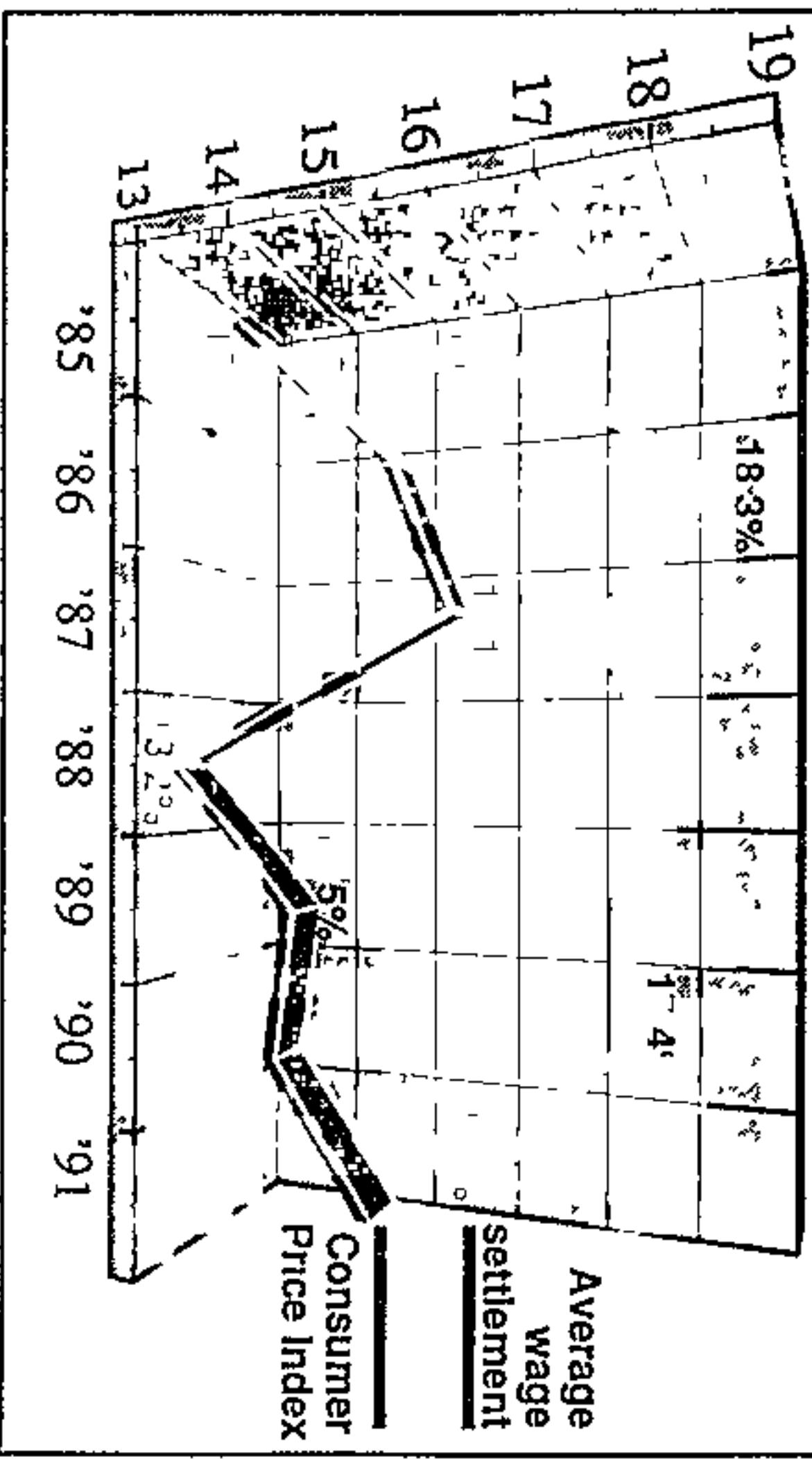
FOR the first time in at least seven years, trade union negotiators are losing the battle for real wage increases. At 21/2 - 27/2/92, in the latest *Bargain Bulletin* of labour consultancy Andrew Levy shows that the average level of wage settlement in industry for the last six months of 1991 was 15.3 percent, down sharply on the annualised 16.1 percent figure.

The consumer price index for the whole of last year averaged 15.3 percent but, partly under the influence of Value-Added Tax, it rose sharply in the closing months—to 16.8 percent in October and 16.2 percent in December. Real wages defied the recession by 3.1 percent in 1989 and 2.9 percent in 1990.

With a projected South African growth rate of 1.5 percent and continued international recession, the *Bullerix* predicts that settlement levels will continue to fall this year to between 13 and 14 percent.

dent Naas Steenkamp during his upcoming annual "tour" of ministerial offices in Cape Town. In the summit commission on mine retrenchments, the NUM pointed to the injustice inherent in the hefty taxation of severance pay—in some cases more than 25 percent, accord-

Average level of wage settlements against CPI



*The issue for the unions will be how to achieve a sensible balance between real incomes and job security," it comments. A further sign that labour is on the retreat is the sharp drop in opening wage demands. The figure

ing to union economist Martin Nicol. Retrenched miners have little hope of re-employment, but because most are not registered under the PAYE system and lack the education required for the necessary paperwork, they cannot reclaim their tax payments.

"The receiver is retaining a large sum of money he has no right to," Nicol commented. "For many miners, the retrenchment package is the last link with economic life." The problem was shared by workers in all industries, he stressed. In at least two important respects,

however, the Chamber response falls short of NUM demands tabled in summit commissions. Sources confirmed this week that employers had set their face against a permanent union-employer mining commission, which would keep industry policy under constant review. "It's seen as an intolerable intrusion in the autonomy of the mining houses, whose circumstances differ widely," a source said. "There's also a feeling that a process with an amorphous brief, as opposed to talks about specific problems, would be a waste of time."

Sources also said that while employers supported the idea of an inquiry into safety laws, sanctioned by government but drawing in outside experts, they did not believe it should look at the question of worker participation in safety issues. "This is seen as an operational matter, not one in the public domain," the source said.

NUM general secretary Kgalema Motlanthe confirmed the union wanted legislation to compel labour's involvement in safety management.

The employers' decision to throw their weight behind certain NUM proposals follows long months in which the summit process stagnated. NUM concerns about lack of progress are shared by some employers, who argue that a key weakness has been steering committee chairman Van Zyl Slabbert. "He's over-committed, and doesn't give the process the time it deserves," one said

Security men agree on levy

8/12/92 26/2/92
SHOP stewards in the contract security industry decided at a national meeting to recommend to security guards that they pay the R48 annual registration levy for 1992, the Transport and General Workers' Union said yesterday

A TGWU statement said the recommendation was subject to a thorough review of levies within the Security Officers Board once it was restructured in accordance with the proposed amendments to the Security Officers Act

"The union members will reserve their right to withhold the next round of levies should they find the existence and operations of the board to be contrary to their interests as security officers"

The recommendation to pay the levy was linked by the union to a decision to step up its campaign for the establishment of an industrial council for the security industry

"TGWU sees the establishment of an industrial council as the only solution to the shocking wages and working conditions in the industry where the minimum wage in some areas is less than R400 per

month"

The meeting further agreed that TGWU should urgently meet the Security Officers Board in order to discuss the contents of a code of conduct for security officers which has been proposed by the board

The union would propose that security officers be prohibited by the code from engaging in unauthorised or illegal surveillance activities and that they would not participate in destabilising violent activities

The proposals stemmed from media exposure of allegations of spying by members of Lodge Security on Saccawu members and also of possible links between Springbok Patrol's training programme and suspected activities by a "third force"

"There are strong suspicions on the part of the union that numerous security companies may be involved in clandestine violent activities"

The recommendations were to be reported back to TGWU's 15 000 security guard membership in its seven branches
— Sapa

Motorvia strike ballot (151)

■ A BALLOT at Motorvia has yielded a 90 percent vote in favour of strike action. A strike could cripple this trans-Africa vehicle transport business but also win better working conditions for its employees. (151)

The Transport and General Workers' Union, which is in dispute with the company, alleges that the company reduced its wage offer for drivers, supervisors and pilot drivers. *with mail 28/2-5/3/92*

The initial offer of the company was R345 for long-distance drivers and R375 for pilot drivers and supervisors. The company's revised offer is R293 and R301. (151)

Bosses dig in on pay rises

By ADRIAN HERSCH

PAY TALKS will be tough this year and several companies have proposed no increase

Labour consultant Gavin Brown says those that have offered no pay increase will review the position later in the year

"While few employers are likely to stick to this position as talks wear on, it is nevertheless an indication that a great many of them are determined to settle at single-figure percentage increases for 1992"

Settlements are being concluded below the inflation rate, but even if the economy turns around soon, moderate agreements should prevail at least until the end of the year

Mr Brown says "There will be a lag of between nine and 18 months before a changed economic climate allows any lessening in wage restraint"

Retrenchment remains a threat for unions in some sectors in spite of huge job losses last year

Job security demands will therefore be prominent in many sets of talks

The chances that many productivity deals will be reached do not look good

But the option will increase "as talks move to deadlock and further employer concessions are linked to productivity"

Mr Brown writes in Labour Chronicle "Against all the economic realities is a mounting anger on the shopfloor over job losses and the inflation rate

"Coupled with political expectations, the bargaining atmosphere in many companies will have a dangerously low accident threshold"

SITING (BASS) 11/3/92

Settling disputes need not mean a battle in court

By CATHY STAGG

TOMORROW Miss Linda Macun, a young woman with no legal background, will become the first full-time director of a non-profit company aimed at providing an alternative method of resolving disputes

The company, Alternate Dispute Resolution Association of South Africa (Adrasa), uses Alternate Dispute Resolution (ADR) as an alternative to adversarial systems like the courts

Disputes need not have a winner-takes-all outcome. ADR aims to resolve disputes without destroying relationships

Ask Miss Macun, 27, what it involves and she talks of various forms of arbitration, mediation, mini-trials and monitored negotiations

Most important, she said, was that people realised that court was not always the only option. ADR would suit cases that involved "continuing relationships" — such as disputes between business partners or landlords and tenants

Miss Macun said ADR had been a buzzword in legal circles for about 18 months

People in the profession were concerned about criticism that litigation was too costly and time-consuming for most people and they decided to establish Adrasa

Many companies overseas often include in contracts an undertaking that ADR procedures would be used before resorting to litigation, she said.

Miss Macun quoted British and US experiences of the system, revealing that she has done her homework

She has a varied background, which she believes will help her to make a success of her new post



MAKING PEACE .. Linda Macun, who is the director of Adrasa

Picture: NEVILLE PETERSEN

She graduated from UCT in 1988 with a BA degree, majoring in history

She joined Andersen Consulting in 1989, designing and installing computer systems for banks

The jump from the arts to finance and technology was bigger, she said, than her latest move into the world of ADR

Her experience as a vice-president of the SRC and her involvement in welfare organisations at university had taught her how to deal with people. And, earlier, as a Rotary exchange student, she did a lot of public speaking

Metal bosses, unions looking at key issues

S/Times

B455 11/3/92

opportunities"

151

By ADRIAN HERSCH

STRIKES, stayaways and sanctions are some of the controversial issues to be investigated by employers and trade unions in the metal industry

The parties set out their proposals for growth and job creation at a meeting this week

The beleaguered metal industry shed 35 000 jobs in 1991

Latest figures show that the high lay-off rate has continued this year — 3 103 jobs were lost in January

The National Union of Metalworkers of SA (Numsa) proposes the establishment of a framework organisation as the basis for the negotiations about job creation

Overlap

It wants the organisation to deal with labour stability, training and affirmative action, sanctions, strengthening the metal industrial council, and workers' rights

A comprehensive information base, to be shared by both parties, should be established

Numsa proposes that researchers begin compiling reports on trade, investment patterns and productivity

Employer organisation Seifsa says that because of the establishment of the National Economic Forum most macro-economic issues will have to be dealt with in it

But macro- and micro-is-

sues overlap in several areas

Seifsa holds that because of this the parties in the metal industry will have a look at issues such as stayaways, illegal strikes and sanctions

Numsa, a Cosatu union, says it is committed to developing "a healthy, internationally competitive industry which increases employment

Although the partners have this ideal in common, there are widely divergent views on how to achieve it.

The "critical question", says Numsa, is whether sufficient common ground on key questions of industrial policy can be found

The joint management-union growth and job creation committee will meet again on March 31

Domestic workers now on agenda

Govt nod for labour laws to cover farms

B/day 4/3/92

151

TWO key labour laws could be extended to cover SA's 1,3-million farm workers by the end of April.

This was one of several agreements reached yesterday at the first meeting between new Manpower Minister Piet Marais and the country's two largest labour federations, Cosatu and Nactu.

"We reached a number of concrete arrangements about addressing issues outstanding since the departure of Eli Louw last November," Cosatu general secretary Jay Naidoo said. "It was a very constructive meeting. It seems it will be possible to achieve a number of new agreements with this Minister relatively quickly."

According to Cosatu, Marais agreed that amendments to extend the Basic Conditions of Employment and Unemployment Insurance Acts to farm workers must be urgently processed through Parliament. He undertook that this process would be completed before the end of April.

It was agreed that discussions between the SA Agricultural Union, Cosatu/Nactu and the Manpower Department should be held as soon as possible to iron out problems with the extension of the legislation.

Manpower director-general Joel Fourie, who was present at the meeting, stressed that consultation with the SAAU was an important part of the process envisaged by the Minister.

Organised agriculture indicated last

ALAN FINE

week it opposed extending the Basic Conditions of Employment Act and other labour laws to agriculture. SAAU chairman Boet Fourie told a meeting of the Free State Agricultural Union SAAU wanted separate "agriculture-friendly" labour laws to apply to the industry.

A draft amendment Bill published last year provided only for limited special consideration for agriculture, mostly related to the seasonal nature of the industry — for example, longer working hours during peak periods.

Manpower's Fourie said if consensus could not be reached at the proposed consultations, government would have to take a final decision.

The union representatives also briefed Marais on the proposed economic negotiating forum being discussed between the unions and organised business. "He listened carefully and we expect he will convey our views to the Cabinet," said Naidoo.

The extension of labour law to domestic workers was also discussed. Cosatu said Marais agreed to respond by mid-April on progress in processing legislation, including how practical problems in extending the Unemployment Insurance and Workmen's Compensation Acts can be solved.

Marais also agreed to convene a meet-

□ To Page 2

Labour laws

B/day 4/3/92

151

□ From Page 1

ing of major labour relations parties to discuss representation on the National Manpower Commission. This issue has delayed restructuring of the commission. Government has proposed that a third of the commission be made up of independent experts. Labour, however, has proposed that only it and business be full members. This would effectively make the commission a negotiating forum, a situation the department is not comfortable with.

Cosatu said Marais undertook that there would be no further delay in decisions on the commission's restructuring.

The meeting discussed establishing a "satisfactory tripartite process regarding the implementation of a national training

strategy. A number of steps were set in motion to ensure this process gets underway."

It also discussed "serious administration problems" in the Industrial Court and it was agreed to set up a joint working group to investigate possible solutions.

Fourie said the main problem was delays of up to nine months in the hearing of cases in those regions that were particularly overloaded with cases.

He said there had been a noticeable improvement in relations between labour and the ministry. "There is more of an understanding of the department's problems on their part, and we have a better understanding of what the unions want."

Civil servants plan pay protest

GERALD REILLY

PRETORIA — A nationwide protest campaign will be launched this week by 11 public sector employee organisations against government's "unacceptable" pay increase offer from July of 8,54%, a spokesman for the organisations said at the weekend.

Each of the organisations will determine its own form of protest.

Political observers say the protests will come at a bad time for government.

More than a million government workers are affected by the deadlocked pay negotiations, and about half of them are white voters. *B/Daw 9/13/92*

The spokesman said the organisations represented 305 000 public servants, but the outcome of the pay negotiations would affect more than a million state employees.

Negotiations started on February 17 when the organisations demanded increases which the Commission for

Administration claimed would have amounted to an overall 31% hike.

This was rejected by the commission, which made a counter offer of 7,5%. This, in turn, was rejected by the organisations. Negotiations were resumed on Wednesday and Thursday last week, but again ended in deadlock.

The commission upped its offer to 8,5%, while the employees dropped their demand to a 21% increase.

The commission then raised its bid by 0,04%.

The employee organisations again reduced their claim — to 15,3%. A spokesman said they had taken into account the economic recession, the drought and the need to curtail government spending.

The commission, however, refused to budge from its 8,54% offer.

Negotiations will continue, but but no date has been fixed.

Agreement on national food industry forum

CAPE TOWN — Cosatu's Food and Allied Workers' Union (Fawu) and multinational cereal manufacturer Kellogg this week signed the first agreement towards setting up a national food industry forum, Fawu general secretary Mandla Gxanyana said on Friday.

The proposed national body would include all players in the food sector and serve as an industry-wide negotiating forum, he said. *(ISI)*

The March 3 agreement with the Kellogg Company of SA was the first to involve a formal, signed commitment to the envisaged forum, Fawu head office spokesman Mansoor Jaffer said.

Gxanyana said a food industry forum would negotiate minimum positions on matters like collective bargaining, training and development, economic restructuring, worker participation and a code of conduct for transnational companies. The agreement followed others between Fawu and firms in the food industry, including Donald Cook and Anglo American subsidiary Rhodes Fruit Farms.

The union hoped management and labour representatives would meet in early May to discuss setting up the forum — Sapa. *B/Daw 9/13/92*

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The union hoped management and labour representatives would meet in early May to discuss setting up the forum. — Sapa. B/Day 9/3/92

B/day 6/3/92
Pact on farm workers denied

CAPE TOWN — Manpower director-general Joel Fourie yesterday denied the National Manpower Commission had reached consensus on extending labour rights to farm workers

If consensus had been reached between employers and employees it could not usurp Parliament, he said

Earlier, commission member Dawie Bosch had said government did not have to delay giving farm workers basic legal rights as these had been agreed on

His remarks followed a statement by Manpower Minister Piet Marais that the Basic Conditions of Employment Act could be extended to farm workers before the end of April, sub-

ject to the commission's consensus.

Marais said this week amendments to cover farm workers would be legislated before the end of April.

However, after meeting Cosatu and Nactu on Tuesday, he said the process was subject to consensus being reached with the SA Agricultural Union, representing farmers

According to Cosatu, the SAAU had been party to negotiations on the commission, which resulted in the recommendation that existing labour laws be extended to farm workers.

The SAAU has since said it supports a separate body of legislation for agriculture — Sapa

Saccawu softens line to stem job cuts

W/Mail 6/3-12/3/92
Weekly Mail Reporter

THE militant South African Commercial, Catering and Allied Workers' Union (Saccawu) has hinted that it may be willing to enter job flexibility and productivity arrangements with beleaguered employers in a move to stem job cuts.

At a Johannesburg media conference this week, called in reaction to demands by three groups for wage freezes this year, Saccawu general secretary Kaiser Thibedi said the union "was not dogmatic" and "would negotiate on anything".

However, the union also indicated that the creation of industry-wide bargaining forums was a pre-condition for productivity talks.

Thibedi described an agreement by "80 percent" of Saccawu-organised companies to join an industry-wide provident fund as a breakthrough. But intensely competitive major groups have consistently stonewalled demands for sector bar-

gaining structures.

Saccawu members face a bleak year following employer proposals at the start of annual pay talks with OK, Southern Sun and the Kairos hotel chain for a pay freeze.

Thibedi said he feared this would set the trend for other pay talks, commenting that the wage freeze, coupled with employer plans to meet the crisis through restructuring and retrenchments, represented the most "comprehensive and dangerous attack" on the labour movement since the 1970s.

According to national organiser Allan Horwitz, the Federated Hotel, Liquor and Catering Association (Fedhasa) is pursuing a sector-wide policy of zero increases. The union also complains of massive casualisation.

OK, already in dispute with the union over the closure of 20 stores, has offered to open its books and suggested an immediate move to media-

tion. Saccawu has demanded the chain grant a R285 monthly across-the-board rise and a minimum wage of R1 113 a month, plus a 13th cheque. Both OK and Southern Sun have agreed to consider a small increase late in the year — but only if trading conditions improve.

Market leader Pick 'n Pay said this week its pay award "would not come near" union demands for a R230 across-the-board increase and a R1 100 minimum wage. The chain's current offer — R170, or 15,4 percent on average — is unlikely to be exceeded in other pay rounds due to start soon.

Saccawu was to meet Pepkor on Wednesday to discuss the parlous state of its subsidiary Checkers, which claims 130 of its stores are running at a loss and has warned that it will go into liquidation if the union hampers recovery. Liquidation would put at least 10 000 people out of work.

By MONWABISI
NOMADLO

AN EAST Rand company came to a standstill this week when its entire black workforce went on strike after one of their white colleagues was fired for allegedly distributing anti-VAT pamphlets last year. (15)
C/Pren 8/3/92

Portuguese immigrant and unionist Mario de Castro was allegedly dismissed in November last year at the Nigel plant of a specialist electrical pylon manufacturing company, Feralin, said the National Union of Metalworkers (Numsa).

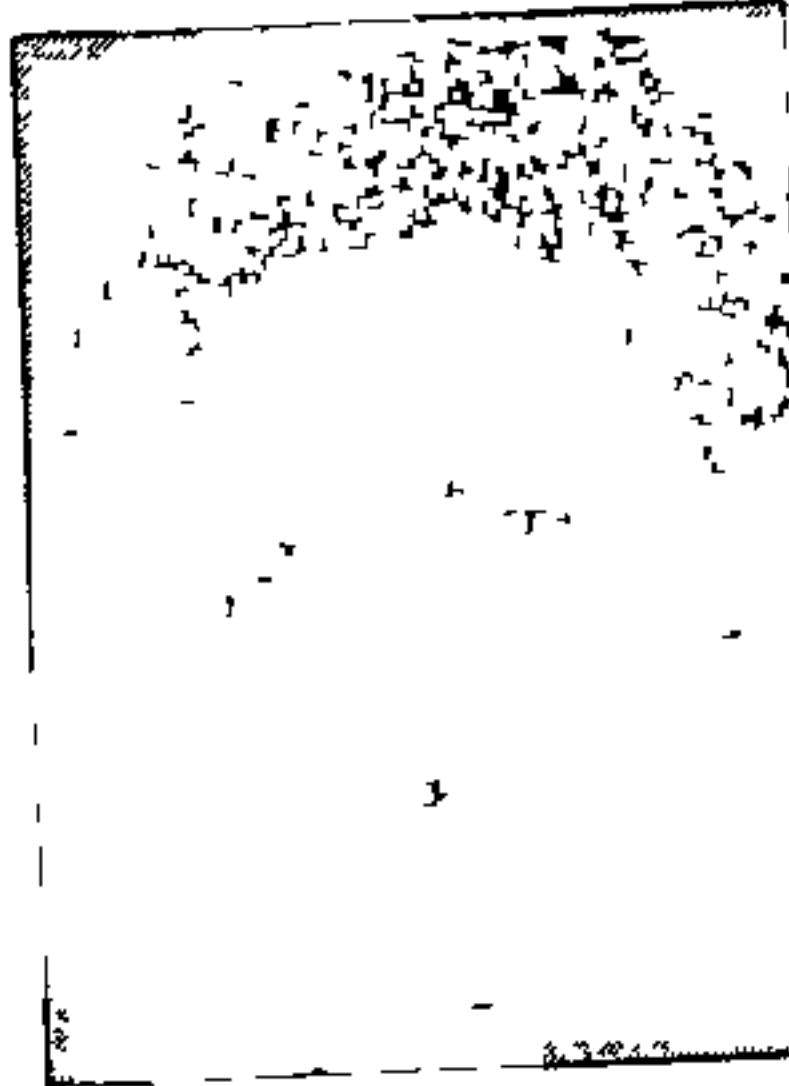
Feralin spokesman G Apostolidis declined to speak to City Press about De Castro's case before the matter went into arbitration.

The strike entered its 12th day yesterday, said Numsa organiser Rolly Xipu

Xipu added that the 500 black workers were demanding De Castro's reinstatement.

In a message to his black colleagues De Castro said he was fired for, amongst other things, defending workers' freedom of speech and expression - and for negotiating a minimum R2-an-hour increase for all workers, irrespective of their colour

Blacks strike for white colleague



FIRED UNIONIST ... Mario de Castro.

8/3/92
He added that he was fired last year "within 10 minutes, without any warning or notice attached."

During the November 4 and 5 stayaways against the introduction of VAT, De Castro distributed anti-VAT literature to three colleagues, he said

"On November 6, I was called by the management and fired on the spot," he said.

De Castro said he has been working for the company since February 1986

"The management has been at pains to find an

excuse to get rid of me because I have been at the forefront of the workers' struggle," he said

"The company does not like or even recognise Numsa," alleged De Castro

The management and Numsa have reached a deadlock on negotiations concerning De Castro's future in the company, since negotiations started last Wednesday, Xipu told City Press

Xipu said the company wanted to offer the fired man R11 000 to pay him off and settle the matter.

But, the union wanted R20 000 paid to De Castro, failing which he should be reinstated, Xipu said

He also accused the company of recognising Inkatha-affiliated Uwusa and not Numsa, which had "proven support in the company".

Xipu said after Numsa declared a dispute with Feralin over the dismissal, 96 percent of the workforce voted in favour of going on strike to demand De Castro's reinstatement

LABOUR BRIEFS

151



W/mat

VWSA acts on targets

1313-1913/92
■VOLKSWAGEN SA this week may have averted a strike at its Uitenhage plant when it offered to reinstate 39 workers dismissed at the beginning of February for not meeting production targets in the company's press shop.

The company is also willing to allow the National Productivity Institute to do an independent time and motion

study to investigate workers claims that they cannot meet the company's targets of 211 parts an hour.

Union organiser Gavin Hartford says the company's offer goes some way to ratifying the union position that production targets had to be negotiated with workers and could not just be unilaterally implemented.

The union is still discussing VW's offer.

Numsa submits demands in 1992 wage negotiations

Bl Day 9/3/92
CAPE TOWN — Core demands for the 1992 wage negotiations in the engineering, motor, auto assembly and tyre industries were submitted by the National Union of Metalworkers of SA on Friday.

Central to this year's talks would be the union's continued demand for a R2 an hour across-the-board increase, said Numsa's secretary for collective bargaining Les Kettleidas.

Other core demands were on job security, and parental, organisational and bargaining rights.

"We expect negotiations to be tough, specifically our demand for an unconditional and unlimited moratorium on retrenchments

"Numsa is very concerned about its members losing jobs; last year it was predicted that 35 000 jobs would go in the metal and engineering industry."

Kettleidas said Numsa would be pressing for a R2, or 25%, hourly increase for all in the four industries.

In the motor sector, the union demanded a R4,50 minimum hourly wage, and in engineering, R5,50.

There were about 350 000 workers affected by the metal and engineering talks.

The motor council negotiations involved about 200 000 workers, the new tyre manufacturing industry another 12 000 and the national bargaining forum in the auto industry, 35 000.

Demands on workers' rights included allowing union members 10 hours each month to meet on company premises.

"This is essential for the process of negotiations where representatives must report back to workers, and get mandates."

Shop stewards should be given at least 20 days' paid leave a year for training so they, like employers' industrial relations representatives, could be educated about labour relations.

Numsa also demanded the right to strike and picket without fear of dismissal.

"We also want a code of practice agreed to on ending discrimination in employment practices. While apartheid may have been scrapped from the statutes, there is still a lot of discrimination ..."

Numsa also wanted all bargaining in the engineering sector to be centralised, with existing house agreements being drawn into the national industrial agreement, he said. — Sapa.

Business and labour unite to find solution to economic woes

REPRESENTATIVES of organised business and labour have drawn up a proposal for a body which will negotiate economic solutions for the country and are confident the government will agree to participate

A draft proposal for an economic forum, drawn up by a five-person group representing employers and unions, is to be presented to the government for its consideration before the end of April

Approval

Among the participants are the South African Chamber of Business, Seifsa, Saccola, AHI, Cosatu, Nactu and Fedsaw

At present, the draft is being circulated among business and labour organisations for approval

The key to the proposal is that all decisions will be

By EDYTH BULBRING
Political Reporter

reached by consensus. Once an agreement has been reached, all parties will be bound to implement it

The proposal says that, in recognition of the economic challenges facing the country, business and labour believe the major economic stakeholders need to develop co-operative mechanisms for addressing them.

"Organised labour, organised business and the governing authority have a central role to play in developing strategies geared towards the generation of sustained economic growth, the elimination of distortions in the economy, stability and addressing social needs," the document states

The draft proposes the

body would be operative for the transitional period and it should focus on short-term challenges and the formulation of a long-term economic framework

Mechanisms would be created to ensure the consensus areas were practically implemented

Growth

The document states that, while accepting that Codesa was not the appropriate structure to deal with the economy, some co-ordination between political and economic change would be necessary

Proposals from the business organisations for the agenda of an economic forum are

● Macro-economic restructuring, focusing on the need for economic growth, development and

job creation,

● The development of a balanced industrial strategy aimed at turning SA into an export-orientated economy,

● Monetary, fiscal and other policy stances necessary to bring macro parameters such as inflation, interest rates and the external value of the rand in line with an outward-looking economy, and which will ensure economic stability over time, and

● Public sector reform, including tax and expenditure reform

On the list of labour's proposed agenda are economic restructuring, including trade and tariff issues, retrenchments, employment and job creation, VAT and taxation, worker rights, pensions and provident funds, institutionalised collective bargaining and investment.

300 000 in
CT 16/3/92
state pay
showdown

(151)

Own Correspondent

PRETORIA — More than 300 000 public servants are set to take industrial action this week for the first time in decades

This follows their rejection of an improved government pay offer

The Commission for Administration on Friday increased its wage increase offer from 8,45% to 9,9%. The 11 staff associations and unions involved in the negotiations are demanding a 15,3% increase

The showdown came after veiled threats that hundreds of thousands of white workers would vote 'no' in the referendum because of the pay impasse

A member of the employees' caucus said workers would embark on "soft industrial action" on Friday. This was likely to include go-slows and work-to-rule

Staff representatives and the commission will meet again on March 23.

Pay triggers public service stayaway threat

Pretoria Correspondent

The spectre of a public service stayaway is looming after 11 employee organisations representing public servants rejected the State's latest pay increase offer.

Ten of the 11 organisations have agreed in principle to a stayaway on Friday, says a statement by the Public Service Caucus.

During negotiations last week, the Commission for Administration raised its initial offer of 8,54 percent by 0,28 percent to an 8,82 percent general salary increase

with effect from July 1. This was unannouncedly rejected by the public servants' organisations, which remain committed to their demand of a 15,3 percent general increase.

The commission has given the employee organisations, representing 305 000 public servants four options.

A general salary increase of 8,82 percent with effect from July 1, plus an adjustment of the salary key scale by deleting the lowest two notches, which will improve the lowest notch to R7 962, and a special grant of R1 million to improve the condition of ambulance officers.

A general increase of 9,9 percent with effect from August 1, plus a general increase of 9,5 percent with effect from August 1, plus deletion of the lowest two salary notches to improve the lowest notch to R8 037, and a special R1 million grant to improve the conditions of ambulance officers.

Despite all the options, the net result of the offer still remains a 0,28 percent improvement on the previous offer, the Public Service Caucus said.

As the deadlock remained unresolved, 10 of the organisations agreed to the stayaway on Friday, while the 90 000 strong PSA decided to refer the issue to its branches.

Negotiations resume next Monday.

STAR 16/3/92

ISI

BIPAW 18/3/92

Strike not definite

A SPOKESMAN for the caucus of the 11 public servants' associations involved in pay talks with government said in Pretoria yesterday he knew of no organisations which had definitely opted to strike over government's latest 9,9% pay offer, as was reported yesterday. The Public Service Act prohibits civil servants from striking.

(SI)

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Between 1986 and 1990 student numbers had increased, but since last year the figures had fallen
University of Cape Town first-year figures were also down — by 4,4%

but that the number of black students had almost doubled "There are programmes here that black students prefer, and we offer a lot of African languages," he said

Mwasa calls off wage strike at SABC

THE Media Workers' Association of SA (Mwasa) yesterday called off a wage strike by 1 300 black SABC employees, shortly before pay negotiations were due to begin
The strike by black labourers, journalists, producers, artists, cameramen and studio crews was called on Tuesday to support a demand for a

R1 500 a month across-the-board annual increase after management offered 7%
An SABC media spokesman confirmed that striking employees had returned to work
Talks between Mwasa and SABC labour relations officer Christo Pretorius began yesterday — Sapa

Ban lifted on writings by Buthelezi

WRITINGS by Inkatha president Mangosuthu Buthelezi have been unbanned 16 years after they were published
According to a recent Government Gazette, the first issue of the first volume of the magazine Inkatha, written by Buthelezi, is no longer undesirable.
The gazette lists the author of the publication, which was produced in 1976, as one "Mntwana Mangosothu Buthelezi" Inkatha leaders have been un-

DIRK HARTFORD
able to shed light on the publication's content or say why it had been banned
The gazette also unbanned the ANC's In Defence of the African Image and Heritage
The unbanned list includes a feast of Marxist memorabilia, including titles from the former Soviet Union such as The Problems of Building Socialism and the old classic, The ABC of Communism by

Nikolay Bukharin,
Black consciousness leaders Steve Biko and Barney Pityana's writings in the SA Student Organisation's newsletter of 1973 and the selected speeches of Malcolm X are now also (officially) undesirable
A pamphlet by the Natal Indian Congress, the only ethnic organisation among the ranks of the ANC-aligned Where Are We Going? has also been unbanned
Despite all the glastnost Frank Mayville's The Joys of Oral Sex and Erin Cane's Amazons were both declared undesirable, as was a Brief History of the Revolutionary Activities of Comrade Kim Il Sung, once required reading in Khmer Rouge re-education camps

*"Give a man a fish
and he profits but a single dish:
Teach him the art of rod and reel
and he'll never lack a meal."*

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(151)
**Deadlock
over SABC
wage talks**

STAR 19/3/92
SABC management and disen-
chanted black employees have
reached a deadlock in wage ne-
gotiations, according to a
spokesman for the Media Work-
ers' Association of SA

Mwasa national organiser
Vincent Mfundisi said union
leaders were yesterday talking
to SABC director general Wyn-
and Harmse, after an earlier
meeting with the corporation's
labour relations officer had not
brought the desired results

"If those talks are not fruit-
ful, we'll demand to speak to
(Home Affairs Minister) Gene
Louw"

Black staffers, including la-
bourers, journalists, producers
and studio crews, are demand-
ing a R1 500 per month across-
the-board increase, opposed to
management's offer of a 7 per-
cent hike

Mwasa earlier called off a
wild-cat strike in the wake of
the wage negotiations

Mr Mfundisi said Mwasa Jo-
hannesburg representatives
were due to stage a sit-in out-
side Mr Harmse's office yes-
terday — Sapa

Warning on industrial action

STAR

14/3/92

151

NEGOTIATED wage increases this year are likely to average 14 to 15 percent, compared with 16,1 percent in 1991 and 17,4 percent the year before, as an expected decline in inflation and the poor state of the economy make their mark.

However, according to a document prepared by labour relations consultants Andrew Levy and Associates, actual settlements will vary sharply according to industrial sector and the financial position of employers.

The trend towards variation was seen for the first time last year since robust collective bargaining began in earnest, say the consultants.

The two largest Cosatu-affiliated unions — the National Union of Metalworkers of SA (Numsa) and the National Union of Mine-

workers (Num) — accepted their lowest inflation-adjusted increases since the early 1980s and Num regarded its acceptance as a temporary suspension of its national wage policy.

Last year real wage increases averaged only 0,3 percent, compared with 2,9 percent in 1990 and 3,1 percent the previous year.

Greater realism

“While a greater realism is certainly to be seen in the wage bargaining process, unions will continue to fight to maintain the living standards of their members,” says Andrew Levy.

“Even with the tough economic backdrop of 1991, there is still a more than 50 percent probability that employers will face industrial action in support of wage demands and a more than 50 percent chance that such action would be

in the form of overtime bans or go-slows”

The consultants warn that employers can expect union negotiators to step up calls for shorter working hours as the country moves into an era with a greater emphasis on non-discrimination at work.

Firms successfully resisted such efforts throughout the 1980s on the basis that it would be too costly. In 1989 it was found that 80 percent of workers surveyed still worked a 44-hour week.

However, unions were arguing that there was no reason why unionised workers should work longer hours than non-union employees, many of whom worked 40 hours or less.

At the same time, they claimed — “often with justification” — that better working methods could result in maintained or improved productivity.

Wage demands

Sowetan 20/3/92

THE first round of wage negotiations in the metal industry began in Johannesburg yesterday, with trade unions demanding increases of between 14,4 percent and 42,6 percent.

At yesterday's meeting, union representatives presented 48 demands on pay and working conditions.

The National Union of Metalworkers demanded an increase of R2 an hour across-the-board.

In addition, it asked for the minimum rate to be increased from R4,70 to R5,50 an hour for the lowest-paid workers.

LABOUR

Colonel's secret recipe for workers

WIM cut 20/3-26/3/92
By Ferial Haffajee

MANAGEMENT and labour finally found a recipe to end the three-month strike at 14 Kentucky Fried Chicken outlets in the PWV region this week.

In terms of the agreement, the union has secured a regional wage bargaining unit within the framework of a single national recognition agreement.

Dismissed casual and permanent workers will be reinstated and the disciplinary charges laid against workers for misconduct during the strike will be dropped.

The union believes the approval of a centralised bargaining mechanism in the PWV will have a ripple

effect in persuading other Kentucky franchisees to also join.

And the union hopes that the agreement will pave the way for other franchise outlets to accept centralised bargaining structures.

However, strike action accelerated at branches in the Western Cape with a demonstration on the Parade attended by Chris Hani on Tuesday. The strike will also continue at those branches in the PWV which are not party to the agreement.

Strike ballots are being conducted in the Northern Transvaal, Free State and Natal.

South African Commercial, Catering and Allied Workers'

Union organiser Allan Horwitz said the union was expecting opposition to applications for picket action from Conservative Party-controlled town councils in the Northern Transvaal, but said it would oppose any such moves in the supreme court.

The strike has also won new members for the Congress of South African Trade Unions affiliate: workers at five Kentucky branches in the Transvaal deserted the National Council of Trade Unions-affiliated Hotel Liquor Catering and Allied Workers' Union to join Saccawu.

Wage negotiations in the new bargaining unit begin next month.

Public-service talks delay

STAR 24/3/92

Own Correspondent

DURBAN — Talks scheduled to take place yesterday between 11 employee organisations representing more than 300 000 public servants and the Government's Commission for Administration have been postponed to an unspecified date

A spokesman for the organisations said the commission had originally requested a postponement to mid-February. He said the referendum and the Budget speech had probably had an im-

act on the talks

The deputy director-general of the commission, Dr Lucas Stoop, confirmed the meeting had been postponed because the commission needed more time

The spokesman said most worker organisations were busy holding ballots among their members as to whether they should stay away or impose a ban on voluntary overtime.

He said the stayaway scheduled to take place had had a limited effect and had been confined mainly to Cape Town

About 30 000 workers, members of the Public Servants League, embarked on a one-day strike on Friday

The PSL has written to President de Klerk saying they "cannot accept the present basis of negotiations and we therefore deem it necessary for you to personally intervene in this very sensitive and important matter"

The organisation alleged it had been threatened with disciplinary action



CT 241392
Wage talks

**postponed
third time** (157)

Staff Reporter

THE Commission for Administration yesterday postponed its wage talks with the 11 dissatisfied public service employee organisations in Cape Town, despite threats of further mass stayaways

Mr Dale Forbes, general secretary of the Health Workers Union, said the commission had informed the union yesterday it could not continue with talks. He said this was the third delay.

A countrywide strike by civil servants was held last Friday after more than 305 000 workers rejected the commission's 8,82% pay increase offer.

Civil servants are demanding an increase of 15,3%, and a minimum monthly salary of R724.

Talks are expected to resume on April 15.

Workers seek 28% rise (151)

DURBAN — The Durban City Council's 14 000 employees have demanded a 28% wage increase, which would add R95 million to the council's wage bill

CT 26/3/92

Media unity in wage fight

JOHANNESBURG.

Two media unions have joined forces in a bid to institute national industrial action against Republican Press, the magazine arm of Perskor.

The South African Union of Journalists and the Media Workers Association of South Africa have both declared deadlocks with Republican Press over wages and service conditions.

(15)
SAUJ general secretary Ms Karen Stander said salaries at Republican Press were extremely low when compared with those of the rest of the industry. CT 27/3/92

The company has offered both unions 10% across-the-board, which has been rejected by members — Sapa

US unions help to push for settlement of strike in SA

IN A rare display of international solidarity, the National Union of Metalworkers (Numsa) and US trade unions have acted successfully in support of one another

US multinational Crown Cork & Seal has succumbed to pressure from a broad alliance of US unions, African solidarity groups and congressional leaders, and told its wholly owned SA subsidiary to settle its dispute with Numsa

By forcing the agreement, the alliance claimed an important victory in what was considered a test case for the role of the US solidarity movement in a post-sanctions and post-apartheid SA

Last September 196 workers were dismissed from Crown Cork's Alrode plant for supporting a two-day stayaway called for by Cosatu in protest against violence

This week — in its fourth mediation session with Numsa over the dismissals — Crown Cork will propose settling on the basis of immediate reinstatement of 100 workers, with the outstanding 96 placed on a preferential recall list

A company spokesman said the

151
15/05/92 30/3/92
DIRK HARTFORD
firm would also offer R500 000 to re-train or voluntarily retrench the 96

A Numsa spokesman said the company's offer was a "breakthrough", but said the workers insisted that all 196 be reinstated immediately. The union would try to achieve this through mediation

Mike Fleishman — labour desk co-ordinator for the US-based Africa Fund — said what was important about the offer was that it demonstrated "the US anti-apartheid movement is still able to mobilise real union-to-union solidarity and inflict real punishment on US multinationals which inflict acts of corporate aggression against the democratic movement". Africa Fund co-ordinated the US campaign

If Crown Cork reneged on the agreement — which was struck with US unions and solidarity groups at the company's headquarters in Philadelphia — the issue would be turned into a major international human rights effort, Fleishman said

"Crown underscores the impor-

tance of maintaining strong Western solidarity movements and of developing enforceable standards of corporate conduct for multinationals"

Central to the US campaign against Crown Cork was a visit by Numsa organiser Bethuel Maserumule. He returned to SA this week after mobilising support for the campaign among US unions

Besides the United Steelworkers of America, which organises Crown Cork in the US, the International Association of Machinists, the United Automobile Workers, the Coalition of Black Trade Unions, two national garment worker unions and a network of anti-apartheid committees were involved in the campaign

In addition, congressional leaders Ron Dellums and John Conyers gave strong backing

Numsa workers at Caterpillar in Isando staged daily one-hour work-stoppages last week in solidarity with 10 000 US Caterpillar workers, who were striking over central bargaining. Numsa demanded that management write to its US parent company urging it to settle with the strikers. After two days, management agreed

B10 Day 31/3/92

Union denies comment

THE National Union of Metalworkers has denied a report in yesterday's Business Day which indicated it regarded Crown Cork's proposal to settle a dispute with it as a breakthrough. The union said it had reserved its right to comment until after a mediation session today

REPORTS Business Day Reporters
Own Correspondent, Sapa

(Handwritten initials)
(ISI)

Metal industry wage talks begin

So called 2/4/92

NATIONAL pay talks in the metal industry would resume in Johannesburg today, chief negotiator for the National Union of Metalworkers of South Africa, Mr Les Kettleidas, said yesterday (15) (15)

Numsa and the Steel and Engineering Industries Federation of SA met on March 19, when parties to the national industrial council agreement on wages and conditions of service motivated their respective proposals

"Real" negotiations would start today and Numsa expected Seifsa to respond to union demands, Kettleidas said - Sapa

By MATHATHA TSEDU

THE Media Workers Association of South Africa and the SABC have failed to reach agreement over the deadlocked wage talks that led to a one-day strike last month.

A conciliation board meeting held in Johannes-

burg last Friday, chaired by deputy director of the Department of Manpower Mr Ron Kippen, ended in deadlock after both groups re-

stated their positions without agreement. The deadlock leaves mediation as the only option to be followed before ballot-

ing and a legal strike in terms of a recognition agreement between the union and the corporation. Mwasa is demanding a

30 percent across-the-board increase while the SABC has offered a minimum of seven percent, an average of 11 percent, with

a maximum increase of 13 percent. No date has been set for the mediation hearing but union sources said Kippen

had been approached to act as mediator. The sources said Kippen was expected to respond by today.

SABC wages deadlock

Bowen 2/14/92

~~2/14/92~~ ~~2/14/92~~ 151

LABOUR BRIEFS

CWIU 'showdown' on training schemes

■THE Chemical Workers' Industrial Union is heading for "a showdown" with Sasol, AECL, Sentrachem and SAPREF if they do not negotiate industry training schemes. ~~151~~ ~~151~~

The union says these employers are intent on forming a training board despite the Congress of South African Trade Unions demand that training boards should only be established where its affiliates represent the majority of workers in an industry. *W/Mand 3/6-9/4/92*

The initiative only has the support of "six minority craft unions and the South African Chemical Workers' Union (a National Council of Trade Unions affiliate)".

The CWIU will not join the training board until industry chiefs negotiate non-discrimination and affirmative action clauses. The union also wants the training scheme to teach transportable skills which workers can take across the industry or into other industries. The scheme should include basic education in the ambit of industry training.

Unions reject six percent wage offer

TRADE unions in the metal industry yesterday rejected a 6,4 percent wage increase offered by the Steel and Engineering Industries Federation of South Africa.

Mr Brian Angus, Seifsa's executive director, said the unions countered the offer with demands ranging from 42,6 percent for labourers and 20 percent for artisans

Mr Les Kettleas, chief negotiator for the National Union of Metalworkers of South Africa, described the offer as "totally inadequate".

Seifsa's across-the-board offer amounted to hourly increases of 30 cents for labourers and 67 cents for artisans


This would raise wage rates in the industry to R5 and R11,11 for labourers and artisans respectively

Kettleas said Numsa demanded R2 across-the-board, or 25 percent of actual earnings, whichever was greater

In a statement, he said it was clear from yesterday's wage talks and the employers' response to union demands that negotiations were set on a tough course.

He said Seifsa had rejected Numsa's demand for a complete moratorium on retrenchments, a crucial issue for negotiations. Numsa called on employers to find alternatives to retrenchments. - Sapa.

Mediator for SABC tiff

Southern 314192 
THE SABC and the Media Workers Association of SA have asked the Minister of Manpower to appoint a mediator to settle their pay dispute.

Both sides are sticking to their positions: the SABC has offered an increase ranging from seven percent to 13 percent, while Mwasu wants a 30 percent across-the-board increase with a maximum increase of R1 200 a month.

Mwasu also demands that minimum wages be increased from R950 to R1 500 a month.

Seifsa offer rejected

TRADE unions at metal industry pay talks yesterday rejected Seifsa's offer of a 6,4% increase and countered with demands ranging from 42,6% for labourers and 20% for artisans, Seifsa executive director Brian Angus said (S)

More than 328 000 industry employees were represented by the National Union of Metalworkers of SA, seven Confederation of Metal and Building Unions affiliates, two SA Confederation of Labour affiliates, a Nactu affiliate and an independent union.

B/D ay 3/4/92

Metal unions reject wage increase offers

STAR 3/4/92

151

CAPE TOWN — Trade unions at metal industry pay talks yesterday rejected the 6,4 percent increase offered by the Steel and Engineering Industries Federation of SA, said Seifsa executive director Brian Angus.

Unions countered with demands ranging from 42,6 percent for labourers and 20 percent for artisans, he said.

Seifsa's across-the-board offer amounted to hourly increases of 30c for labourers and 67c for artisans. This would raise wage rates in the industry to R5 and R11,11 for labourers and artisans.

The 12 unions party to the national industrial council talks tabled

more than 50 demands for improved conditions of service and wages.

Yesterday's meeting set the formal bargaining process in motion following the opening round on March 19, when the parties motivated their proposals.

More than 328 500 industry employees were represented by the National Union of Metalworkers of SA, the SA Confederation of Labour, seven affiliates of the Confederation of Metal and Building Unions, one affiliate of the National Council of Trade Unions and one independent trade union.

Negotiations will continue on April 24 — Sapa.

STAR 3/4/92

Mediator wanted for media dispute

The SABC and the Media Workers Association of SA (Mwasa) have asked the Minister of Manpower to appoint a mediator to settle their pay dispute.

The SABC has offered an increase ranging from 7 percent to 13 percent ceiling, while Mwasa wants a 30 percent across the board increase including a minimum wage increase from R950 to R1 500 a month — Staff Reporter

(151)

NEWS IN BRIEF

Car industry pay talks

ANNUAL pay talks in the vehicle manufacturing industry started in Port Elizabeth yesterday when Numsa tabled core demands on wages, job security, parental and worker rights

Employers were expected to respond today.

B/Dey 17/4/92

(151)

Job cuts bid by car industry

DIRK HARTFORD

MOTOR car industry employers have told the National Union of Metalworkers (Numsa) that before making any offer on wages this year, they want to resolve their difficulties with the moratorium on retrenchments agreed in last year's talks (151)

Employers say they are unable to maintain an unconditional moratorium on retrenchments

Representatives of motor, metal and tyre and rubber industry employers — who are separately involved in talks with Numsa — met for the first time this week to share ideas on how to deal with the 270 000-member union's demands

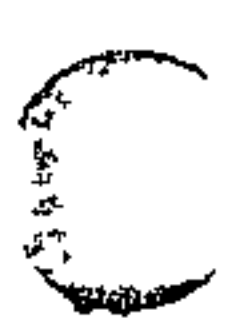
Numsa is demanding a R2-an-hour, across-the-board increase. It also wants to extend the moratorium on retrenchments to the metal and tyre and rubber industries — without this being linked to a ban on "unprocedural industrial action" as is the case in the auto agreement.

In the opening round of car assembly negotiations this week, National Association of Automobile Manufacturers (Naamsa) director Nico Vermeulen presented an overview of the key issues facing the industry this decade Bid by 9/4/92

The detailed presentation highlighted current problems such as falling sales and a shrinking industry.

Samcor will cut working time and wages by over a third over the next three months in order to keep to the moratorium Toyota, meanwhile, is doing so well that it has been working overtime

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Job security a thorny issue

By Mike Siluma

Annual wage talks between motor industry employers and trade unions, which began in Port Elizabeth on Monday, have been adjourned after a dispute arose on the thorny issue of job security for the industry's employees, the National Union of Metalworkers (Numsa) said

The talks involve on the one hand the manufacturers Toyota, Samcor, Delta, BMW and Mercedes Benz, and on the

other Numsa and the whites-only Iron and Steel Workers Union

Numsa's chief negotiator Les Kettledas said talks had bogged down on Tuesday when employers could not guarantee a moratorium on retrenchments — a key union demand. The employers had insisted that the retrenchment issue be resolved before they could give a response to Numsa's demands. These include

● An across-the-board hourly

increase of R2, or a 25 percent raise on actual wages, whichever was the greater

● Minimum hourly rate of R4,50

● Moratorium on retrenchments, training of retrenched workers and severance pay of one month's salary for each year of service in the event of retrenchment

● Reduction in the working week to 40 hours without loss of pay

The talks are scheduled to resume on May 8

LABOUR

Motor industry talks stall

Summary to 14-15/4/72
■ NEGOTIATIONS around a retrenchment moratorium occupied centre stage in annual negotiations in the automobile industry which kicked off this week (1972) (S)

National Union of Metalworkers of South Africa representative Les Kettledas said employers would not make a wage offer or respond to the union's other demands until consensus was reached on the moratorium question

Naamsa executive director Nico Vermeulen said they could not agree to an unconditional moratorium on retrenchments.

Negotiations in the tyre industry also started yesterday.

Knight for the Iron Lady

FM 10/4/92

RETHINKING LABOUR-MANAGEMENT RELATIONS by Christopher J Bruce & Jo Carby-Hall (Routledge, 168pp, price on request), **KILL THE MESSENGER** by Bernard Ingham (Harper-Collins, 398pp, R89,99)

Each of these books challenges the strike as a rational form of industrial action; one of them proposes a substitute, the other calls a halt

Bruce is a labour economist, Carby-Hill an academic lawyer with practical experience in industrial relations. They propose compulsory arbitration as an alternative to work stoppages in industrial disputes. This,



they argue, will produce better results in terms of both efficiency and equity

In the last resort work stoppages may be unavoidable but parties to an industrial dispute must, they say, be put to a final and binding choice between two modes of conflict resolution: a work stoppage or arbitration. No strike must be called to overturn an arbitration award

The authors would make arbitration the norm. No work stoppage would be lawful save by leave of a commission on which workers, employers and the Minister responsible for industry would be represented. The authors claim advantages for permitting the right to a strike or lockout to survive on this

attenuated basis, but do not consider how the members of an important union would be likely to react if it were refused the right to strike. Many readers will conclude that if arbitration has the merits the authors claim for it, no scope exists for permitting work stoppages

A difficulty I have is this: it is through calling strikes that union leaders loom large on the national scene. Where would the working class movement be if these men ceased to be news, dropped out of the headlines? And don't many workers gain a vicarious satisfaction from their prominence?

Bernard Ingham's book is an autobiography which culminates with an account of his role as Margaret Thatcher's chief press officer

He emerges as a chivalrous and indeed a comprehensive advocate of Thatcher, whom he sees as being above all a caring person

Ingham came of a working-class background, became a reporter at the age of 16 and stood as a Labour candidate in a municipal election in his early 30s. Later he became a temporary civil servant and took up a position as a press officer in the Board for Prices & Incomes

Some three years later he transferred to the newly formed Department of Employment & Productivity as speech writer for the Minister, Barbara Castle, of whom he became a fervent admirer. He says of her: "Most of all Barbara Castle prepared me for the big stuff. She, like Margaret Thatcher, was a substantial politician endowed with good looks, energy, fire, intelligence, determination and guts. And the greatest of these is guts. Both Barbara and Margaret were made of sterner stuff than their parliamentary parties and the Cabinets of which they were members."

Castle took productivity as seriously as employment. She saw that a radical change in the attitudes and behaviour of trade union leaders was essential to the performance of the British economy. She prepared a policy document called "In Place of Strife" which went to the Cabinet for approval but was rejected, only Prime Minister Harold Wilson supported it

By 1970 Ingham had become utterly disillusioned with Labour's handling of the unions and thought they deserved to lose the election of that year. He fully endorsed the ideas of Edward Heath, the new Tory prime minister.

But to put these ideas into effect Heath would have had to make a break with consensus politics; this he failed to do.

As for the Labour government that came between Heath and Thatcher, it achieved nothing on the industrial scene. Only after 1979 were Heath's ideas on industry translated into reality by Thatcher; she believed that consensus politics were the result of wooliness and irresolution

When Thatcher took office in 1979, Ingham was moved from a much less prominent job to that of chief press secretary to the prime minister; he remained in this position until her fall from power in November 1990. His admiration for her was such that he could not work for any successor

Strangely enough, Ingham barely mentions Thatcher's Employment Act of 1990, it is to Bruce and Carby-Hall that the reader must turn for an account of its provisions and those of her earlier Act of 1988. Ingham leaves us to infer that she did what her predecessors had failed to do

The concern of union leaders over unemployment in the wake of excessive wage claims, crocodile tears. Their denial that other unions would make claims if those of the coal miners were conceded a bromide

This is the book of a Yorkshireman who pulls no punches — which is one of the reasons why it will live as an account of British government from the inside

Radford Jordan

151

FM 10/4/92

151

Saccawu demands a joint employers' forum in June

DIRK HARTFORD

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) has threatened to occupy major stores, hotels and banks if all the major service sector employers do not come to a joint meeting in June to discuss the 96 000-member union's demands

Saccawu will also then demand the nationalisation of the service industry.

This emerged from Saccawu's national bargaining conference held at the weekend.

The union said it would present all retail, catering and financial services employers with demands for a national industry forum, a national provident fund and training board

Saccawu also rejected job flexibility, employing casual workers and subcontracting, and demanded

a moratorium on retrenchments. It would oppose any wage freeze and fight for a living wage.

If employers did not meet these demands in June, Saccawu would declare disputes, apply for conciliation boards and conduct strike ballots.

The strike ballot would be for national strike action, including occupation of stores, hotels or banks.

When Saccawu last called all employers to a joint meeting in March — to discuss a national provident fund — the only major employers to turn up were Metro and Karos Hotels.

According to Saccawu, Pick 'n Pay and Metro have already indicated they would attend

If current offers on the table in the retail and catering sector are anything to go by, the union seems headed for a major showdown with employers

Checkers, which is losing several million rands each month, has proposed a 10% wage cut, and provided the

union with a long list of stores it wants to close altogether.

And Southern Suns and OK Bazaars are offering 7% and 5% respectively, both to be implemented later than usual due to depressed conditions.

In retail, where minimum wages range from R500 to R1 250 a month, there are large disparities between groups.

Pick 'n Pay, for example, has offered a 13% increase and it, along with Edgars and Wooltru, is among the sector's top performers

Retail employers are reluctant to join a national forum for the service industry because of the scope of industry. Saccawu has organised everything from supermarkets to hairdressers.

In the financial sector, where Saccawu's membership is minute, the 22 000-strong SA Society of Bank Officials recently had to abandon a strike at First National Bank after its members voted against it. And the Perm and Absa are retrenching staff.

Deadlock over law for farmworkers

CAPE TOWN — Manpower Minister Piet Marais, the SA Agricultural Union and Cosatu will meet again on Thursday in a bid to resolve the stand-off over labour rights for farmworkers. *8/Day 14/4/92*

The parties held a "long and very difficult, though fruitful", meeting in Pretoria on Friday, Manpower Ministry spokesman Ted Townsend said yesterday. *(ISI)*

Cosatu has demanded the Basic Conditions of Employment Act and Labour Relations Act be extended to

the country's 1,3-million farmworkers, while the SAAU has argued for a separate statute for agriculture.

SAAU co-director Kobus Kleynhans said Thursday's meeting was tentative "The parties have decided that only the Minister's Press secretary will liaise with the Press," he added, declining to comment further.

DIRK HARTFORD reports Cosatu sources said the "very tough" meeting had deadlocked and it had made a final proposal for SAAU to consider. They said they expected a response from SAAU at Thursday's meeting.

Pick 'n Pay in deadlock

Si Time (B455) 15/4/92

WORKERS at Pick 'n Pay have declared a dispute in their annual wage talks

The negotiations reached deadlock with the SA Commercial, Catering and Allied Workers Union (Saccawu) demanding a R250 a month across-the-board increase — a 21,9% rise

Pick 'n Pay offers R170 across the board — a 15,24% increase. Job flexibility issues are also being discussed. The pay offer is likely to be the highest in major retail stores

Saccawu spokesman Molefe Modikga says workers are determined to get increases above the inflation rate, which was 15,8% in February

A Pick 'n Pay spokesman says the 15,24% offer is not necessarily final. But she says the company's financial results, released two weeks ago, do not justify pay increases higher than inflation. "We have given good increases in real terms over the years when we were able to do so," she says.

Job flexibility proposals have been on the table for the past two years.

This year the altering of shift patterns and the trans-

fer of workers between stores to meet trade demand is being discussed

Saccawu is apparently holding a meeting on April 10 to formulate a general stance on flexibility, multi-skilling and productivity. It will not commit itself on these issues until then.

Private mediation failed to resolve the dispute, but the parties will meet at a conciliation board hearing.

Last year's pay increase was 19,1%. A dispute was declared, but industrial action was avoided.

By ADRIAN HERSCH

Talks to

STAR 15/4/92

resume

on farm

labour

CAPE TOWN — Manpower Minister Piet Marais, the SA Agricultural Union and Cosatu will meet again tomorrow in a bid to resolve the deadlock over labour rights for farm workers.

The parties held a "long and very difficult, though fruitful" meeting in Pretoria on Friday, Manpower Ministry spokesman Ted Townsend said yesterday.

Cosatu has demanded that the Basic Conditions of Employment Act and Labour Relations Act be extended to the country's 1,3 million farmworkers, while the SAAU has argued for a separate statute for agriculture.

Progress

Mr Townsend said progress had been made at Friday's talks, but did not elaborate. The meeting would go ahead on Thursday.

Approached for comment, SAAU co-director Kobus Kleynhans said, tomorrow's meeting was tentative.

"The parties have decided that only the Minister's press secretary will liaise with the press," he added.

Cosatu campaigns coordinator Lisa Seftel said Cosatu would try to issue a more detailed statement later — Sapa

Pay negotiations

WAGE negotiations in the public sector continued this week. Negotiations deadlocked this month with the government offering 8.2 percent and the Public Sector Caucus demanding 15.3 percent. ~~\$\$\$~~ (151)

Wage negotiations in the automobile and new tyre manufacturing industry will continue early in May. They also ended on a sour note: employers in the automobile industry did not table an offer and will not do so until agreement is reached on the call for an unconditional moratorium on retrenchments. ~~UIMax~~ 16/4 - 23/4/92

Negotiations in the new tyre manufacturing industry were dogged by the same issue and the employers tabled an offer 50 percent below the union's demand.

'Come talk or face sit-ins and strikes'

W/McaJ 16/4 - 23/4/92

SOUTH AFRICA could face the spectre of bank, hotel and store occupations if commercial and catering employers continue to ignore the South African Commercial Catering and Allied Workers' Union's demands for an industry pow-wow.

The establishment of a national industry forum was the key issue that delegates haggled over at Saccawu's national bargaining forum held in Johannesburg last weekend.

Employers have been given until a meeting planned for June to commit themselves to creating the forum and thrashing out solutions to the crisis facing the industry. If they do not, the union will start proceedings for mass action.

Up for discussion at the June meeting are:

- The union's demand for a moratorium on retrenchments
- The wage freeze expected in

Saccawu has given commercial

and catering employers an

ultimatum: join an

industry-wide forum or

face mass action.

By **FERIAL HAFFAJEE**

many negotiations

- Job flexibility, casualisation and sub-contracting

● The national provident fund and a national industry board.

The first meeting on the national forum, held in March, flopped when only 23 employers attended. Metro and Karos were the only big employers to show up while giants like Pick and Pay, Checkers and Southern Sun were conspicuous by their absence.

Pick and Pay has indicated it will attend the June meeting while other employers could not be reached for

comment.

The union stipulated at the weekend that it was opposed to wage freezes, job flexibility measures, casualisation and sub-contracting and is seeking a moratorium on retrenchments.

These militant demands emanated from rank-and-file members whose jobs are directly threatened or who have already lost jobs. But union officials indicated that all their demands were up for negotiation — provided employers came to the forum.

"For example, we are not opposed to discussions around job flexibility," said a union representative this week.

She acknowledged that the moratorium on retrenchments would be difficult to enforce. It is the same issue which is threatening to derail negotiations in the automobile and mining industries. "We would have to mobilise very strongly on the ground."

In addition, Saccawu also faces the problem of employers who have already proposed wage freezes like OK and Southern Sun.

Traditionally the fierce competition in the sector has made employers hesitant to negotiate jointly but to stave off action from Saccawu, they may have to.

If employers turn their backs on the June forum and do not reach consensus on the various demands, then Saccawu will "declare disputes, apply for a conciliation board and conduct strike ballots for national action". In addition to conventional strike action, the union will occupy banks, hotels and stores to popularise their demands.

Good progress is being made toward a national provident fund. But the hotel sector is the only sector which has a training board of which Saccawu is a member and the union will push for training boards to be established in all the other sectors.

Public service in wage deadlock

Sowetan 22/4/92
WAGE negotiations between the Government and employee organisations have reached a deadlock.

A statement released by the Public Service Caucus said while most employee organisations had submitted revised demands, some had maintained their position of outright rejection of the Government's latest offer.

The revised demands were submitted by the Public Servants Association, the Public Servants League, the South African Nursing Association, the

(15)
SA Press Association

Hospital Personnel Association, the Natal Provincial Administration Personnel Association, the Institute for Public Servants and the Public Servants Artisans and Allied Workers Association.

The seven organisations called for the starting salary of general assistants to be increased to the fourth notch of the lowest salary scale from July 1

This will represent an

834
increase of between 14 percent and 29 percent for the lowest paid workers

For other public servants, a general salary adjustment of 7,5 percent from July 1 was proposed. It was also proposed that salaries again be adjusted by five percent from October 1

"The negotiators from the Government could not reply to the revised demand and a further round of negotiations was consequently scheduled for May 18 and 19 in Durban," the statement said

VW and Numsa settle work rate dispute

6/10 am 23/4/92
THE dispute over production schedules at VW's press shop has been resolved after the National Productivity Institute (NPI) found that workers could produce more vehicle floors an hour than the disputed target set by the company

VW declared a dispute with the National Union of Metalworkers (Numsa) after it raised production schedules from 160 to 211 an hour and workers consistently failed to reach the new target. The union said the target was unrealistic and demanded an independent study.

Eventually 38 workers were dismissed for failing to reach the new schedule. After a strike threat and

DIRK HARTFORD

constant short stoppages, VW agreed to Numsa's demand for an independent assessment by the NPI.

The NPI said workers could produce about 213 floors an hour, but set down about 14 provisos — including allowing time for glove changes, maintaining a constant work speed, and foremen helping when workers went to the toilet.

According to a VW spokesman, these provisos are in place and workers have consistently reached the new target.

Meanwhile, the retrenchment moratorium in the car assembly and tyre

and rubber industries, which looks set to become the major issue in this year's negotiations, continues to cause dissension between unions and employers. Employers say the moratorium expires at the end of June. In this context the tyre and rubber industry offered to extend the moratorium until the end of the year, with an offer of a R1 an hour across-the-board increase.

Numsa rejected the offer. It insists the moratorium is a standing agreement. In addition, it said its demand of R2 an hour increase still stood.

Negotiations in the car and tyre and rubber industries will continue early next month.

UNION REJECTS KAROS PAY FREEZE FOR COLLECTORS

SITTING BUSSES
26/4/92

KAROS Hotels and its workers are close to agreement on a wage increase suspension — in exchange for several concessions — says the recognised trade union.

By ADRIAN HERSCH

SA Commercial, Catering and Allied Workers Union (Saccawu) spokesman Allen Horwitz says a pay-rise suspension for three to six months is likely.

between the union and Karos have improved since the late 1980s

An important concession sought by the union is a moratorium on retrenchment, reflecting the trend where job security issues have moved to centre stage in many pay talks.

Pick 'n Pay and Saccawu are trying to resolve their pay dispute in conciliation board talks. Both parties made concessions at the latest meeting.

Saccawu acknowledges Karos's tight financial position. But it seeks monthly financial disclosure as part of the deal.

A company spokesman says the union lowered its demand for a 21.9% pay rise to 17.9%. The company increased its offer from 15.24% to 16.6%.

Rejected

Mr Horwitz says "Should the financial position improve significantly during the year we want the right to get increases backdated to the normal implementation time".

Saccawu is consulting its membership and conciliation board talks will resume on Wednesday.

The implementation date would be April 1.

It is unlikely that job flexibility issues will form part of the Pick 'n Pay agreement, says a company spokesman.

Another request from the union is a reduction in the working week from 45 to 40 hours. But this may not be conceded as readily as a retrenchment moratorium.

The union appeared to reject job flexibility at a recent conference. But since then some union officials have said that the statement has been misunderstood.

A Karos spokesman says it is possible that an agreement could be reached in a few days.

One says "We reject flexibility where there are no guarantees of job security."

Mr Horwitz says relations

Workers row with council

Sowetan 29/4/92



CONFRONTATION IS looming between about 140 Sandton town council workers and the town council.

The workers refuse to vacate council premises in Sandton which they have been occupying since last year to escape violence in neighbouring Alexandra.

The council, which threatened to evict the workers last year but held off pending negotiations with the workers, said on Monday the employees would have to be housed elsewhere "as a matter of urgency"

But the workers main-

**Sowetan
Correspondent**

tained they would not move

Democratic Party councillor Mr Rick Ehlers raised the issue at a town council meeting on Monday night but management committee chairman Mr Willem Hefer declined to answer questions and referred Ehlers to a Press statement released earlier

In the statement, Hefer said some 570 employees had occupied the Zandfontein and other council depots in March

last year after an outbreak of violence in Alexandra

The council later gave the workers permission to stay there temporarily

After numerous requests for them to find alternative accommodation, 430 employees had vacated the council premises - several with the assistance from the council's housing scheme, Hefer said.

The remaining employees stayed on in the depot, although the council had explained to them that they could not continue to live there.

Workers claim they cannot find housing

COURTING THE ALTERNATIVE

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FM 1157 92

The Alternative Dispute Resolution Association of SA (Adrasa) has been formally launched. Its mission is to encourage the swift resolution of disputes with creative, businesslike settlements outside the courts by using negotiation or appropriate or alternative dispute resolution (ADR) procedures.

The business sector could save millions of rands and thousands of man-days every year by choosing ADR where litigation is inappropriate, says Adrasa director Paul Pretorius, also chairman of Independent Mediation Service of SA.

While litigation is an indispensable method in many disputes, it has many drawbacks. It is very expensive, time-consuming and based on a winner-loser concept, which usually sours the relation-

ship between parties who might have to continue working together. ADR techniques, it is claimed, are more likely to achieve a win-win result.

Adrasa chairman William Lane says membership of the association will enable companies and firms to make a contribution to improve our legal system.

On May 12 Adrasa will hold a one-day conference on ADR at the Sandton Sun. Guest speaker will be Prof Frank Sander, director of Harvard Law School's programme on dispute resolution; other speakers include Charles Nupen and David McQuoid Mason.

Contact Sally Keeling tel (011) 643-4824, fax (011) 642-6011, fees R495 per delegate, R440 per delegate in a group of three or more.

WAGES FM 11/5/92

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Steel in their teeth

It's early days yet, but metal industry wage talks are looking as difficult as ever

No headway was made in negotiations between Seifsa, the employers' federation, and the National Union of Metalworkers (Numsa) at their third round of bargaining last Friday. Employers stuck to their opening offer of a 6,4% increase on scheduled wages for artisans and labourers. Numsa was equally steadfast in looking for increases of up to 42,6%.

Seifsa also says the unions have not given an adequate response to proposals to change the industry's Main Agreement and that not enough progress has been made on substantive issues. While the union demand for a moratorium on retrenchments was hotly debated, no progress was made. It's looking like a case for the independent mediators.

The Confederation of Metal and Building Unions, representing mainly craft unions, did, however, drop their initial demands for 20% to 15% on actual wages. The white Mineworkers' Union similarly moved from 20% to 16%.

Negotiations will continue on May 14 ■

Poland, IMF hold talks

WARSAW — Poland and the IMF began talks yesterday aimed at restoring loans after Poland failed to meet earlier IMF approved reform targets.

An IMF mission led by Michel Deppler, head of the fund's European department, met Finance Minister Andrzej Olechowski to "review the progress of Poland's reforms", the ministry said.

B10009 5/5/92

~~SECRET~~
(150)

Unions 'want to help run things'

CAPE TOWN — Trade unions would demand increased worker participation in individual enterprises in future as part of their struggle for economic democracy, ANC secretary-general Cyril Ramaphosa told delegates

They would also want to play a greater role in the restructuring of the economy and in the strategic planning of companies

"One of the greatest challenges in overturning apartheid is to combine the move to political democracy with the creation of a path towards economic democracy," he said

Both forms of democracy would entail a major shift in power towards the working class, a process which would be aided by collective bargaining

"The achievement of economic democracy will have

81000 615192
to be underpinned by government policy and by new laws," Ramaphosa said

Government intervention would be needed for the redistribution of wealth, the alleviation of poverty and the protection of unemployed, domestic and farm workers who could not bargain collectively

He cited four areas in which workers could build a measure of economic democracy through collective bargaining — training and affirmative action, greater disclosure of information, participation in planning and the investment of workers' savings and retirement funds. The new Community Growth Fund was a first step in workers having a say over how their savings were invested.

Ramaphosa said new laws requiring greater dis-

closure of corporate information were necessary to create a better environment for collective bargaining. Published accounts were not sufficient as they normally covered far more than the bargaining units

A key issue for collective bargaining would be a government-supported programme to provide basic education in literacy and numeracy as well as more advanced training for workers

He said trade unionism was likely to spread in SA, in contrast to its decline in many western countries which had substantial welfare programmes and state support systems for unemployed and disadvantaged workers

It would take many years before such a system could be in place in SA

Employers must adapt - ANC man

THE black trade union movement was faced with the challenge of shifting emphasis from the call for resistance to reconstruction, said ANC secretary-general Mr Cyril Ramaphosa.

He told a conference of the Institute of Chartered Accountants in Cape Town on Tuesday that, to be successful, the move required a change of attitude by employers.

"Our need is for long term economic growth, but many employers are simply set on achieving short-term profits."

He said chartered accountants were key decision makers in many large companies.

But they needed to review their practice of regulating business only by financial ratios and short-term targets.

"They have to understand the potential that exists for union participation to promote the effective restructuring of our economy towards economic growth and development."

He said collective bargaining would be one of the cornerstones of a new South Africa since the 1970s trade

unions have taken their place at the forefront of the political struggle to break the white stranglehold on political power.

"Now the struggle is to establish not only political democracy but also economic democracy."

He said a major shift of power towards the majority of people and workers had started.

Chartered accountants had to take account of that power and learn "the new language which we will have to speak in a democratic and non-racial South Africa."

He said collective bargaining was a process of resolving disputes and agreeing on solutions.

"It accepts that people often have different interests, it accepts that conflict is a part of everyday life, but it provides an avenue to resolve these differences by agreeing on rules and procedures," said Ramaphosa.

"But collective bargaining did not mean an end to militancy or an automatic solution to every problem."

"The process can include strike action. It can include picketing, boycotts and lockouts. But it takes place inside an agreed framework."

Unions were at the heart of collective bargaining, but South African employers have always been fearful of worker unity.

Trade unionism was on the decline in many western countries, but they all had substantial welfare programmes and state support systems for the unemployed and disadvantaged workers.

"It will be years before such a system can be in place in South Africa and trade unions will be a major force to protect and expand workers' rights. Much of this will be secured through collective bargaining."

Some from 7/5/92

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Fedhasa told to tackle shebeen trade

8 May 7/5792
A JOHANNESBURG city councillor has called on Fedhasa to do something about unfair competition which hotels and bottle stores in the greater Hillbrow area are experiencing from shebeens

Fedhasa's Transvaal AGM this week heard delegates tell how the 24-hour-a-day shebeen trade, operating from "every second block of flats", was booming while licensed hotels had to observe regulations set by government and representative organisations. This situation, they said, came with a marked rise in crime which drove foreign tourists away from Johannesburg.

City councillor Desiree Simpson, a former hotelier, said yesterday there were about 25 hotels in the Hillbrow area, about 20 clubs and an unknown number of shebeens.

"Hotels and bottle stores have to work to restricted hours, while she-

THEO RAWANA

beens and clubs operate 24 hours a day. They make huge profits because people are prepared to pay anything after closing time."

Unlike legal outlets, illegal operators sold without being subjected to VAT, said Simpson.

"My message to Fedhasa is: Do something about this."

Witwatersrand SAP spokesman Captain Eugene Opperman said police arrested many shebeen operators every day, but they kept going back to the trade.

"There are even people who run mobile shebeens, selling from street corners," Opperman said.

"We are doing our best to arrest people and take them to court, punishment is out of our hands."

The influx of people had brought with it a big increase in crime and

prostitution, he added.

Sapa reports that Liquor Board chairman and special consultant to the Trade and Industries Minister, Tommy Vorster, told the Fedhasa congress yesterday although the Liquor Act had been streamlined, there was still a general perception that it was over-regulated.

He said the reason for this was that different Liquor Acts had, over many years, been used as vehicles for issues which had nothing to do with the distribution of liquor, such as the hotel grading system.

This had been introduced to encourage hoteliers to upgrade their establishments — with a liquor permit as a reward.

Vorster said, however, the need to control the liquor trade was accepted almost universally. Amendments to the Liquor Act tallied with deregulation policy.

Telkom lines tangled

THE lines have become seriously tangled in Telkom wage negotiations. Telkom announced this week that it had reached a settlement with the three white unions in the sector for a 10 percent general increase and an increase of 11 percent in the starting notches of various entry grades. (270) (15)

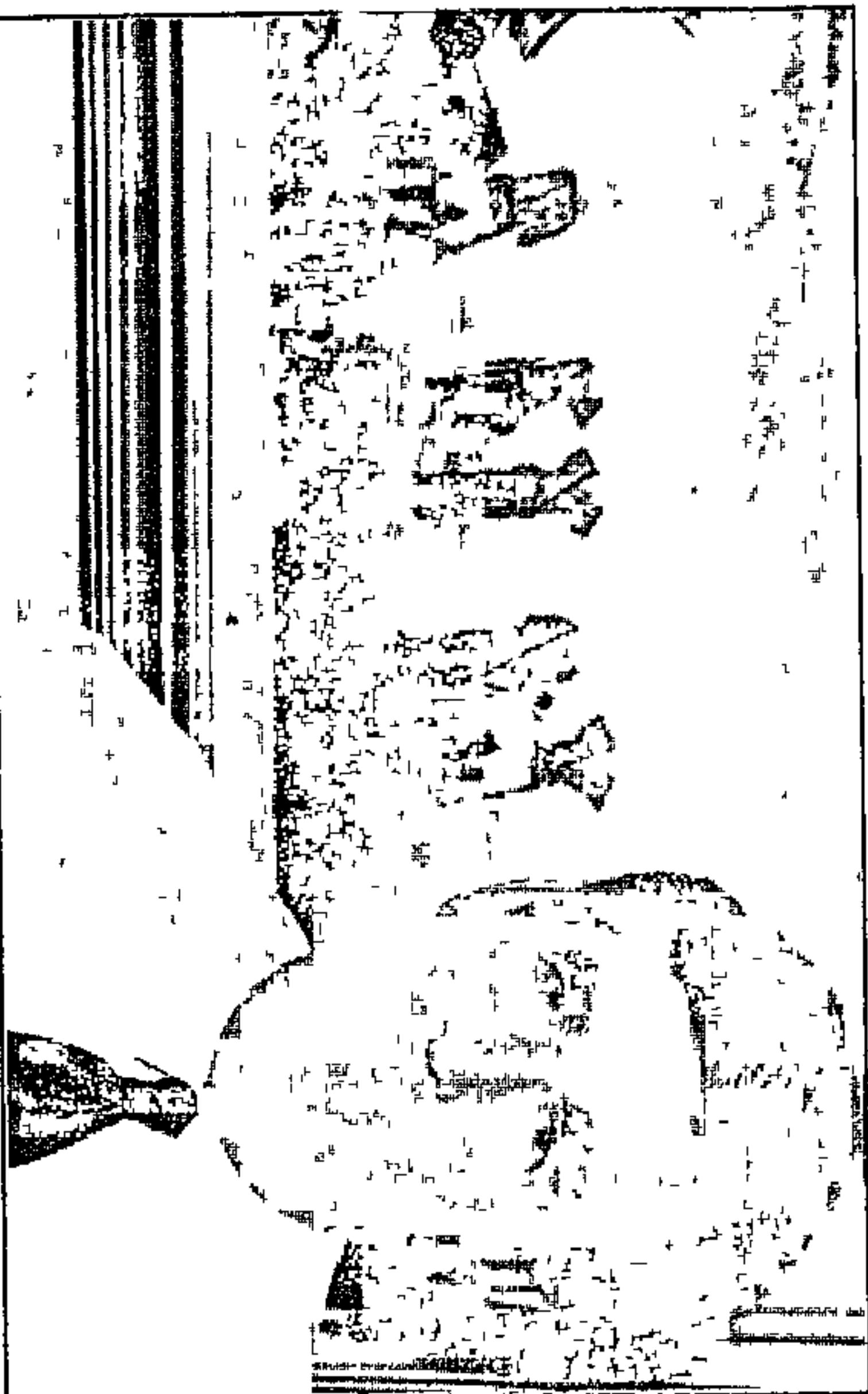
In the same week, negotiations broke down with the South African Post and Telecommunications Employees Association and
Wilmont 8/5-15/5/92

BRIEFS

(270) (15)
the Post Office and Employees Association, the mainly Indian and coloured unions.

And to top it all, the Post and Telecommunications Workers Association has announced that it will hold countrywide marches on Saturday to highlight its wage demands. Wilmont 8/5-14/5/92

LABOUR



TML's Barrie Harris ... CB methods outdated Photo: JOHN HIGGINSON

TML on collision course with journalists' union

by *Wim van der Merwe* 8/5-14/5/92

TIMES Media Limited (TML) may soon face its second strike this year if it does not hastily review its decision to pull out of the South African Press Conciliation Board

The South African Union of Journalists (SAUJ) has an unambiguous precedent behind it should it decide to take the matter to court

The 1983 case of Bleazard v Argus and others found firstly that major newspaper companies had a duty to negotiate salaries with the then South African Society of Journalists and secondly that pulling out of the conciliation board (CB) amounted to an unfair labour practice

"It was an early judgment and regarded as a breakthrough," says Edwin Cameron, a labour lawyer from the Centre for Applied Legal Studies

Earlier this week, TML group secretary Barrie Harris informed the union that the company would withdraw from the CB on July 31

Harris says the company has had problems with the CB for a long time negotiating alongside its major competitors was not good for the company, the CB's negotiating methods were outdated and ineffec-

Newspaper giant Times

Media Limited has earned

the wrath of its journalists by its decision to pull out of the

press conciliation board.

reports FERRIAL HAFFAJEE

ive and the company would prefer to negotiate with its own staff instead of union representatives from other companies

Harris also says that it has received petitions from *Sunday Times* staffers who want to negotiate directly with management and not through a union to which they do not belong

"It is arrogant of TML to tell journalists who will negotiate for them," says SAUJ general secretary Karen Stander "Negotiating teams represent regions not individual companies," she adds

Stander says that in the 51 years the CB has existed, there has only been a one-day strike earlier this year This track record is the only evidence needed to prove that the CB has been effective

Stander says that should TML go ahead and pull out of the CB, it would fall apart and take the union's

crucial unemployment fund with it

The SAUJ admits that the CB is not without its faults for this reason, the union is taking a lengthy proposal on restructuring the CB to its congress later this month

Among the proposals is one for a two-tier bargaining system: one to be conducted with TML and the other to be conducted with the Argus Group and South African Press Association

But Harris seems adamant about the TML decision and says "in the long term it will lead to better relations with our staff" He is adamant that the CB is inefficient and points to the way the strike earlier this year was carried out

"The union insists on a national conciliation board but then goes on a selective strike." Only *Cape Times* journalists went on strike because the union did not achieve a majority of all its members in other ballots

He alleges that the CB also means that groups are brought into arguments that they are not involved with Harris says that TML has attempted to discuss the issue with the union since June 1991 and has even given it concrete proposals on alternatives but that the union has never come back to the company

13th cheque deadlock

STimes (BUS) 10/5/92

By ADRIAN HERSCH

CNA Gallo workers have declared a dispute in their annual wage talks — in spite of a well-above inflation pay offer

The SA Commercial, Catering and Allied Workers Union (Saccawu) and the company failed to reach agreement in private mediation talks this week

The dispute between Saccawu and Pick 'n Pay has been resolved in conciliation board talks

Bonus

CNA Gallo and the union have agreed on a R200 a month across-the-board increase and on a minimum wage of R1 100 a month — a rise on the payroll of about 19%.

But Saccawu also wants a 13th cheque of 100% of the monthly rate. The company offers 75%.

The union has asked for a conciliation board hearing.

CNA Gallo chief executive Ian Outram will not speculate on the outcome of conciliation board talks, but says

negotiations "have been held in a good spirit"

Pick 'n Pay and Saccawu settled for a pay increase of 16,6%. When the dispute was declared, the union demanded 21,9% and the company offered 15,24%.

The agreement includes R185 a month across-the-board increase, R900 monthly minimum wage and a change to the length of service bonus system.

Job flexibility issues did not form part of the deal.

A company spokesman says the parties have undertaken to negotiate a "courtesy agreement" — standard of courtesy to customers will be formulated.

Wage negotiations between SA Breweries (beer division) and the Food and Allied Workers Union (Fawu) begin on Wednesday.

Neither of the parties will comment on the offer or demand because it relates to pay. But the union says it will seek a moratorium on re-trenchment.

Azapo joins SABC fray over wage proposals

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By DON SEOKANE

THE Azanian People's Organisation yesterday condemned the management of the SABC for what it said was insensitivity on the part of the corporation and pledged support for any action to be taken by the corporation's workers

Azapo spokesman Mr Khangale Makhado criticised SABC management for rejecting a wage proposal from the Media Workers' Association of South Africa

Makhado said the fact that only last week more than 70 percent of Mwasa members voted for a strike indicated that the SABC management was completely insensitive to the demands of black workers

Negotiations

"According to Mwasa, the dispute emanated from the fact that the SABC not only rejected the union's proposal but it also slammed the door on further negotiations on this issue in the current period

"Mwasa feels that the SABC has not overcome the anti-union feelings that they have been harbouring

"The results of the SABC management's reluctance to address the deadlock and open the door to negotiations are too ghastly to contemplate," said Makhado

He added that Azapo pledged its support to any action that the workers might take and urged black masses to pressurise the SABC to meet the demands of its workers

ADRIAN HADLAND

TOYOTA said yesterday it had obtained an urgent court interdict ordering striking workers at its Durban assembly plant back to work (152) (153) (154)

A spokesman said management was prepared to continue negotiations with worker representatives in an attempt to resolve the dispute. However, "due to the complex nature of the assembly operations", it would be impossible to resume production until the company received assurances that all employees would comply with their employment conditions. (151)

Toyota personnel and industrial relations director Theo van den Bergh said yesterday attempts last week to resolve the strike — which began on Wednesday — were delayed by the plant's shop stewards

Court orders Toyota strikers back to work

310am, 11/5/92

participating in national motor wage talks in Port Elizabeth on Friday.

The strike began on Wednesday after about 1 000 of the 6 000 workers downed tools demanding the dismissal of a supervisor. A Numsa spokesman said workers were also demanding the reinstatement of a dismissed worker and that overtime be made voluntary because workers had been on almost consistent overtime this year.

A Toyota spokesman, responding to Numsa complaints that production levels had been increased and hours of work reduced, said this was the case, but added

□ To Page 2

Toyota

310am, 11/5/92

that manning levels had also been adjusted and capital investment made

Meanwhile Sapa reports that the National Bargaining Forum for the motor assembly industry met on Friday for the second round of the annual wage talks.

Employer group chairman Dave Kirby said the proposed moratorium on retrenchments was the only issue discussed

The unions said the moratorium was a critical demand, but it would examine any proposals on employer concerns given the state of the industry

The employers said certain manufacturers needed to shed labour and the moratorium on retrenchments — which ends on 30 June 1992 — could not be renewed

Numsa collective bargaining secretary Les Kettleidas said "absolutely no pro-

gress" had been made at these talks and others in the tyre and motor industries

He said workers in motor assembly plants would embark on lunch-time demonstrations in response to employers' "bad faith bargaining" which threatened deadlock and conflict.

Kettleidas said motor assembly and motor industry employers did not table counter-proposals to the union's demand for a R2 across-the-board increase, while the tyre industry had not budged on its offer of R1

The New Tyre Manufacturers' Association conceded a further 12-month moratorium on retrenchments until June 1993, but subject to a review of business conditions in December

□ From Page 1

Alternative Dispute Resolution —
ADR, by A T Trollip (Butterworths,
R53.90)

THE "bloodless revolution" in SA, embodied in the somersault of attitudes from terrorism to peaceful negotiation and from counter-terrorism to co-operation, is being reflected in almost every institution. We are seeing the beginning of "revolutions" in our attitudes to labour, education and style of government, health, welfare, land use, business and law.

That is why a book on a new attitude to legal disputes is timely. It explains in detail and in simple terms the concept that keeps a business or an individual out of court.

Tim Trollip says SA is among the last of the sophisticated nations to adopt alternative dispute resolution (ADR), though it needs the process more than most Western countries and is well suited to its use.

He explains that good faith plays a major part in dispute resolution among Eastern and African commu-

BURNS

Keeping conflicts out of court

810204 11/5/92

nities. In Western cultures, precision in documentation and the application of "principled legality" apply

The author, a lawyer with SA's largest legal practice, says that our form of litigation "has a propensity for developing a life of its own, a life out of touch with the real objectives of those involved and not driven or directed by the parties to the dispute. The outcome of any litigation is a great deal more unpredictable than most lawyers will admit."

The advantages of ADR, as recently introduced in the US and Britain, is that the dynamics of resolving legal disputes are switched from a "win-or-lose" adversarial approach to one which seeks the best mutual, material and commercial settlement. Emotions such as revenge, and legal technical points and prece-

dents, are put aside in order to find a solution that benefits as many as possible of the parties affected.

"ADR techniques are not soft options, but involve a change of emphasis and a different challenge how to get the best possible settlement rather than the best trial result. Parties co-operate in the formulation of a procedure and have greater control over results. ADR offers pragmatic alternatives to the increasingly high cost of litigation," he writes.

He lists some advantages as

- Greater participation by the parties to the dispute. The problem remains in their hands and is not taken over by the courts and converted into an orthodox legal issue,
 - Saving of costs,
 - Less formality, more flexibility.
- The parties, assisted by a neutral,

professional arbitrator, can agree on their own procedure.

- Confidentiality. There need be no washing of dirty linen in public,
- Providers of banking, insurance and other services can attain and maintain a competitive marketing edge by publicly pledging that they will resort to ADR processes as a dispute resolution method, and leave prosecution as "a last resort".

There are, of course, disadvantages in ADR already noted by some of SA's larger corporations.

Their perception is that ADR is automatically a process of compromise, so that the party with a very strong case suffers.

But then every litigant believes he must win, and it can be argued that a compromise often works to the benefit of the "big boy" in the long run

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Other disadvantages are apparent, and Trollip, wisely, lists some of these as limitations on the ADR process. They include

- A lack of "legitimacy" of authoritative judicial decisions,
- The possibility of participants being "pressured" into accepting less than they are entitled to,
- Irreconcilable differences, whether of principle or prejudice, belong in the courts, not in any ADR centre,
- There is a danger that ADR processes will reflect existing power imbalances, says the author, although some in the establishment fear the very opposite.

Overall, however, as logic suggests and the track record in America and Europe confirms, ADR has a major role to play, especially in resolving commercial disputes.

Trollip's book sets out, in simple form for the layman, how arbitration and mediation work, and how to go about settling a dispute with the agreement of one's opponent.

HWT

No agreement in Toyota strike talks

DURBAN — Management at Toyota SA and representatives of the National Union of Metalworkers of SA have still not reached an agreement on ending the massive strike (151) (52) (192)

A Toyota spokesman said yesterday negotiations were still taking place but there had been no progress as yet

The strike at the Prospecton plant, south of Durban, spread yesterday with union officials claiming all 6 500 Durban workers were out. B/D 27 1315192

Workers at the plant began their strike a week ago with production being brought to a standstill from Thursday causing a loss of 430 vehicles a day. A Numsa shop steward, Mduduzi Ngema, said the workers were demanding the dismissal of a production line supervisor they regarded as discriminatory and unfair.

Sapa reports that a management offi-

Own Correspondent

cial, who declined to be named, said the company would act only if the correct grievance procedures were followed.

Ngema said "We did follow procedures. We took up the issue with line management and the department manager. When the problem was not resolved we took up the matter with the personnel department, and when it was still not resolved we went on strike."

Ngema said the strike had spread from the production plant at Prospecton to the automotive components and stamping divisions in Jacobs and Moberi.

Meanwhile, Ngema said union representatives would today challenge a court interdict declaring the strike illegal and which last week ordered strikers to return to work.

6/10 am 14/3/72

Pay talks deadlock (15)

NATIONAL pay talks in the footwear industry, covering about 30 000 workers, had stalled over employers' refusal to revise their 9.75% wage offer, Mark Bennett of the SA Clothing and Textile Workers Union said yesterday.

Unions are demanding a 14% increase.

Wage negotiations end in a deadlock

151

Sowetan 15/5/92

THE fourth round of wage negotiations in the metal industry ended in deadlock yesterday, employer and union representatives said

The talks were briefly interrupted by demonstrating trade union representatives, according to Mr Les Kettleidas of the National Union of Metalworkers of South Africa

In a statement, he said no real progress had been made in the negotiations affecting more than 320,000 workers - *Sapa*



Post Office chairman warns against subsidies

PRETORIA — Granting massive Post Office discounts from a weakened financial base would mean economic suicide for the newly-commercialised company, SA Post Office chairman Donald Masson said yesterday.

Speaking at the annual general meeting of the SA Direct Marketing Association in Johannesburg, Masson stressed the user should pay for the cost of the service and said it was unfair to expect taxpayers to subsidise postal services.

"It is morally indefensible for the Post Office to expect a continued subsidy from the state when millions of people face starvation, unemployment, lack of education and hospital services"

Poor agricultural conditions caused by drought and a large enough police force were pressing needs

Masson said the Post Office's rate adjustments lagged behind inflation at an alarming rate of 70%.

It was essential the Post Office retained and expanded its client base to ensure a viable and efficient mail service, he said.

The Post Office, he said, should operate on sound business principles. It was the aim therefore, to make it a profit-making concern within five years when state sub-

dies would no longer be needed. It was envisaged that shareholders would get a 25% return on capital before tax.

Masson said five task groups had been appointed to investigate problem areas within the Post Office.

The groups would investigate bulk mailers, service levels, agency systems and increasing mail volumes.

Trade unions and extra-parliamentary bodies would look at permanent mail deliveries in informal settlements.

Masson said although provision had been made for a R548m deficit this financial year, the Post Office had invested millions in automatic mail sorting equipment and people.

He said every possible way of increasing mail volumes had to be investigated urgently. Proposals had been made for differentiated rates for bulk mail users, an improved distribution network, the rationalisation of some services and the expansion of services.

Also being looked at was the phasing out of free street deliveries versus private post boxes and mail collection points.

B10 am 15/5/92
GERALD REILLY

Metal unions declare dispute

NEGOTIATIONS in the metal industry ended in deadlock yesterday with 11 out of 12 unions declaring a dispute with Seifsa.

Seifsa responded by indicating that it would also declare a dispute soon.

And the fifth negotiation meeting at the end of May — which was meant to be the final one — will now be an executive committee meeting of the Industrial Council to discuss the dispute.

Seifsa and the metal unions, with the exception of the Iron and Steel Workers' Union which did not declare a dispute, have not moved from their opening positions. Seifsa has offered a 6,4% increase and the unions, which have about 50 demands on the table, are still seeking increases of up to 42,6%.

Seifsa said if the unions did not drop some of their demands it could not continue negotiating.

The National Union of Metalworkers (Numsa) urged Seifsa to start meaningful negotiations on the key issues it had raised.

Chief among these was Numsa's demand for a moratorium on retrenchments. This took up most of yesterday's negotiations.

Numsa said workers had accepted alternatives to retrenchment which meant a cut

in wages. It was unfair to expect workers to accept retrenchments as well.

Seifsa said Numsa's demand was "completely impractical" as only improved economic conditions could stop job losses. Numsa is demanding an increase of R2 an hour or 25% of actual wages.

Several hundred leaders in Numsa-organised factories picketed the negotiations in Johannesburg.

Numsa said the demonstration showed the "groundswell of feelings" among its members about the negotiations.

Employers also rejected Numsa's core demands on parental and workers' rights, but undertook to respond at the next meeting to union calls for a code of practice to end unfair discrimination.

Seifsa said that while some unions had modified their positions, others had made no concessions at all and had rejected every employer proposal for changes to the industry's agreement.

Sapa reports Seifsa executive director Brian Angus said that by declaring a dispute, employers would be able to consider lockout action if it was not resolved.

B10 am 15/5/92
DIRK HARTFORD

South 16/5-21/5/92

Mwasa, SABC wage impasse to continue

By Justin Pearce

SABC management has failed to meet wage demands by the Media Workers' Association of South Africa (Mwasa), and the two-week-old dispute continues

If Mwasa calls a strike, the action will affect 98 percent of the SABC's black staff. This will mean, among other things, the suspension of African-language news broadcasts as happened during Mwasa's one-day strike earlier this year.

Mwasa originally demanded a 30 percent across-the-board increase, plus a minimum wage of R1 500 per month. The SABC agreed the increase was intended to compensate for the unacceptable four percent increase offered last year.

Union spokesperson Mr Mzukisi Twala said Mwasa had bent during talks to accommodate a 20 percent increase. The union offered management two possible schemes for the phasing in of this increase, but these proposals were rejected.

The SABC offered 11 percent across the board and a minimum wage of R1 300.

Azapo, the ANC and the PAC have all issued statements supporting the SABC workers.

BUILD YOUR ORGANISATION



MEETINGS.. MEETINGS..

New Nation (Learning Nation) 15/5 - 21/5/72

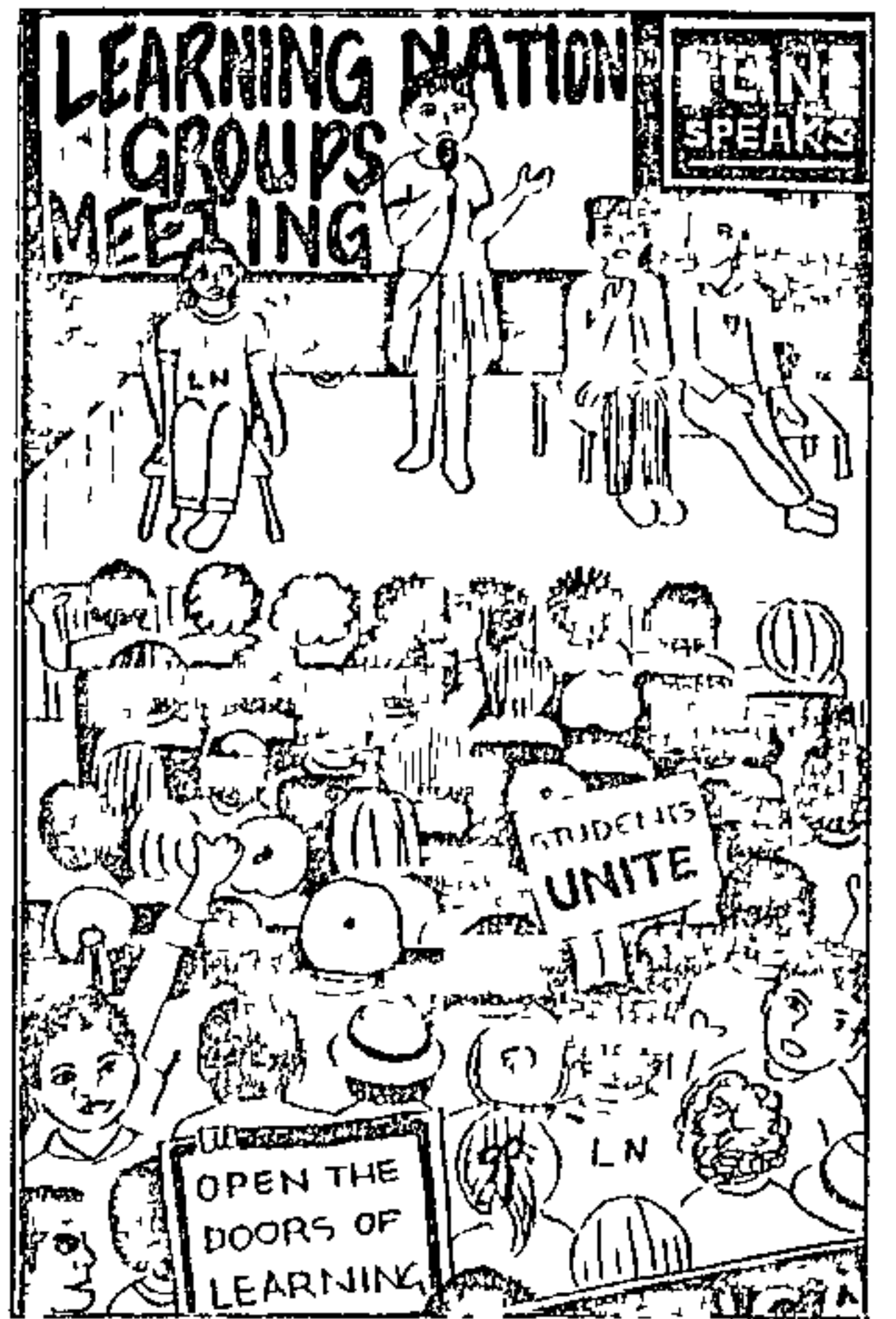
Remember, last week we gave you a summary of the articles we have run this year on the role and problems of building organisation. This week we will begin to look in more detail at the actual skills you need to build your organisation. We will start off by looking at the issue of meetings.

So we will look at:

- what a meeting actually is
- an example of a bad meeting
- the purpose of meetings
- and finally how to plan meetings.

Next week we will look at how to plan and chair meetings.

MEETINGS...



What is a meeting?

All of us have sat in a meeting at some point in our lives. Perhaps we have even had to plan and run a meeting. But why are meetings so important? Why do we have meetings? Try and answer these questions before you read the rest of this article? Answer these questions in your group or write down your ideas if you are working alone.

- don't stick to the topic
- * Some people don't speak at all
- * The chairperson doesn't know how to direct the meeting
- * You leave the meeting feeling unhappy because you don't know what action needs to be taken
- * You don't know what to prepare for the next meeting

Why do you go to meetings?

.....

The result of a bad meeting is that it can lead to lots more boring and frustrating meetings! No practical work actually getting done. The executive is unaccountable to the membership. Individuals do not feel part of the organisation and don't feel that it is meeting their needs and so they leave. The organisation could collapse.

Why do you think meetings are important?

.....

Without organisations and meetings we cannot have democracy and real involvement of people. Until our organisations really involve people and are democratic they will not serve the people. What we are trying to achieve is democracy and accountability in our organisations. This is not easy but good meetings will take us some way down this road.

A meeting is an important tool in the hands of an organisation. We have meetings so that we can have collective and democratic decision making, planning and follow-up, accountability and other practices essential to running an organisation.

If meetings are used effectively then they can help an organisation to function in an accountable and efficient way. In this way organisations will grow and will achieve the needs of its membership.

What then should we be aiming for in meetings?

The purpose of meetings

It is important that your organisation discusses the purpose of meetings generally. You also need to be clear on the purpose of each and every meeting you have.

Do you agree with the points being made in the two paragraphs you have just read? Why then do we often complain about bad meetings?

Read the following points and mark off the points that you have experienced:

- * The meeting starts late.
- * Other people arrive late.
- * There are no minutes
- * There is no agenda so you don't know exactly what the meeting is about
- * People repeat each other and they

List the purposes of the last three meetings you have been to

You will probably realise the following points when you make your list or discuss ideas in your organisation:

- * Meetings must not be too frequent or held simply for the sake of it
- * There should be regular meetings with the possibility of calling emergency or irregular meetings when the need arises
- * There should be decisions about the different types of meetings needed. For example, some meetings could be to discuss policy and others to discuss organisational or practical work. Wherever possible, the members must know what type of meeting they are going to and what the meeting is for. They must know the purpose of the meeting.

In this way it is also easier to ensure that meetings are generally shorter and people can decide when a longer meeting is necessary. It is possible to have other types of meetings. For example you might like to have an evaluation meeting where you look back on the last year and plan for the next year. This might take a series of long meetings.

Next week we will read about how to plan and chair a meeting. We will also look at the actual procedure of meetings. Sometimes this seems quite complicated and it makes people feel that they can't contribute to meetings because they don't know if they are talking about the right thing at the right time so perhaps next week's article will help sort that problem out.

This article was adapted from material written by the Education Resource and Information Project (ERIP).

Keys to lead govt in talks with labour and business

Monday 18/5/92 (151) (151) (151)

CAPE TOWN — Government would meet labour and business leaders to discuss the proposed Economic Forum, but had not yet decided to take part, Finance and Trade and Industry Minister Derek Keys said during his budget vote in Parliament on Friday.

Our political staff reports a Cosatu delegation and a Cabinet committee are to meet in Cape Town this afternoon.

Cosatu said it was hoping the meeting would be able to resolve any problems government might have and end delays that were beginning to plague the forum initiative.

Keys said he would do everything in his power to encourage and facilitate a healthier relationship between labour and management and make the state accessible to both parties.

He said management had struggled to adapt to labour's more militant mode and this, and general business conditions over the past few years, had resulted in demotivation.

"This has been particularly true in cases where businesses at the forefront of good labour practice have been singled out for disruptive industrial action merely because they were seen as convenient targets in the economic civil war."

LINDA ENSOR

Keys said the present disharmony in the workplace had resulted in increased unit costs, poor improvements in productivity, if any, resistance to changes in work practices, reluctance by workers to accept appointment as supervisors, poor penetration of white management cadres by other races, lost production, and a general lack of effective teamwork.

The eight-man Cosatu delegation includes its president, John Gomomo, and general secretary Jay Naidoo, while the Cabinet sub-committee will be led by Keys.

In the Trade and Industry annual report released on Friday, director general Steph Naude said the lifting of sanctions had led to a steep increase in the number of inquiries filed by importers and exporters. SA's non-traditional trading partners had showed a tremendous interest in trading with SA, he said.

Under the department's Innovation Support for Electronics Programme, five projects aimed at inventing new products were completed during the year under review. A total of 39 projects with a total development cost of about R44m were approved.

Public service wage talks falter

DURBAN — Wage negotiations between 11 public servants' employee organisations and the Commission for Administration yesterday failed to reach agreement on an annual increase, said the Natal Provincial Staff Association (NPSA).

NPSA general secretary Lallie Ganasen said three employee organisations had abandoned talks in protest against the commission's 8,5% offer.

She said six employee organisa-

tions — including the Health Workers' Union, the Public Servants' League and the Public Servants' Union — were demanding a 15,3% increase. The other staff organisations were demanding lower increases. *Blom 19/5/92.*

She could, however, not immediately supply further details and said a statement would be issued later.

Commission spokesmen were unavailable for comment. — Sapa.

No agreement as clothing wage talks near conclusion

CAPE TOWN — Wage negotiations in the clothing industry enter their final, third round this week with prospects of an agreement being reached looking extremely bleak at this stage.

An estimated 7 000 SA Clothing & Textile Workers Union members opposed the increase of about 6% offered by manufacturers at a mass meeting at the Goodwood Showgrounds on Sunday.

Union members committed themselves to strike action should employers not improve on the offer.

They also rejected the 9,75% increase in wages for footwear workers and the increases of less than 10% offered by some textile companies.

Chief negotiator for the Cape Clothing Manufacturers Association and the Cape Knitting Industries Association and Sear-del group industrial relations executive Johann Baard said yesterday the two parties "were poles apart" with only one more day left to negotiate. Further rounds of negotiations required the mutual consent of both parties.

"Things are not looking optimistic, but the negotiations are still alive so there is still hope," he said, adding that employers were deeply concerned about the gulf separating the two parties. The Cape negotiations resume today.

According to official statistics provided by the National Clothing Federation, employment in the clothing industry declined from 113 700 in April 1991 to 104 600 in April 1992, 40 factories had closed since December and production volumes were expected to decline by about 6% in line with last year's fall.

The union has demanded a 17,5% increase or R35, whichever is the greater, and has also presented other demands which Baard said would add an approximate 20% to the wage increase.

He said employers were offering a 3% wage increase and a further 3% increase in benefits, for example, sick pay. Alternatively, the full 6% could be taken as a wage increase.

LINDA ENSOR

EDWARD WEST

PRODUCTION of 3 440 vehicles — or 430 a day — worth about R140m, has been lost since 6 000 Toyota workers at Prospecton, Durban, downed tools eight days ago.

Yesterday negotiations deadlocked on the issue of arbitration.

Toyota SA executive chairman Bert Wessels said management had requested a return to work and had offered to refer some issues under negotiation to arbitration. Other issues would be handed by in-house grievance procedures. (151)

In a statement Wessels said, "It would appear as if this offer is unacceptable."

Wessels said his company would have to consider its position as a court order had been obtained declaring the strike illegal

Toyota production losses top R140m

and unprocedural. *Biday 1915792*

Toyota public affairs spokesman Flip Wilkin said the supply of vehicles to dealerships was reasonable, though there were waiting lists for certain models.

Sapa reports that the National Union of Metalworkers of SA said it would continue meeting management in an attempt to resolve the dispute.

Yesterday workers extended demands for the dismissal of a supervisor at the Prospecton plant for alleged discrimination to call for the dismissal of another supervisor at the Jacobs plant and a personnel manager at the Prospecton plant.

Bloem
20/5/92

Toyota in deadlock (51)
TALKS intended to end a strike by 6 000 Toyota SA employees in Durban remained deadlocked over arbitration yesterday, the ninth day of industrial action. A management representative said a deadlock arose over the union's demand that arbitration be completed before strikers would consider returning to work. (52)

Public servants' salary dispute ends in dissent

8/02ay 20/5/92 (151) (201) (202)

GERALD REILLY

THE public service salary and wage dispute was settled in Durban yesterday, with lower paid workers winning big increases

This follows weeks of negotiations between staff organisations and the Commission for Administration

The deal includes increases of between 16% and 31% for lower paid workers and the abolition of the three bottom notches on the salary scale.

Other workers got 9,5%. Public servants initially demanded a 15,5% increase. The adjustments are effective from August 10.

However, six organisations pulled out of negotiations and rejected the deal.

It was unclear last night what action the dissenting groups may take.

Sapa reports that the commission said the six organisations' members would also receive the negotiated increase.

The five employee organisations who remained in negotiations represented 260 000 members, or 75% of the 11 organisations' total membership, they said in a joint statement.

They are the Public Servants' Association, Hospital Personnel Association, SA

Nursing Association, The Natal Provincial Administration Personnel Association and the Public Service Artisan and Allied Workers' Association

Those who withdrew from talks are the Natal Provincial Staff Association, National Education Health and Allied Workers' Union, Health Workers' Union, Public Servants' League, Public Servants' Union and the Institute for Public Servants.

Public Servants' Association GM Hans Olivier said government had refused to raise the R2,2bn set aside in the budget for increases "So we had to make the best possible use of the allocation and we think we have achieved this"

The six dissenting organisations had predominantly black memberships, he said

About 95 000 workers would benefit from the 16% to 31% increase

Government spokesmen last night declined to comment on the fact that SA MPs received a 12% increase last year — more than most public servants.



Negotiations deadlock despite compromises

CAPE TOWN — Negotiations between western Cape clothing manufacturers and the SA Clothing & Textile Workers' Union have reached stalemate, despite compromises by both parties at the third and final round of talks this week.

Employers increased their packaged offer of 6%, which covers wages, the provident fund and sick pay, to 7%, while the union dropped its wage demand to 16% from 17,5%, Cape Clothing Manufacturers'

Association and the Cape Knitting Industries' Association chief negotiator Johann Beard said yesterday.

The union found the proposals "unsatisfactory", but agreed to take them back to its membership for discussion, Beard said. The third and final round of negotiations in Natal takes place today.

~~151~~ (151)
LINDA ENSOR

Macsteel dispute appeal dismissed

BLOEMFONTEIN — An appeal by the National Union of Metalworkers of SA and 17 of its members against a judgment of the Labour Appeal Court was dismissed by the Appellate Division yesterday (151)

The case arose from a wage dispute and disruptions at plants belonging to Macsteel (Pty) Ltd, of Germiston, in August and September 1988. *B/day 22/5/92*

An industrial court found that the collective overtime ban by Macsteel employees, with the knowledge and concurrence of the union, was neither unlawful nor an unfair labour practice but a legitimate industrial relations pressure tactic.

On July 24 1990 Judge W J Hartzenburg

and assessors, in the Labour Appeal Court set aside the industrial court's decision, substituting an order that the union's conduct to introduce, instigate and persist in an overtime ban in the circumstances was an unfair labour practice. Union members' failure to work normal overtime, furthering a collective intention to persuade Macsteel to accede to their wage demands, constituted a collective overtime ban.

Yesterday Judge Richard Goldstone said there were ample grounds for the lower court to hold that the overtime ban was an unfair labour practice. It followed that there was no reason to interfere with the order made by the Labour Appeal Court. — Sapa

Bop pension fund moves into city property

B/day 22/5/92
BOPHUTHATSWANA's state pension and unemployment fund had embarked on "a major thrust into the Johannesburg property market," the company said yesterday.

The Sefalana Employee Benefits Organisation (Sebo), which has been in-

ADRIAN HADLAND

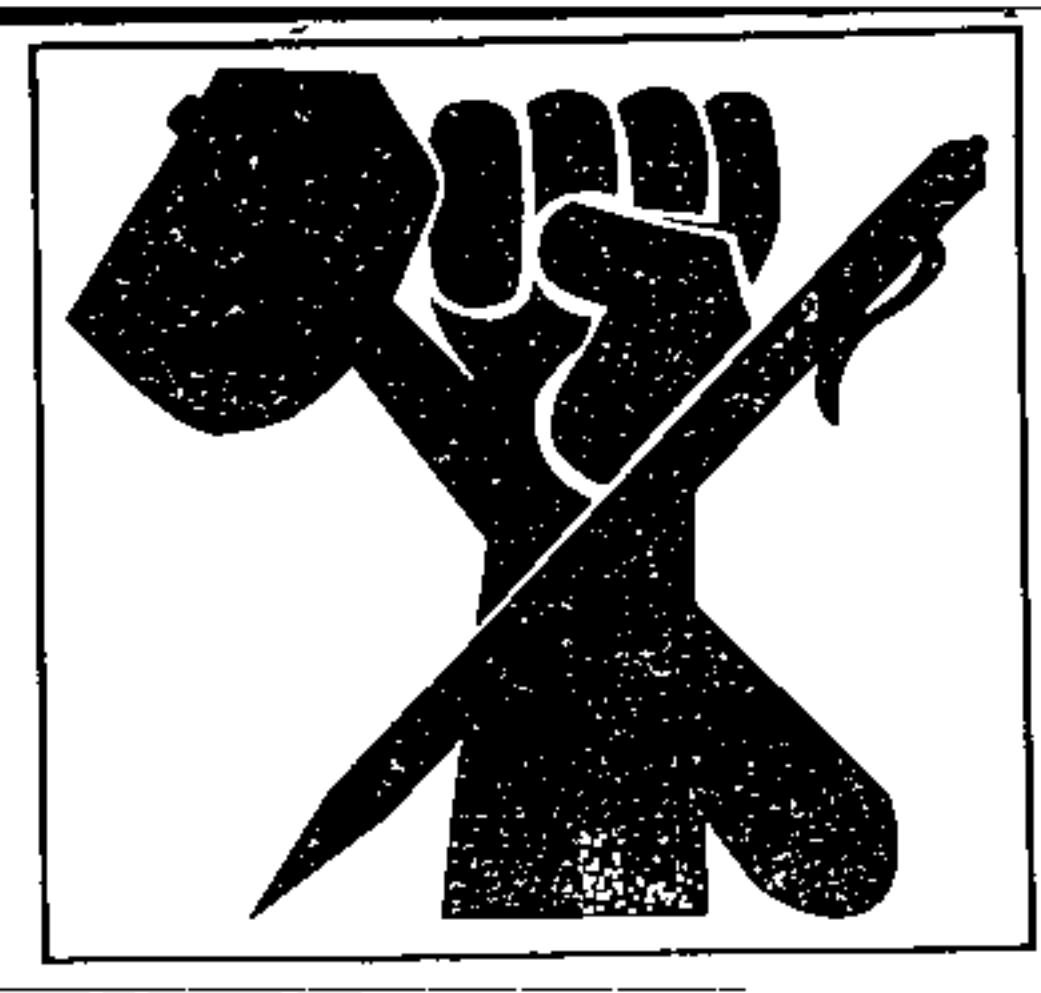
involved in a commission of inquiry into alleged financial irregularities, has also begun an advertising campaign aimed at boosting its corporate image.

Senior GM of customer services Rohan Laird said

yesterday the campaign was not aimed at addressing issues raised by the inquiry but "to let people know we exist"

Among recent Sebo acquisitions are two buildings in Johannesburg's CBD, for R18m, and three office blocks in Sandton

ORGANISATION



HOW TO PLAN AND CHAIR A MEETING

New Nation (Learning Nation) 22/5-28/5/92

Last week we looked at what a meeting is. We gave some examples of good and bad meetings. This week we look at the skills you need to:

- plan a meeting
- chair a meeting



What does planning a meeting involve?

Planning should improve participation by making sure that discussion is on a single (specific) topic and that members are well prepared for the meeting. Planning does not mean controlling and directing the meeting in such a way that it restricts participation from members.

Have you planned a meeting before? What were the difficulties?

.....

Why do you think it is important to plan for a meeting?

.....

Planning a meeting is the responsibility of the Chairperson, the Secretary or the Executive, depending on the type of organisation. We will look more closely at functions of the executive structure of an organisation later on in the series.

Planning should include the following:

Minutes:

- Minutes of the previous meeting must be made available to members before the meeting, or read out at the beginning of the meeting.
- Minutes must be adopted at the beginning of the meeting. Everyone must agree that they are an accurate record of the last meeting. Members must be given the chance to add points or items to the minutes which have been left out.

Agendas:

- An agenda must be presented with the minutes. The agenda is a list of the most important issues for the members to discuss.
- The agenda is drawn up from the Matters Arising from the previous meeting and from the discussions of the Executive or Secretariat.
- Members can suggest additions to the agenda.
- An agenda should include a last item known as "General" or "Any Other Business" to allow members to raise short items not included on the agenda.
- An agenda should also include the item "Assessment of the Meeting" which can take five minutes at the end of the meeting. Members can talk about whether they felt the meeting was worthwhile, and how they felt the meeting was chaired.
- Each item on the agenda must be introduced by someone. This member will either lead a discussion or present a report.

Discussion:

The member will lead the discussion on an issue and then make proposals to the meeting on a way forward. Members can then comment on and discuss the issue, as well as the proposal.

Reports:

In the case of a report, the person who is reporting should comment on the following:

- Was it a task that was completed, what were the problems and what still needs to be done.
- Members should discuss the report and delegate responsibility to ensure that the task is completed.

Issues that need to be planned in our organisation

Chairing Meetings

Chairing a meeting is very important if we want the meeting to be effective. It is important to have an experienced chairperson for important meetings. It is also important however, to teach people to chair meetings. It is an important skill for people to learn.

What are the responsibilities of the Chairperson?

The Chairperson must try to ensure that:

- Everyone who wants to speak is given a chance to speak.
- Speakers stick to the topic of discussion and do not raise other irrelevant matters.
- Speakers are as brief as possible.
- Discussion must aim at coming to conclusions. There must be a clear way forward which everyone understands.
- The discussion is summarised, so that everyone knows what ideas and proposals are being made. However, at the same time the Chairperson must be careful not to repeat everything that has been said. This is a waste of time. If the chairperson thinks the members are unclear, he or she could ask whether members want a summary of what has been said or decided.
- There is agreement on what the decision is, and make sure that everyone understands what decision has been taken.
- Someone must be given the task of carrying out the decision, and know it should be done and reported on.

Other responsibilities of the Chairperson include:

- Being alert to new things that might happen. For example new members of the organisation should be welcomed and introduce themselves.
- Uniting a meeting rather than dividing it. It is always better if a meeting reaches consensus on issues. Voting on important issues often causes more divisions in an organisation.
- Setting a cut-off time for the meeting - a time everyone agrees the meeting should end.
- Setting a time and a venue for the next meeting.

Members: does your chairperson know about these responsibilities?

How can you help them to improve their skills in chairing meetings? Give them this article to read, it could help make your meetings a lot better and more efficient.

Chairpersons: It is often difficult to chair a meeting.

Sometimes mistakes are made but no one says anything in the meeting about it. To fix this problem, make sure that at the end of the meeting you ask for yourself as the chairperson to be assessed along with the meeting. Ask members to make one good point about your chairing, and one criticism of your chairing.

Next week we will look at meeting procedures, and procedural points most used in our meetings.

• Resources List •

Do you want more information on planning and chairing meetings, and on building organisation? One of the organisations you can contact for advice and material is:

The Human Awareness Programme
 4th floor Conlyn House
 156 President Street
 Johannesburg
 2000
 Their telephone number is (011) 337 8716

By DREW FORREST

THE appointment of pragmatic former business leader Derek Keys to the cabinet is seen as the catalyst for the decisive government shift on demands for a tripartite economic negotiating forum

His appointment, first to the trade and industry and then the finance portfolio, coupled with the demise of former finance minister Barend du Plessis, is seen to underlie the government's newfound openness to state participation in macro-economic policy negotiations.

On April 22, Keys persuaded fellow cabinet members to initiate exploratory talks with organised labour and business on a forum. Some sources speculate that this setback for Du Plessis — who favoured a "social contract" between labour and business but opposed a direct state role — may have contributed to his downfall.

In Cape Town this week, Keys met the Congress of South African Trade Unions, the National Council of Trade Unions and Fedal, representing labour, and the South African Chamber of Business, Saccola, the Chamber of Mines, the Afrikanse Handelsinstituut, Fabcos, the South African Agricultural Union and the South African Federation of Civil Engineering

Keys ends state's cold shoulder for unions

Contractors, representing business, for initial talks.

Joint union-business proposals for a transitional economic negotiating forum were forwarded to government earlier this year, and these envisage direct state participation. Reportedly under Du Plessis' influence, fearing that negotiations would tie its hands and favouring the centralisation of talks under the Convention for a Democratic South Africa, the government took several weeks to respond.

At this week's talks, the government made no

commitments. But it did nominate three representatives — Keys' advisor Japie Jacobs, Deputy Finance Minister Theo Alant and Deputy Trade and Industry Minister David Graaff — to sit on a joint sub-committee with unions and business, which will investigate how to expedite the forum process and report to cabinet.

The focus, it has been reported, will be on addressing the immediate economic problems of transition, rather than the creation of formal structures.

The seniority of the government representatives appointed to the committee is a clear sign of a government change of heart. Cosatu men who attended the meeting comment on the positive atmosphere, and for the first time expressed optimism about prospects for a tripartite negotiating structure.

In response to the meeting, labour has hinted at a softer line on threatened mass action around its economic demands, due to be debated at next week's "worker summit" of Cosatu, Nactu and non-aligned worker bodies.

A Cosatu spokesman said the summit would consider how to "enhance" economic negotiations, with the possibility of mass action.

News in brief

Stewards meet

SHOP stewards from clothing factories across the country are to meet in Port Elizabeth at the weekend

The meeting has been called for negotiators of the South African Clothing and Textile Workers' Union to report back on a meeting held with employers in Cape Town on Tuesday

A statement concerning the weekend meeting will be issued on Monday, a Sactwu spokesman said

A mass meeting of clothing, textile and leather industry workers in Goodwood, near Cape Town, last weekend, rejected current wage offers. - Sapa.

~~151~~ 151

Sowetan 23/5/92

Toyota and union in bid to end strike

By Day 26/5/92

DURBAN - The dispute which has brought the giant Toyota motor assembly plant at Prospecton to a halt for the past two weeks remained unresolved last night

And yesterday the National Union of Metal Workers warned that it would not be held to ransom by Toyota's refusal to attend national vehicle industry pay talks because of the strike, reports Sapa

Toyota did not attend the third round of national pay negotiations in Port Elizabeth on Friday, employer spokesman Dave Kirby said yesterday

~~ISS~~ (151) ~~ISS~~
Own Correspondent

As a result, agreements reached at the pay talks would not be binding on Toyota

At Toyota's Prospecton plant representatives of the management and workers were engaged in a day-long internal inquiry yesterday into complaints against three staff members at the plant

The inquiry would continue today, MD Ralph Broadley said last night "Hopefully it will come to an end soon," he said

□ To Page 2

Toyota *By Day 26/5/92*

~~ISS~~ (151) □ From Page 1

About 6 000 workers downed tools on May 7 in support of their demand for the dismissal of a superintendent for alleged discrimination, and later added the removal of two managers to their demands

Frequent talks between management and the National Union of Metalworkers of SA officials failed to break the deadlock

Union spokesman Thomas Magrapes Hlatshwayo said if the outcome of the inquiries was "satisfactory", strikers would return to work today

Commenting on Toyota's decision not to attend the wage talks, Numsa chief negotiator Les Kettledas said any agreement reached at the national bargaining forum (NBF) would be binding on Toyota

"We do not believe that the NBF should

be held to ransom by any company that experiences problems at plant level which are not related to national negotiations"

Kirby said employers tabled a full response to wage and other demands by Numsa and the Iron and Steel Workers Union on Friday

He said the demands, if met, would cost employers R110m. An additional 45% for benefits would raise the real cost of the demands to more than R160m

Other demands relating to job security, workers' rights and workplace discrimination were either rejected or referred to quarterly NBF meetings

A senior Toyota spokesman said negotiations had to end by June 30

The two faces of a costly strike

THROUGH the outsiders' eyes, the strike at Toyota's Prospecton, Durban, assembly plant — affecting about 6 000 workers and in its third week — might seem like an oddity.

The question is: How is it possible for a company which is the undisputed leader of the country's car manufacturing industry to experience such tumult in its employee relations?

So far the strike, over employees' demands for the dismissal of three members of management for alleged discriminatory practices, has cost the company no less than 5 000 vehicles in lost sales, worth at least R270 million.

It is also affecting the livelihood of an estimated 2 600 workers employed by Toyota's component suppliers.

Talks between management and the National Union of Metalworkers (Numsa) have failed to resolve the crisis, with workers insisting that a return to work is contingent upon the outcome of any arbitration proceedings. Even a court order has failed to persuade the workers to return.

As a result of the dispute, Toyota stayed out of the latest round of national wage negotiations between Numsa and motor assemblers.

MIKE SILUMA takes a look both the workers' and management's sides of the strike by workers at Toyota's Prospecton assembly plant

deadlock. Toyota has evoked disciplinary procedures against the management members.

That Toyota has been forced to use newspaper advertisements to appeal for strikers to return to work is an indication of how far relations between it and the strikers have deteriorated, undermining the existence of an "us and them" syndrome.

So what has caused this souring of relations?

To every story there are, as they say, two sides. And in its latest issue the Labour Journal South African Labour Bulletin attempts to give the workers' side, through an article written by Numsa shop stewards at Toyota before the strike.

According to the workers, good industrial relations at the plant have been undermined by the introduction of Japanese management and productivity techniques, hugely successful at the company's Toyota City in Japan but the subject of some controversy here.

Key components of the system criticised by the shop stewards are the quality circles,

cost-saving competitions and the multiskilling of employees.

This is how the shop stewards describe the introduction of quality circles to the plant. "In the early 1980s the bosses came back from a trip to Japan with new ideas of how we should organise our work. But from the beginning they never discussed these ideas with us."

"Then they started to organise groups of workers into work teams. These work teams were never established to listen to the voice of workers. They were simply there to give management more control over the workers."

Describing workers' relationship with management as "one of war", the shop stewards complain that management's attitude towards workers "is not right".

"For example," they write, "you could never find a situation where a manager enters his department and greets all the workers on the line. Our managers don't even greet us. They're just like enemies here." Perhaps not surprisingly, in the light of current events at

Prospecton, Toyota rejects the allegations in the Bulletin article as "subjective" and lacking in "factual substance".

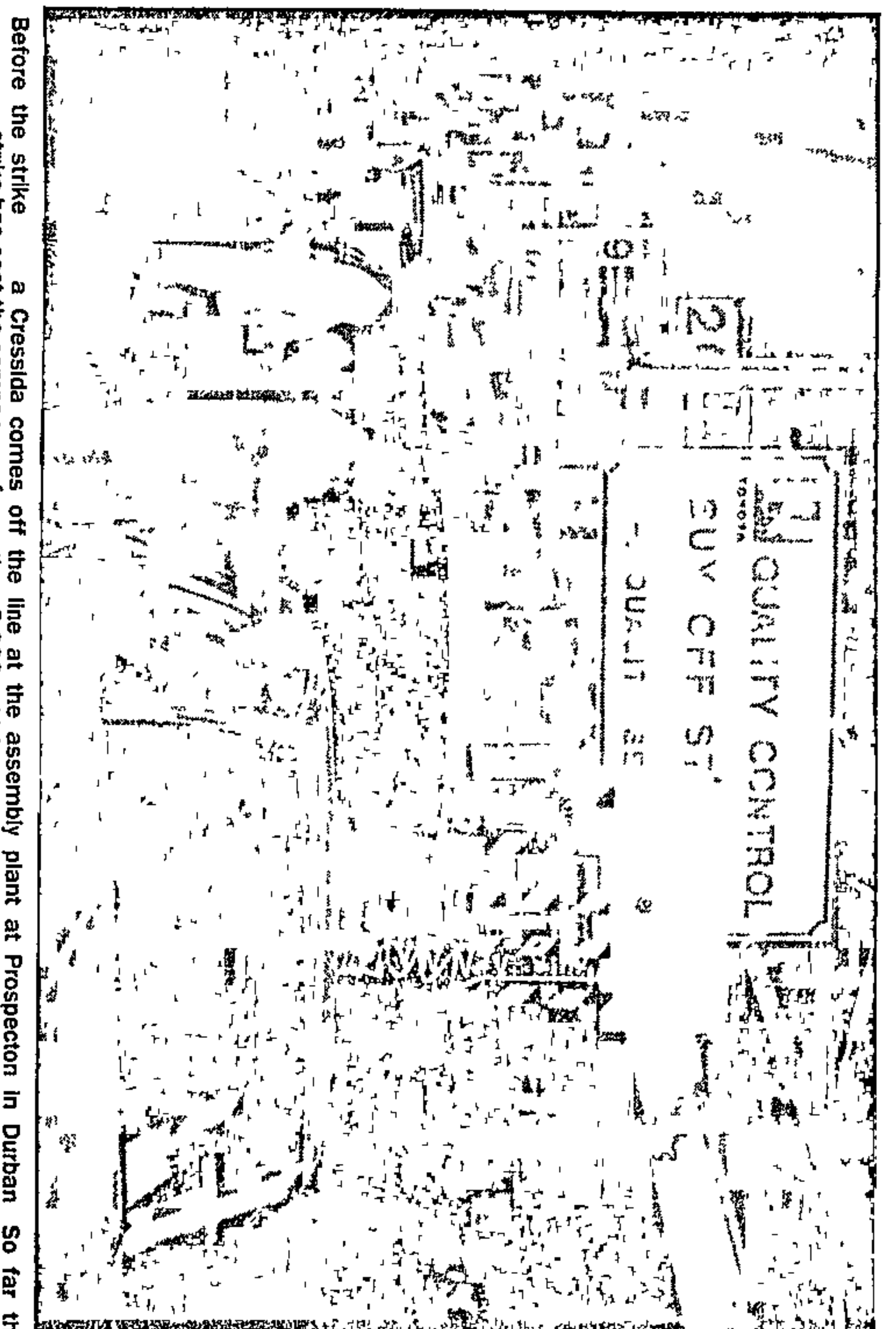
A spokesman said a survey undertaken by the company last year painted "a vastly different picture".

"According to the results of the survey, undertaken by an outside market research company in face-to-face interviews, relationships in the plant were described as good by 78 percent of employees. The survey also found that 92 percent of employees regarded intercultural relationships at Toyota as good."

"Our company assumes that the comments by the shop stewards in the (Bulletin) article reflect the views of a minority as per the survey we conducted."

The company found it "curious" that it was being targeted by Numsa as an unfair employer when its employees were among the "leading wage earners in South Africa".

The company had pledged R25 million to assist employees with housing between 1991 and 1996 and R3 million a year for educational assistance to employees and their communities.



Before the strike a Cressida comes off the line at the assembly plant at Prospecton in Durban. So far the strike has cost the company no fewer than 5 000 vehicles, worth at least R270 million, in lost sales.

Page 27/5792

Locking Hojims

Outside Courts May Smooth

STAR 27/5/92.

Resolving disputes before resorting to court battles is an increasing legal trend, writes JO-ANNE COLLINGE.

Justice system

ALTERNATIVE dispute resolution, which offers routes to resolving serious differences without locking battle in court, is finding increasing favour among lawyers. But will it take off in the world of business?

This question threaded its way through the recent conference on "Streamlined Justice" which was organised by the Alternative Dispute Resolution Association of South Africa (Adrasa) and attended by lawyers and businessmen.

The participation of leading business figures, such as Anglovaal chairman Basil Herscov, the Frame Group's Mervyn King, Basil Read chairman Leon Dison and Sacob's Clive Morke, was indeed a form of endorsement of alternative dispute resolution — or ADR — to the initiated.

But, with Adrasa formally constituted just a year ago, evidence is that ADR methods have much deeper roots and wider application in South Africa in the field of labour relations than other fields.

The Independent Mediation Service of SA (IMSSA), in existence for more than 10 years, is involved in hundreds of mediations, arbitrations, balloting and relationship-building exercises annually.

According to IMSSA director Charles Nupen, these interventions are mostly but not exclusively in the labour field, many are institutionalised in employer/union recognition agreements or industrial council procedures, and a single intervention may impact on hundreds of thousands of workers — for instance in the steel and engineering industry.

The construction industry has over the last 20 years evolved mechanisms to deal speedily and expertly with disputes arising from costly variations from construction contracts. Basil Read's Leon Dison — a civil engineer by profession — has acted in such mediations/arbitrations between contractor and employer. He expressed the view that ADR techniques might add some sophistication to the civil engineering association's time-tested process — but the technical expertise of the arbitrator or mediator remained the critical factor.

The question remains whether ADR will graft readily to the world of commerce, where relationships are generally not as symbiotic as that between management and labour. As often happens, delegates looked across South Africa's borders for pointers all the way to the United States where ADR began to be defined systematically about 15 years ago.

Harvard Law School's Professor Frank Sander played no small role in this and he offered the fruits of experience — throwing out more questions than answers.

Like all ADR proponents, he stressed that ADR was an alternative — not a substitute — for the courts. It helps to "preserve the courts for those disputes for which they are uniquely suited

and needed". As a whole range of private adjudication, mediation and arbitration-type practices have developed, critical issues have emerged.

Professor Sander dealt with a handful.

Should ADR be mandatory in certain types of cases? Should the courts refuse to hear specified civil actions until the parties had tried other means of settling? Professor Sander tendered the opinion that "as a first step it's not a bad thing", but added that an obligation to attempt to reach an out-of-

court settlement was not a compulsion to actually settle.

Who pays for ADR, especially if it is a mandatory step to litigation? Professor Sander made the allowance that ADR was cheaper than litigation, and where parties resorted to it voluntarily, there was little doubt they should pay.

But where courts ordered some form of ADR before proceeding to hear a case, there was a contradiction in expecting voluntary community groups or the parties themselves to foot the bill, Professor Sander observed.

In throwing out more questions than answers, Professor

Sander underscored the point made by IMSSA chairman Paul Pretorius at the outset of the conference that ADR, in its many facets, was a dynamic and partly formed attempt to address longstanding crises in the justice system — overburdened courts, made inaccessible by legal costs and, in South Africa, hamstrung by a lack of legitimacy.

Mr Pretorius argued that the present phase in South Africa was a "window of opportunity" which those concerned with the reform of justice should seize. In this context, he suggested, "the business community may be falling behind in protecting its own interests". □

Inquiry paves way for more talks at Toyota

AN INTERNAL inquiry into complaints against three managers at strike-hit Toyota were completed last night, opening the way for further talks with the National Union of Metalworkers of SA (Numsa), the motor company said. (ISI) (152)

The strike started on May 7 when about 6 000 workers downed tools in support of their demand for the dismissal of a superintendent for alleged discrimination. They later added the removal of two managers to their demands. 27/5/92

The dispute has brought the Toyota

motor assembly plant at Prospecton, Durban, to a halt for the past two weeks.

Toyota PRO Flip Wilkin said last night the inquiry by management and workers had been completed, and that negotiations with Numsa would resume today. (152)

A Numsa spokesman had said earlier management would make a decision based on the inquiry. He said there would be further talks on the reinstatement of a shop steward dismissed six months ago.

3/Day 27/5/92
THEO RAWANA

LABOUR FM 29/5/92.

How convenient

(151)
~~(151)~~

Toyota management and trade unions seemed on Monday to be about to end the strike at the Prospecton plant near Durban. The output of 430 vehicles a day has been stopped since the first week in May, the company estimates that R200m in turnover has been lost.

But it might also be argued that, with

FM 29/5/92 (151) ~~(151)~~

demand for new cars slack and inventories rising, Toyota cannot have been hurt too badly up to now.

The prospects of a settlement had improved last week, with both sides agreeing to go to arbitration. But the agreement collapsed because workers refused to go back to work before the inquiry.

On Monday management and worker representatives sat down again to consider the complaints that sparked the strike. The action, involving more than 6 000 employees, began on the Cressida production line over worker demands for the dismissal of a production line supervisor.

But it is also possible that the dispute also offered an opportunity for the unions to apply additional pressure on motor industry employers in the third round of the National Bargaining Forum wage negotiations, which started last Friday.

Ironically, the Prospecton strike meant that no representatives of Toyota attended the forum talks, so any forum agreements will not be binding on Toyota.

Unions went to Port Elizabeth asking for a 25% wage increase, which employers say was effectively 45% by the time benefits were taken into account. ■

amount of herbage generated by the
summer rains highly combustible

Toyota arbitration ends

STAR 2/15/92
Arbitration hearings aimed at ending the three-week-old strike at Toyota's Prospecton plant have been completed, but the 6 000 workers are yet to return to work, and await a date to be set by management and their representatives

(151)

Van Eck: NP can't scare me

lacked an Israeli post overnight



6 000 are still out at Toyota



Sowetan 29/5/92
ARBITRATION hearings aimed at bringing the three-week-old strike at Toyota's Prospecton plant have been completed but the 6 000 workers are yet to return to work

The hearings were completed on Tuesday, according to Mr Theo van den Berg, Toyota's group director of personnel and industrial relations

"Negotiations are currently under way for a return to work by the 6 000 workers affected by the strike," said Van den Berg

However, workers representatives had no idea when there would be a return to work to resume production which has been hard hit at the plant

Most of the workers felt that some of

(151)  
Sowetan Correspondent

their demands would be met, enough to enable them to return to work but a date has yet to be set by management and their representatives

The workers went on strike on May 7 to demand that a superintendent be dismissed for alleged discrimination. The strikers later added the removal of two other managers to their list of demands

The strike has cost Toyota the production of 430 vehicles a day and the company has reportedly lost well over R200 million in turnover

Numsa, Seifsa in pay dispute

METAL industry negotiators agreed to resume pay talks on June 9 following a dispute between employer and union representatives in Johannesburg on Wednesday

The National Union of Metalworkers of South Africa (Numsa) said all unions involved in the negotiations, except the SA Yster- en Staalunie, de-

clared a dispute on May 14. Employers represented by the Steel and Engineering Industries Federation of SA had subsequently also declared a dispute. A further round of talks could be held on June 18 and 19.

Seifsa spokesman Mr Hendrik van der Heever confirmed the decision taken at a special executive committee meeting of the

National Industrial Council for the Iron, Steel and Metallurgical Industry

Numsa official Mr Les Kettledas said his union would have no alternative but to ballot its members for industrial action if no progress was made in national negotiations across four sectors.

Numsa negotiators in the metal, tyre and motor industries on Sunday expressed concern at the apparent lack of progress in these negotiations.

However, the union remained committed to finding an acceptable outcome to the negotiations and expected employers to do the same - Sapa

Sawetan 29/5/97

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THE year 1991 was a wasted year with respect to social policy. It should have been a period in which the social parties — unions and employers — prepared important socio-economic ground for the imminent constitution-making process. In the event, elements within the Cabinet and the Manpower Ministry, distrustful of the role of unions, contrived to block the tripartite initiative which had led to the signing of the Labora Minute of September 1990.

In terms of that Minute, it will be recalled, government agreed to accommodate the unions in the formulation of labour policy in return for a peace obligation. However, by October last year, it became clear government had no intention of revamping the main statutory advisory body, the National Manpower Commission (NMC), and that it wished to outflank the unions in its attempts to restructure the economy.

A disaffected Cosatu walked out of the NMC, fell back into the familiar adversarial relations of old (which took the form of the VAT stayaway), and then decided to pitch for higher political stakes.

Now, in the middle of 1992, the NMC continues to languish while unions and employers have begun to direct their energies towards the establishment of a macro-economic forum. Unions and business have a legitimate stake in fashioning national economic policy. However, that process is convoluted, and labour is only one (and a latecomer at that) of many actors seeking a role. Labour's influence will be diffuse.

To the extent that the leap onto the macro-economic stage bypasses rather than builds on labour-specific institutions (existing and potential), the move represents a departure from a 20-year-old union strategy and is fraught with the risks typical of any top-down approach.

Unions have an entrenched presence at plant level and a significant

Time for a rethink on unions' role in shaping policy

Blaney 1/6/92

CLIVE THOMPSON

presence at industry level. What they lack is an institutional base — statutory or independent — at national level within which to forge national labour policy.

That base is necessary if unions are to play a key role in developing broader labour and social policy; the conflictual relations which characterise contemporary collective bargaining are to be converted into more co-operative ones through the conclusion of social pacts, an active labour market policy is to be developed, and unions are to commit their constituencies as part of a wider process of economic renewal.

Under current conditions, union influence on macro-economic policy is likely to be marginal, and the costs of later disillusionment may be large. Union influence on labour (and social) policy, by way of contrast, could be pivotal.

Labour and management jointly control the major variables in the labour market, can make demands of the state, set attainable goals and, most crucially, deliver. Mainly for its own worth but also, incidentally, if the macro-economic initiative is to have any prospect of success, it is essential that the social parties, and in particular the state, invest a great deal of effort in restructuring the

NMC and the other statutory and non-statutory institutions of national labour policy.

The Labora Minute demonstrated a fatal deficiency within the existing NMC: a body which purports to be representative of labour and business, and which wishes to negotiate its way to consensus positions, cannot be located within the labour ministry and cannot be a creature of the Minister of Manpower. To play a useful role in a changing society, a refurbished labour council will need to enjoy a different status, be entrusted with new responsibilities and be composed on a new basis.

In terms of status, autonomy should be a defining feature of any new body. It should not lie within the embrace of a labour ministry but should be constituted as an independent statutory body drawn from civil society and set apart from both the state administration and the legislature. Autonomy requires financial independence and this should be achieved through a dedicated levy on commerce and industry.

Its principal function should be to advise all ministries dealing with labour matters and Parliament on la-

pressing for the enlargement of these funds and a role in overseeing their deployment. Some important demands relating to interim government and administration could be addressed by exploiting the possibilities in this entire area.

A council should also have a research function to enable it to discharge its obligations of advising all ministries and Parliament competently and authoritatively.

Finally, a council should play a key role in the appointment of judicial officers in the labour courts. Those tribunals must enjoy legitimacy to play their proper role as arbiters of last instance in the industrial relations system. The current Ministerial appointment process detracts from the stature of the labour courts. With regard to composition, drawing generally on European and particularly the Netherlands experience, there seems to be much merit in comprising a council equally out of employer, union and "public interest" representatives.

The last category should serve as a bulwark against some of the excesses of social corporatism. Representatives here could come from constituencies such as rural workers, women's groups, small businesses and independent experts. The presence of these representatives would force the business and labour elites of the formal economy to develop policies which reach both the urban informal sector and the countryside.

Although a labour council's principal function would be advisory, one would expect the political convention to develop, over time, that ministries and Parliament would not lightly depart from a consensus position reached in such a council. Parties represented on the council would be those most intimately involved in and affected by labour policy, and this social fact should be implicitly recognised in any new constitutional dispensation.

Thompson is associate professor and director of the Labour Law Unit, UCT, and was a member of the NMC legislation committee.

Dispute at Toyota settled

B. Day 2/6/92
MORE than 6 000 workers are expected to return to work at Toyota plants in Durban today after a "settlement package to resolve the dispute" was negotiated with Numsa, a company spokesman said

But the 18-day strike, it is estimated, may have cost the motor assembler up to R310m in lost turnover

Toyota SA CE Bert Wessels declined to comment yesterday on the impact of the strike on Toyota's operations. This would be assessed today if production resumed as planned, Wessels said

Toyota would also not elaborate further on the settlement package for fear of jeopardising it.

Numsa could not be contacted for comment last night.

Sapa reports that in terms of the agreement between Toyota SA and Numsa shop stewards the company would

Place a production superintendent in an office where he would have no dealings

B. Day 2/6/92 (151)
Business Day Reporters

with workers,

Transfer a personnel manager to another post,

Remove a manager from the auto components division for placement elsewhere,

Re-employ a shop steward committee chairman who was fired eight months ago, and

Abandon all Industrial Court actions by the Toyota auto components division and its predecessor, Metlink, against Numsa

Earlier estimates suggested that the strike was costing Toyota up to 430 vehicles a day in lost production. Based on an average vehicle price of R40 000 over the period of the strike, Toyota has lost up to R310m in turnover since the strike began on May 6

The work days lost exceed the 17,5 days lost to work stoppages in Toyota's previous financial year to December 1991

NEWS IN BRIEF

Textile talks (151)

B/P
2/6/92

THE SA Clothing & Textile Workers' Union, which has threatened strike action over wage negotiations, had agreed to a fourth and final round of talks, assistant general secretary Ebrahim Patel said in Cape Town yesterday

Mediation body meets

CAPE TOWN — The committee investigating implementation of the Short Process Courts and Mediation in Certain Civil Cases Act met for the first time in Cape Town yesterday, Justice Minister Kohie Coetsee announced (15) (16)

The Act provides for mediation by an impartial party in a short process court or magistrate's court before judgment is given in certain civil actions

The Act is intended to save costs and resolve matters quickly in a forum providing an alternative dispute resolution procedure

The Minister will be empowered to appoint an independent, objective, impartial person — an advocate, attorney, law lecturer or retired magistrate — to act as a mediator or adjudicator in a short process court

The committee — chaired by Justice Department Deputy-General JG Geysers — would advise the Minister on the establishment of the courts, managing pilot projects, drafting the rules of mediation process and setting up the courts — Sapa (17)

No prospect of Myl Fancourt payouts 'y

CAPE TOWN — There were no prospects of investors in any of the Club Mykonos companies, Mykonos Weskus Beleggings, and Fancourt receiving interest payments yet, Masterbond's provisional curators said in an interim report submitted to the Cape Town Supreme Court this week.

The provisional liquidation of Marina Martinique would also mean a considerable delay before debenture and participation bond investors received a dividend. However, there was hope for capital payments to Silverhurst, Finanzhaus and Spectravest investors

The report disclosed that about R155m of funds invested in Masterbond debenture bonds had been unallocated prior to the provisional liquidation of the group. Initially it was thought that R139m was unallocated, curators Willem Wilken, Arnold Galombik and Jozua Malherbe said

They had obtained the advice of senior counsel on how to deal with the R155m in unallocated funds, accumulated in an undifferentiated account and lent to debtor companies without issuing debenture certificates to investors

LINDA ENSOR

The debtor companies which received the R155m had been identified as Club Mykonos (R27m), Fancourt (R22m), Marina Martinique (R28,7m), Phindaland (R2m), Finanzhaus and Spectravest (R58,4m), Silverhurst (R13m) and others (R3,9m)

Senior counsel had advised that monies received by the debtor firms should be pooled and apportioned on a pro-rata basis to all unallocated investors as amounts were received

The report disclosed that Club Mykonos share block owners' rights were in doubt as the validity of the unregistered lease on the land was open to dispute. Investors' rights depended on the validity of the unregistered 99-year lease

A negotiated settlement was essential for Club Mykonos as there were a number of conflicting interests and claims, the curators said

Club Mykonos Langébaan owed R79m to investors for funds borrowed, R49,6m to unsecured creditors and R70m in surety mortgage bonds

"Unless there is a compromise between the secured investors, the purchasers of the time share and share

block unit of CML H protracte gard to th ties before tors will

Discuss potential onos was Offers ha Club My Owners' institution

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Church council plans joint rallies to end violence

THE SA Council of Churches will soon invite representatives of political parties, trade unions and homeland governments to attend joint rallies aimed at ending unrest

Leaders of the organisations — with the exception of the ANC and Inkatha — yesterday attended a meeting of a committee which was appointed in April at a summit on violence convened by the SACC

The committee comprises representatives of the ANC, Inkatha, the PAC, Azapo, Cosatu, Nactu and two

WILSON ZWANE

homeland parties (18)

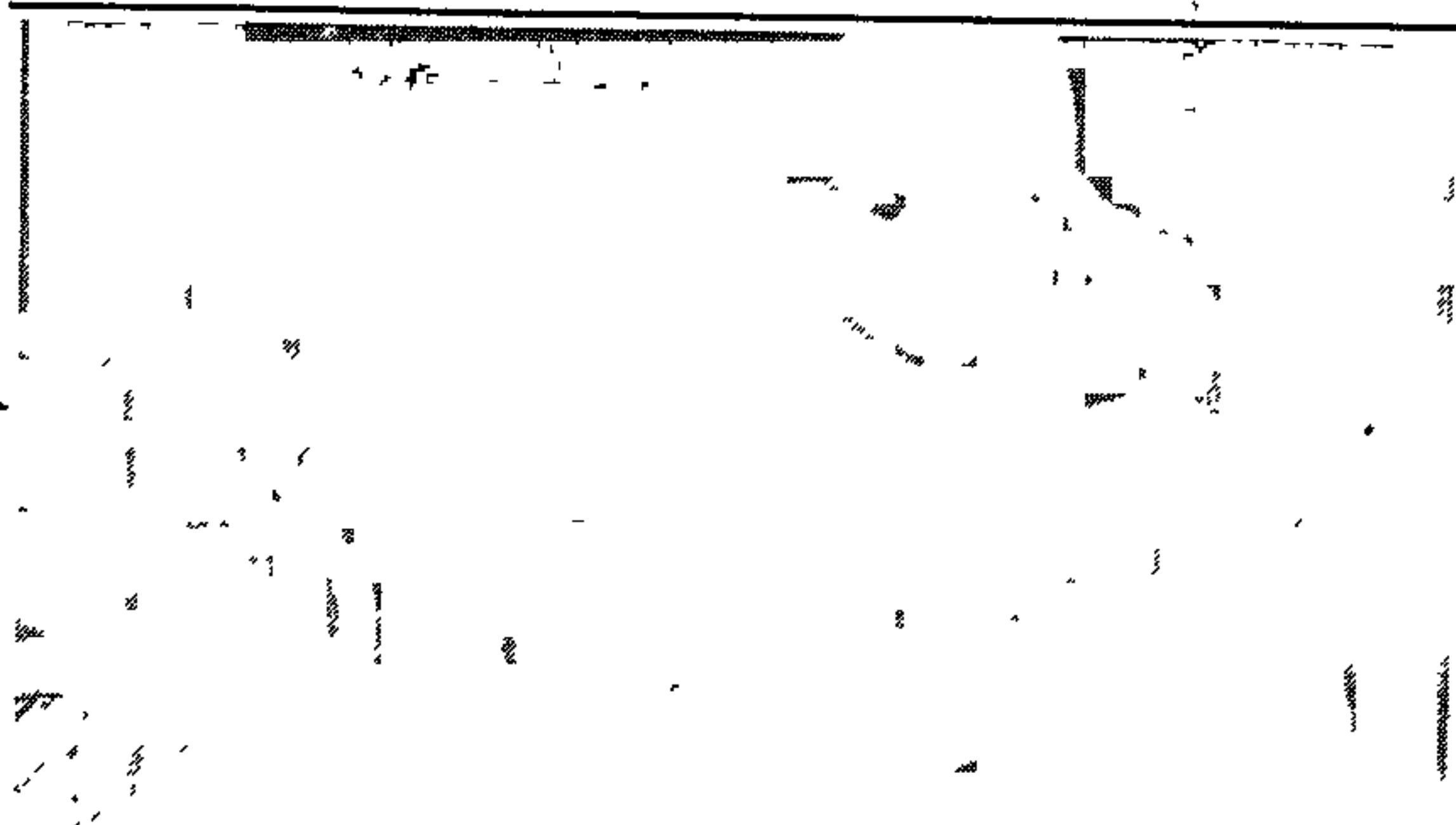
A source close to the council said the committee resolved to ask church leaders to invite black political organisations to joint rallies soon, probably next month (19) 3/16/92

The source said the committee had stressed that joint rallies should be aimed at promoting peace, not political differences. "The organisations are not precluded from holding their

own political rallies," the source said

He said the committee also resolved to recommend the formation of a "multiparty commission" to visit hostels and squatter camps with a view to finding mechanisms to curb violence in these areas


Although a date had not yet been finalised, church leaders would ask the organisations to reconvene later this month to discuss violence which continued to affect SA's townships, the source added



A Ku Klux Klan supporter takes a peek under the hood of a KKK member during a rally in Wisconsin, America. About 200 people protesting the Klan gathering at a city park clashed with police. Klan members cancelled plans to burn a 6m cross.

Toyota strike is resolved

Sowetan 3/6/92



ALMOST all 6 000 Toyota workers turned up at the plant in Prospecton yesterday after a three-week strike that cost the company about R200 million in lost production.

The plant went on stream again following the ending of the strike last night when Toyota management and the National Union of Metalworkers of South Africa came to an agreement which ended the dispute.

The workers seemed happy to be back at work, arriving at the plant's gates about an hour before they started.

There was no tension evident and the workers joked among themselves

Sowetan Correspondent

While some held a 30-minute meeting in the car park, others went straight to their work stations.

It is believed that Toyota lost at least R200 million when the production of 430 vehicles a day ground to a halt.

The component manufacturers are believed to have lost R50 million worth of business and the workers themselves had to forego R800 000 a day in lost wages.

The regional secretary of Numsa, Mr Eckie Esau announced that the strike was over. "We have got a settlement."

He said that in terms of the agreement, the three senior white Toyota em-

ployees against whom the workers complained had been moved to other jobs.

Esau said that the union would also continue to discuss industrial relationships with Toyota management.

A Numsa shop steward who was dismissed by a company which was later taken over by Toyota will be employed.

The 6 000 workers began downing tools on May 6 to demand the dismissal of a superintendent for alleged discrimination.

They subsequently added the other demands.

Critical talks at SABC today

(S) DIRK HARTFORD

THERE could be a breakthrough in the 18-day national strike at SABC by members of the Media Workers' Association of SA (Mwasa) today when the parties meet to discuss the SABC's response to the union's revised demands.

Officials of both Mwasa and the SABC said the meeting was "critical" after constructive negotiations on Tuesday (S).

Mwasa has dropped its across-the-board demand from 30% to a 20%. It is also calling for a R1 500 minimum wage. The SABC is offering an 11% increase and a R1 300 minimum.

An SABC spokesman said the R1 300 minimum wage offer amounted to an effective 39% increase for workers at the lowest pay levels.

01/04/92

NEGOTIATION AND PROTEST

FM 5/6/92

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A question of bad faith

In labour law, at least, resorting to pressure tactics during negotiations is, we now know, illegitimate. It's bad-faith bargaining and constitutes an unfair labour practice. This view, contained in an important recent judgment of the Appellate Division, finally settles an old controversial issue in labour relations (see p44).

But it has echoes on the political stage following the ANC's threat to unleash unprecedented levels of mass action to break the negotiations impasse — even while government and the ANC both remain committed to negotiating. In fact, progress continues to be made at Codesa — except on the central question of an elected constitution-making body and its powers.

The analogy with labour is academic. In the final analysis, political negotiations are about power, regardless of either party's stated commitment to keep talking. The hope is that the chief adversaries at Codesa will realise that going for broke will leave the country devastated.

If there is no breakthrough by July, the ANC warns of "rolling" mass action, including strikes, stayaways, sit-ins, demonstrations and "new forms" of action as well, explained ANC secretary-general Cyril Ramaphosa at the end of the ANC's policy conference on Sunday (see p45).

The programme of action adopted at the conference reflects the ANC alliance's "conviction that only mass pressure can compel the National Party to commit itself to the logical outcome of negotiations," said ANC information chief Pallo Jordan. "However, we have come to the realisation that unless the majority participates actively in shaping that process, negotiations must fail."

ANC president Nelson Mandela warned "If the government remains deaf we will take mass action. It can happen in June or July, depending on government's response." Mandela's relationship with President FW de Klerk has in recent weeks soured sharply over culpability for the violence, which, Mandela is convinced, De Klerk can put an end to if he has the will.

Asked whether he did not fear that such a campaign would get out of hand, Mandela replied that persuasion, via Codesa, had failed — though (paradoxically) "we don't think negotiations have failed." The regime, he added, was negotiating today "because we engaged in mass action. That is the lesson of history. The situation has always been out of hand."

What about damage to the economy? "Our economy is so mismanaged it cannot be further harmed," said Mandela dismissively. Business leaders, including Anglo American's Julian Ogilvie Thompson, have rightly

pointed out that mass action would postpone economic recovery.

Government has said that it would not succumb to threats or be bulldozed. NP spokesman Piet Coetzer says it is highly irresponsible of the ANC to fan political tempers, and the Nats are concerned that the organisation could be starting something which it may not be able to control. He warns that mass action includes intimidation and violence. However, the NP is convinced that the negotiating process will continue.

In its report to the ANC policy conference, the organisation's special commission on negotiations said the country has "entered a decisive period in which the transfer of power from the white minority regime to the people is on the immediate agenda" and that the transfer of power "can be achieved in the shortest possible time."

The report maintains that government "pursues a strategy in the transition aimed at weakening and destroying the ANC through violence and other means, and at locking it



into a permanent 'power-sharing' arrangement" in which white minority domination will be largely intact.

It is significant that the mass action programme is also seen "as part of the unfolding process of preparing for democratic elections," which provides another perspective on the threatened protests.

The ANC leadership, it should be remembered, has a difficult balancing act to perform with its militant, impatient cadres, on the one hand, and the demands of pragmatism, on the other. Arguably, the pragmatic approach won through on policy matters — in particular, on economic policy, at its conference — in spite of the drawbacks of its populist, assembly style of democracy.

Much of ANC rhetoric should be seen in

this light. Its negotiations commission, interestingly, talks of the need to "creatively link" negotiations and mass action as "mutually reinforcing elements of our struggle." The slogan adopted for the campaign is "From corruption, murder and mismanagement to democracy, justice and good government."

If government continues to block the process of transition, appropriate actions will be taken to make the system "truly unworkable." This could include the systematic, nationwide occupation of legislative, administrative and judicial buildings. ■

SHOW BUSINESS

Accents need apply

The SABC board has given the corporation the go-ahead to establish itself as a multi-million-rand international TV producer. Negotiations between the SABC and American producers Kushner/Locke are expected to be finalised soon. They plan to co-produce the third series of the popular TV programme *Tropical Heat* in SA.

David Goldstein, an Israeli who has produced a TV movie that proved a financial failure for the SABC, will be executive producer for the filming of *Tropical Heat*. Goldstein has also acted as an agent for the SABC, buying TV programmes from international companies.

California Secretary of State office records show that Goldstein operates a company called Filmtel Entertainment. An SABC spokesman says Goldstein, then an employee of United Studios of Israel, produced a TV movie, *The Orchestra*, for the SABC in the Eighties. He admitted that the SABC had lost money on the project.

The SABC will invest R21m in the R42m *Tropical Heat* production. The spokesman said the SABC's return (the series is shown in other countries) will generate enough funds to promote local productions. He said 90% of the production team will be local technicians. Local actors will also be used.

Moonyeenn Lee, a spokesman for the TV division of the Personal Manager's Association (for actors), cautiously welcomed the chance for SA actors to feature in an international TV series. But Lee warned against a repetition of what happened some years ago when the only artists employed were those with "a perfect American accent."

Some SA filmmakers are concerned after being told by SABC staff that funding for local productions in the current financial year has dried up and that completed productions will be paid for only in the next financial year.

Eddie Botha

LES KETTLEDAS

FM 5/6/92

Driving a hard bargain

~~192~~ ~~1974~~ (151)
Les Kettledas's early days as a union leader consisted of on-the-job training or, more precisely, lunch-time training. During the mid-day break, the former paint laboratory technician for General Motors talked about what he and other workers saw as poor conditions, low pay and the limits proscribed by job reservation rules.

"In our first year," he remembers, "there was a lot of opposition from employers. But we had to continue."

In 1974, Kettledas (44) left GM (now Delta) and became a full-time union official. Now he is the national secretary for collective bargaining of Numsa, the metalworkers' union that represents 280 000 dues-paying members who work in the metal industry, vehicle and tyre manufacturing and the motor industry.

Though he acknowledges that there have been "substantial changes in working conditions" at the car assembly plants since he went to work for GM in 1968, he believes that management has the same response to the union's request for better wages and benefits.

"Employers have the same attitude no matter what, whether it's recession or boom they always accuse the union members of being unreasonable and unrealistic. That response is always there."

The current contract with the car companies expires at the end of the month and negotiations are going ahead, following the recent strike now under way at a Toyota plant in Durban. So far, the carmakers are offering increase packages worth about 6,4% — a number that Kettledas says "smacks of a handout."

Though Numsa is asking for 25% increases (which management sees as 45%, including benefits), he would be happy to see an offer that would at least cover inflation. "Or else our members are not able to improve themselves."

Will there be another strike like last year? Kettledas dips into his well of union-speak. "If there is no real progress, we will be forced to hold a ballot for our members on whether they want to take industrial action."

Sitting across the negotiating table is Dave Kirby of BMW, who says he gives Kettledas "an 'A' for perseverance."

Says Kirby "He is intelligent, articulate and tenacious. He is a bulldog. He has strong goal orientations. He sets clear targets and then hammers away." Nevertheless, Kirby does not "agree too often with his philosophy, his standpoint. He is not co-operative, he is confrontational."

Kettledas says he is just doing the job he is mandated to do. And he tries to keep calm, cool and collected while he goes about his



Kettledas earning an 'A' for perseverance

task

"I go in and get the best deal for the members. I don't do that by jumping on the table and screaming at the employers."

Kettledas, who is based in Port Elizabeth, says all of his free time goes to the union. But when he needs to get away from it all, he jumps into his new Delta-made Opel Kadett (he recently retired a Renault) and heads about 80 km west for the peace and quiet of Humansdorp, where he grew up. ■

LABOUR LAW (151)
FM 5/6/92
Time is money

Is it legitimate to use pressure tactics against your adversary in the midst of negotiating with him?

The question may be academic in the high stakes of power politics, as the ANC threat of mass action against government "intransigence" at Codesa shows

In labour law, however, this longstanding controversy has finally been settled in an important Appellate Division judgment recently delivered by Mr Justice Goldstone, in *Macsteel vs the National Union of Metalworkers (Numsa)*, Cosatu's biggest affiliate

In terms of the judgment, a concerted refusal by employees to work voluntary overtime as a pressure tactic constitutes an unfair labour practice. According to Webber Wentzel labour lawyer Tim Trollip (for the company), the judgment should be welcomed "because it emphasises the primary importance of collective bargaining and recognises that power play should be seen as a last resort rather than as a starting point"

The dispute goes back four years. It came to a head when the company obtained an interim interdict in the Industrial Court preventing employees from imposing a collective overtime ban while in the midst of wage negotiations. Most employees went back to work but when the Industrial Court suspended the interdict on its return day, most of the company's Numsa members refused to work overtime.

The matter went to trial and the Industrial Court found that it was a legitimate industrial relations pressure tactic for union members to ban voluntary, noncontractual overtime, without notice to the employer, to enhance their collective bargaining power.

This decision was reversed by the Labour Appeal Court, which took the view that the overtime ban constituted a deviation from the proper purposes of collective bargaining. It was unfair because it effectively pre-empted wage talks.

The issue then went to the Appellate Division where the union's lawyers argued that it could never be unfair for employees to refuse to work overtime, regardless of the motive for such refusal, because workers were under no contractual obligation to work overtime. Thus they were free to refuse to work overtime whatever the reason and whether they did so individually, collectively or simultaneously.

Factors taken into account in the Appellate Division judgment were

- The overtime ban was instituted during the course of wage negotiations,

- FM 5/6/92
- There was no suggestion that Macsteel was not bargaining in good faith,
 - Overtime had been done for some years to the mutual advantage of the company and employees who wanted to work overtime,
 - The union knew that a ban on this overtime would seriously disrupt production and cause substantial losses for the company,
 - The ban was instituted without the declaration of deadlock in negotiations and without notice to the company, and
 - The union disingenuously denied any knowledge of the overtime ban.

However, the court seems to have left open the question of the circumstances in which an overtime ban can be imposed. Would it be legitimate, for instance, where an employer was bargaining in bad faith? And, if that were the case, does it imply that negotiations should continue regardless? ■

No news is bad news (151)

■ THE first meeting between the SABC and the Media Workers Association of South Africa failed to iron out the three-week-old strike at the corporation this week. Management reinstated the offer of a 11 percent increase with a R1 300 minimum wage it had withdrawn when the strike broke out.

The parties met again yesterday after the negotiating team sought a renewed mandate from the board of directors.

S/6-11/6/77

LABOUR BRIEFS

W/Mail 5/6 - 11/6/92.

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trial court.

On the road again

■ **TOYOTA** is back on the road. The country's leading car manufacturer and the National Union of Metalworkers of South Africa hammered out an agreement on Monday this week.

All three of the managers pinpointed for dismissal by the workers were removed from the production line into office jobs. The chairman of the shopstewards council, dismissed from the company earlier this year, was reinstated in line with workers demands. He will go to court to contest his demand for back pay.

In the most significant move, the company will drop all actions pending against the union in the indus-

One such action, with component manufacturer, Metlink, was a damages claim for R250 000.

Union now confident in BTR case

BY FERRAL HAFJAJEE

THE long march of almost 1 000 British Tyre and Rubber (BTR)-Sarmcol workers, dismissed from the British multinational in 1985, is not over. But it may now be a lot easier.

The Appellate Division last week ruled that the case should be retried in the industrial court. This week, the company reacted angrily, accusing the court of not "ruling on the merits of the case" *Wimscap*.

But lawyers and the National Union of Metalworkers of South Africa (Numsa) — whose members were dismissed — welcomed the decision.

The political climate and more enlightened labour law made them confident of a decision in favour of reinstatement *S/6-11/6/92*.

"I would rather be fighting the case in 1992 than in 1985," John Brand, the attorney for the dismissed workers, said this week.

He said the workers now had a right of appeal in the Labour Appeal Court, legal precedent gave them a greater chance of reinstatement and current labour law provided better protection for strikers.

In 1989 the supreme court ruled that the behaviour of one of the pre-



Long battle ... The 1985 BTR-Sarmcol strike was one of the most acrimonious ever in South Africa

siding officers of the industrial court could have been construed as showing bias. The officer in question — also the deputy president of the industrial court at the time — attended a seminar hosted by Andrew Levy and Associates, industrial consultants to BTR-Sarmcol.

Delivering the appeal decision this week, Judge Hoexter said "In our law, the existence of a reasonable suspicion of bias satisfies the test". He added: "If a judicial officer has

any interest in the matter before him, he is disqualified, no matter how small the interest may be."

The company this week issued a veiled threat, saying that the judgment had serious consequences for judicial officers "attending organised seminars such as the one arranged by the Centre for Socio-Legal Studies which

two appeal court and other industrial court judges attended".

The company also questioned whether approval was necessary

every time a judge wanted to attend a seminar.

BTR-Sarmcol this week stuck by its guns, saying it "is confident of the merits of the case" and that it "did not commit any unfair labour practice".

Numsa representative Gavin Hartford this week welcomed the decision "It vindicates Numsa's position," he said, adding that the union believed it "had a strong case and were a lot more hopeful for the new trial".

Eskom workers denounce job losses

By Mike Siluma

Three trade unions representing Eskom employees have warned of confrontation with the electricity supply utility over job losses following rationalisation

Since 1985 Eskom had slashed its workforce by 30 percent, at a cost of some 20 000 jobs, the National Union of Mineworkers, the National Union of Metalworkers of SA and the Electricity Workers Union said

Start 9/6/92
The unions accused Eskom of being part of a government plan to cause a "high level of unemployment so that a democratic government should face chaos". June 29 has been declared a "national day of action". (15)

Eskom corporate communications manager Bongani Khumalo said yesterday it was "regrettable" that the unions had raised the question of restructuring through the media while talks were going on

Albany 10/6/72

~~(S)~~ ~~(1974)~~ (151)
Shop workers picket
AS THOUSANDS of SA Commercial, Catering and Allied Workers' Union members staged nationwide, lunch-hour pickets yesterday, the union prepared to take a wage dispute with Checkers/Shoprite to the conciliation board.

Deadlock in metal industry wage talks

DISCUSSIONS to resolve the dispute over wages in the metal industry will resume later this month after Seifsa and Numsa this week failed to reach an agreement

Seifsa yesterday revised its wage offer from 6,4% to 8% for all workers on condition the union dropped other demands

Numsa rejected the offer and a further meeting was scheduled for June 18, collective bargaining national secretary Les

STEPHANE BOTHMA (151)

Kettledas said in a statement last night Seifsa remained opposed to a Numsa demand for a moratorium on retrenchments but said it was prepared to consider alternatives, Kettledas said

Responding to a demand for a code of practice to end discrimination in employment, Seifsa called for a code of conduct

5/10/92 11/6/92

Mediation comes home



Radford Jordan is a former senior lecturer in political studies at Wits University

Professor Frank Sander of the Harvard Law School, an internationally recognised expert in alternative dispute resolution (ADR), recently spent two weeks in SA. He came at the invitation of Adrasa (the recently formed Alternative Dispute Resolution Association), which hopes he will prove to have given ADR decisive help in taking root here.

ADR was born in the US more than a decade ago. It offers various techniques for resolving disputes more quickly and cheaply than recourse to courts of law. Of these, the most important and the one that contrasts most strongly with adjudication in the courts, is mediation.

In the course of a packed conference at Sandton on "Streamlined Justice", Sander

drew the following comparisons between adjudication in a court of law and mediation

- Looks to the past/looks to the future,
- Deals with facts/deals with the relationship between the parties,
- Tries to assess liability or fault/seek to restructure or repair relationships,
- Provides a winner and a loser/seek to provide an accommodative outcome,
- Handled largely by attorneys/offers an important role to disputants, and
- Results in a general rule or precedent/results in custom-built solution in the instant case

There is no category of dispute where mediation has not proved its worth. Where mediation seems to have failed, ADR has other strings to its bow, notably informal arbitration and the "mini-trial". Sometimes recourse to one of these proves in the end to be unnecessary, after the mediator appears to have failed, the parties have second thoughts, come together on their own and arrive at a settlement.

The programme arranged for Sander by Adrasa was a heavy one. He visited the Appeal Court in Bloemfontein and judges in the Transvaal, the Cape and Natal. Impart-

ing knowledge of ADR is the breath of life to him. Much as his programme demanded of him, he gave the impression that he would have wished to do no less.

ADR was pioneered here by the Independent Mediation Centre (Imcsa), which has specialised in industrial mediation but has also extended its work to community disputes. Sander agrees that Imcsa's work is of a calibre second to none in the world.

It is not surprising that ADR should have struck roots here. Sander sees its debut in the US as the result of an article contributed to the *Stanford Law Review* about 20 years ago on African methods of settling disputes. So its arrival here is something of a homecoming.

There are two great question marks that hang over ADR's future here. The first is whether a climate of reconciliation is able to build up in the country, Codesa could well be the start of this.

The other arises from the conservatism of the legal profession, the body of people who can excel at ADR if they choose to embrace it, but whose lack of response could well result in its falling into hands less competent but more willing.

South Africa to check mercury risks at Thor

By David Beresford
in Johannesburg 1992

THE uglier face of British capitalism is about to be exposed in South Africa once again

Government officials have confirmed that a public inquiry will be held in Natal at the end of this month which could result in prosecutions against Thor Chemicals — a subsidiary of Kent-based Thor Holdings — over mercury poisoning suffered by its black staff

Thor reclaims mercury from toxic waste brought in from the northern hemisphere South Africa is not a signatory to international treaties banning trade in toxic waste The company has

Guatemala in the Americas routinely denied dumping toxic waste

Simultaneously, South Africa's longest industrial dispute involving BTR (British Tyre and Rubber), the South African subsidiary of BTR plc, is set to enter yet another bitter round, after a court victory for the union involved

Dunlop is meanwhile lobbying the European Commission to scrap the EC code of conduct governing European companies in South Africa The public inquiry into Thor Chemicals is being set up by occupational safety officials following the poisoning by mercury of at least

12/6-18/1/92
three employees, who are lying semi-comatose in hospital with little hope of recovery

The Umgeni River near the Thor plant at Cato Ridge — used for drinking water and bathing by local people — is alleged to be dangerously polluted with mercury

The mercury reclamation plant at Thor — reputed to be the biggest such plant in the world — has been shut down by the government pending investigations A recent report by an expert on occupational health, Professor Tony Davies, found that levels of

mercury in the air were consistently above the maximum allowed, there was evidence "that skin contamination, including burns, are frequent and that contamination of work clothes is frequent", casual workers were given hazardous jobs without proper training and respirator equipment had had to be dumped after being found to be inadequate

Thor has issued assurances that it will "immediately" implement the recommendations made by Prof Davies
Meanwhile the seven-year dispute at BTR, which began when 1,000

workers were sacked at a rubber plant in Howick, also in Natal, has entered a new phase with an Appeal Court decision in favour of the Metal and Allied Workers Union (Mawu)

A full bench of five judges confirmed an earlier judgment quashing an industrial court ruling in favour of BTR — which started the legal process — on the grounds that the court's deputy president had opened himself to charges of bias
The dispute has had substantial and bloody repercussions over the years

Toyota withdraws agreement

STAR 12/6/92 (USI)
Toyota SA yesterday withdrew an agreement reached with Durban employees at the end of a 17-working-day strike last month because of another work stoppage, which enters its fourth day today

w/mant
12/16-18/6/92

LABOUR

(15)

Progress in metal talks

■ALTHOUGH the metal and engineering industry remains locked in a dispute with the National Union of Metalworkers of South Africa, there was some progress this week.

Employers increased their wage offer to eight percent, up from 6,4 percent, on condition that the union drops its substantive demands. In return, the companies will withdraw their demand for changes to the industry's main agreement.

The employers tabled proposals for establishing a training fund for retrenched workers and for a code of conduct to promote non-discrimination.

Clothing strike looms (51)

THE South African Clothing and Textile Workers' Union has declared a wage dispute with employers in the clothing industry, heralding a potential production shutdown early next month. The disputes affect 105 000 workers covered by industrial councils in Cape Town, Durban and Johannesburg. Union official Ebrahim Patel said a strike ballot would be held if dispute meetings failed to yield a settlement. Sapa.

STAR 13/6/92

JESS

Cosatu hosts business indaba

Sowetan 15/6/92

By JOSHUA
RABOROKO

THE Congress of South African Trade Unions is to host four worker and management conferences in major centres between June 18 and June 25 to project its vision for the new South Africa

The first will be held at the Sandton Sun Hotel, Johannesburg, on Thursday, starting at 9am

The other conferences will be held at the Lord Charles Hotel, Somerset West, on June 23 (8am), East Cape Training Centre in Port Elizabeth on June 24 (8am) and at the Durban Inn in Durban on June 25 (8am)

Topics to be discussed include the changing role of the shop stewards, macro-environmental politics, workplace conflict and co-operation, Cosatu's thinking on the role unions should play in the political process and the implications this will have on management.

Speakers will include Mr Jay Naidoo, general secretary of Cosatu, Professor Ari Sitas, director and founder of the Centre for Industrial Labour Studies at University of Natal, Mr

Sipho Pityana, assistant to the vice-chancellor of Fort Hare University, Mr John Gomomo, executive member of the SA Communist Party, and Mr Chris Dlamini, first vice president of Cosatu

Co-ordinator Ms Tracey-Ann Carrol said the conferences had been organised by Industrial Relations Network in association with Case.

She said they would provide an opportunity for rapproachment, and urged businessmen to attend so they could learn more about trade unionism

Grosskopf 'is still a suspect'

8/10 am 16/6/92
STEPHANE BOTHMA

ANC member Henr Grosskopf was positively linked to the Quartz Street bomb blast in Johannesburg in 1987 which injured 68 people, and was still a suspect in two other blasts which killed seven, police said yesterday.

An SAP statement said a R50 000 reward for information linking Grosskopf or any other person to a blast at the Krugersdorp Magistrate's Court in 1988, which left three people dead, was still on offer.

However, a reward for Grosskopf's arrest had lapsed, Sapa reports.

Police said Grosskopf, believed to be in Zambia, was still a suspect in the 1987 Johannesburg Magistrate's Court bomb blast and that at the Krugersdorp Magistrate's Court in 1988.

No pay for staying away, say employers

8/12 am 16/6/92

BUSINESS organisations yesterday called for a no work, no pay policy as they and unions engaged in a war of words over the ANC alliance's mass action campaign.

Sacob, the Afrikaanse Handelsinstituut, the Johannesburg Chamber of Commerce and Industry, Spoornet and Anglo American's gold and uranium division all advised yesterday they would follow a policy of "no work, no pay", Sapa reports.

Seifsa recommended that disciplinary action be taken against employees staying away from work because of mass action.

"In this particular case, it would constitute an illegal strike," Seifsa spokesman Hendrik van der Heever said of the campaign, which starts today.

Cosatu yesterday said employers had done nothing about the issues motivating the mass action programme.

"If there is a better way to stop government corruption and death squads and get movement at Codesa, we would like to hear about it," a Cosatu spokesman said.

Cosatu has asked business organisations to support its mass action

8/12 am 16/6/92

campaign as the quickest route to establishing the political stability needed for economic growth.

A Sacob spokesman said business did not have a position on these issues. In any event, it would rather engage directly with government than through Cosatu.

"We are concerned about government corruption and the (assassinated activist Matthew) Goniwe affair, but we don't respond to every issue like Cosatu does. There are institutions like the Goldstone Commission, the Justice Department and Codesa which should be used to solve these problems."

Meanwhile, the thousands of workers currently on strike at TPA hospitals, SABC and Toyota could swell to hundreds of thousands in the next few weeks if negotiations in the textile, municipal transport, forestry, metal, car, tyre, retail and mining industries were not settled, Cosatu said.

Disputes had already been declared in many of these sectors.

Tomorrow 250 000-member Numsa will unveil its mass action plan for the metal, motor, car and tyre and rubber industries.

Bill lifts ban on foreign funding

8/12 am 16/6/92

CAPE TOWN — Government has tabled an omnibus Bill which includes the temporary suspension of the ban on foreign funding of political parties.

A memorandum to the General Law Amendment Bill says the suspension of the Prohibition of Foreign Financing of Political Parties Act "emanates from the need of funds in order to expand the process of democratisation".

The Bill amends elements of another 20 Acts, among them the provision in the Criminal Procedure Act of 1977 that an accused's race must be mentioned in a charge sheet or an indictment.

The Criminal Procedure Act is being amended to make it clear correctional supervision may be imposed for statutory offences.

Clause 6 of the Sexual Offences Act is extended to include males in the provision that anyone found in a brothel who refuses to disclose the name and identity of the keeper or manager will be deemed to be keeping the brothel.

Section 99 of the Insolvency Act is also being amended so that a preferential claim will be granted to the state in respect of VAT, as was the case with GST.

Municipal employees plan protest

By Louise Burgers
Municipal Reporter

Mass protests against the Johannesburg City Council management committee by thousands of municipal employees, who face possible retrenchment and no increases, are expected next week — for the first time in the council's history.

A dispute has been declared by the unions after the fourth round of wage talks broke down on Monday. The issue will now go before the Industrial Council.

The annual Johannesburg budget, expected to top R3 billion this year, will be presented on June 25 — the same day the council's 12 unions, representing the 23 000-strong workforce, from labourers to directors, have chosen to demonstrate on the lawns of Civic Hill in Braamfontein.

In an unprecedented move last week, more than 1 000 white-collar employees approved a motion of no-confidence in the present management committee.

Johannesburg Municipal Employees Association (JMEA) general secretary Theo Crouse said the council had given the undertaking to unions on Monday that they would not embark on a mass retrenchment programme for

the next six months.

Mr Crouse and SA Municipal Workers Union (Samwu) bargaining officer Roger Ronnie told The Star last week that the union had it in writing that the council intended to scrap 7 000 posts to trim the workforce to 15 000.

The council has denied that the figure is so high.

In the latest JMEA newsletter, to members, trade unions say they "were astounded that for the first time in 106 years the council has managed itself into the position that it sees fit to retrench employees in order to balance its budget".

Mr Crouse said the unions, presenting a united front for the first time, had indicated that, despite declaring a dispute, negotiations would continue and there was no question of a strike.

"But at this stage we are poles apart," he said.

This is the first time in many years that the council wage talks have not been finalised before the annual budget.

The 12 unions want salary increases of between 16,7 and 34 percent to bring the minimum wage into line with that of workers in other cities.

In another development, Samwu yesterday urged the Government to immediately withdraw the Provincial and Local Authority Affairs Amendment Bill which, the union says, is being forced through Parliament this session.

STAR 17/6/92

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Dismissals 'will lead more to join strike'

Monday 18/6/92

MANY doctors and other professional health care workers would strike if the general assistants on strike at provincial hospitals were dismissed, National Health Unity Forum spokesman Dr Aslam Dasoo told a news conference in Johannesburg yesterday.

Sapa reports radiographers and professional nurses at Tembisa Hospital yesterday joined the strike and Baragwanath radiographers and nurses also threatened to join the strike if talks yesterday between the Transvaal Provincial Administration and the National Education, Health and Allied Workers' Union (Nehawu) were not fruitful.

TPA spokesman Piet Wilkin said last night the talks did, in fact, deadlock.

The TPA's chief superintendent, Dr C van der Heever, distributed letters warning that workers not returning to work by yesterday would have to give an explanation by 4pm, and those who did not provide explanations would be fired.

It could not be established last night what steps would be taken.

DIRK HARTFORD reports that ANC national executive committee member Cheryl Carolus told the news conference the fact that some workers earned R410 a month was disgusting. "Many Cabinet ministers spend that much on themselves every day."

The forum said the doctors and nurses it represented were debating the situation and if the TPA did not move to resolve the strike, or if it dismissed strikers, its mem-

bers could take action.

Nehawu general secretary Phillip Dexter called on anyone who had information on the deaths of babies at GaRankuwa Hospital at the time of a strike in 1990 to contact the union. He said the union had evidence that the babies died because "someone panicked and attempted to get them taken from the hospital by ambulance without proper equipment."

He reiterated the union's claim that the TPA was preventing workers from giving emergency care by locking workers out.

He said "skeleton staff" for emergency care was accepted the world over, but not by the TPA.

Meanwhile, the TPA said there was only R16 separating its offer and Nehawu's demand and that wages had risen by 130% for general workers since the beginning of 1989.

Other Nehawu demands were also being addressed.

Yesterday a second hospital in the Free State joined the strike, but Durban hospital authorities denied Nehawu's claim that its members at King Edward Hospital were on strike in Natal.

The TPA said 14 Transvaal hospitals were affected by strike action.

Nehawu claimed between 300 and 500 of its members were arrested yesterday at hospitals, including the Johannesburg Hospital. At Germiston Hospital police allegedly used teargas, sjamboks and dogs to break up a crowd of strikers and one worker was seriously savaged, it said.

MK training claim

STEPHANE BOTHMA

JANE's Defence Weekly believes some members of the ANC's military wing, Umkhonto we Sizwe, are receiving military training in India — in Transkei army guise

This was done to avoid potential embarrassment to India, the defence magazine's SA correspondent Helmoed-Romer Heitman wrote in the latest edition. *Wany 18/6/92*

Heitman wrote that a problem affecting integration of ANC personnel into the SADF was insufficient military training and experience. The ANC, therefore, was sending personnel on courses in various countries.

The ANC last night denied that members were receiving training in India in Transkei Army guise.

A spokesman confirmed ANC members were receiving training in various countries.

Order against Numsa march

SUSAN RUSSELL

BARLOW Group subsidiary Barlow Appliance Company yesterday obtained an interim interdict in the Rand Supreme Court prohibiting the National Union of Metal Workers (Numsa) from associating itself with a march planned for today in support of workers dismissed during an illegal strike.

The Kew company dismissed 600 workers in September 1989 after an illegal strike and the matter has been the subject of arbitration proceedings between the union and management. *Wany 18/6/92*

Yesterday's order granted by Judge C Plewman also prohibits the union from instigating, encouraging or associating itself with any conduct which is in breach of the arbitration agreement.

The union has been interdicted from publishing or disseminating

statements to the effect that the dispute was adjudicated in any forum other than by an independent arbitrator who was appointed by agreement between the two parties. *(151)*

Numsa has also been interdicted from publishing or disseminating statements which claim that the dismissals were unlawful or unfair.

In terms of the order the union may not encourage, incite or associate itself with any conduct amounting to a boycott of the company's products.

Nor may it associate itself with calls for the reinstatement of the dismissed workers.

Dismissed workers demonstrated at the opening of Codesa II last month protesting against the involvement of Barlow Rand CE John Hall in the national peace accord.

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Patients may die, TPA warns hospital strikers

By Helen Grange and Abel Mushi 18/6/92

After yet another breakdown in talks yesterday, the Government has warned that the crippling hospital worker strike may lead to patient deaths

Despite deteriorating hygiene conditions in at least 16 Transvaal Provincial Administration hospitals due to a protracted strike by hospital assistants and clerks, negotiations between the TPA and the National Education, Health and Allied Workers Union (Nehawu) again ended in bitter accusations and reciprocal warnings yesterday

In a statement last night, the TPA warned that if conditions were not normalised,

"it may cause a further deterioration of services, loss of life, continued damage to property, and the intimidation and assault of persons"

The Transvaal Provincial Administration yesterday refused three demands tabled by the National Education, Health and Allied Workers' Union at a meeting — maintaining the deadlock between the two parties, reports Sapa

Demanded

Nehawu demanded that

- The TPA arrange a meeting between Nehawu and the Minister of Administration and Tourism
- The TPA consider the withdrawal of all court in-

terdicts

- The TPA "go soft" on the implementation of disciplinary action against striking workers

The strikers themselves are demanding a minimum wage of R724 and an across-the-board increase of 15 per cent

The TPA said last night there was a difference of only R16 between the minimum amount demanded and the amount offered by the authorities

Nehawu has meanwhile warned that nurses and doctors could join the strike

The TPA has made an urgent appeal to the public to offer their services as voluntary hospital workers, earning a daily tariff

Clothing workers declare dispute

Sowetan 18/6/92

Sowetan Correspondent

CLOTHING workers will march in Cape Town tomorrow in what employers have slammed as "grossly irresponsible", warning that jobs are on the line.

The Grand Parade will be closed for parking the whole day to allow a meeting of the SA Clothing and Textile Workers' Union (Sactwu) between noon and 2pm, the city council public relations officer, Mr Ted Doman said

Sactwu spokesman Mr Ronald Bernickow said workers would march on the offices of the Cape Clothing Manufacturers' Association on the Fore-

shore to hand over a list of wage demands

A dispute was declared on June 10 and the looming strike action is threatening to cripple the ailing industry.

The union is demanding a wage increase of 15 percent across-the-board while employers have offered an eight percent package increase.

The parties meet today in the first of three Industrial Council meetings in an attempt to resolve the dispute, said association ex-

ecutive director Mr Peter Cragg

The march, which has magisterial and municipal permission, is expected to cause a half-day shut down at factories

But employers warned yesterday that permission from the workplace will not be granted and the march is viewed in "a very serious light"

Garment Manufacturers' Association chairman Mr Patrick Boers said workers who "desert their positions must be prepared to face the consequences and possible dismissal"

Boers said "Workers

will be placing their jobs on the line and they know that there are thousands of unemployed people who would love to replace them immediately"

Boers accused the union of having no interest in the survival of the industry.

Cragg said the timing of the march was "completely inopportune" and could have taken place yesterday, a paid public holiday in the industry

The association was discouraging its member factories from giving workers permission to take part in the march which breached agreements



Bid to end hospital strike fails

By MOKGADI PELA and Sapa

NEGOTIATIONS between the Transvaal Provincial Administration and the National Education, Health and Allied Workers' Union in a bid to end the three-week hospital strike, reached a deadlock yesterday

The workers downed tools three weeks ago in demand of a 15 percent across the board wage increase and a R724 a month minimum wage

The strike has affected more than 17 hospitals in the Transvaal, the Orange Free State and Natal

At a Press conference in Johannesburg yesterday, Nehawu appealed to the TPA to allow hospital workers rendering essential services to serve the patients

A TPA spokesman reiterated its earlier statement that the strike was not in the interest of Nehawu or its members

The union also appealed to the Minister of Public Administration to meet with it to resolve the dispute. It also proposed the establishment of an interim dispute resolution mechanism

Nehawu also alleged that between 300 and 500 members have been arrested

Hospitals affected by the strike include Baragwanath, Garankuwa, Boksburg-Benoni, Willem Cruywagen, Waterval Boven, Ermelo, Middelburg, Johannesburg, Natalspruit and Pietersburg

Three shop stewards have died since the strike started



Sowetan

18/6/92



W/Mail 19/6-25/6/92

LABOUR BRIEFS

Retail workers' pickets

■ SOUTH African Commercial Catering and Allied Workers' Union members have held lunchtime pickets nationally to highlight wage and other demands in the past fortnight.

On Thursday, a crucial meeting between employers and the union attempted to reach some agreement on the union demand for a centralised bargaining forum.

And in a related development, Saccawu will take a dispute with the beleaguered Checkers-Shoprite group to a conciliation board on June 24. The possibility of an agreement with the chain remains distant because the company has suggested a 10 percent wage cut.

Union relations with Checkers have

been strained in the past year because of Checkers' intentions to close down a number of stores. The dispute has been taken to court on several occasions.

W/Mail 19/6-25/6/92

More pay for guards

■ THE Transport and General Workers' Union this week clinched a healthy wage settlement with Fidelity Guards.

Traditional guards will get 20,3 percent and 21,3 percent increases, while key points guards will get 12,5 percent increases.

The agreement also provides transport allowances for guards, time off for shop stewards to attend to union business and improved training and promotion policies.

LABOUR

Make or break week for metal pay talks

Negotiations in the embattled metal, auto, motor and tyre industries have reached a crucial stage, reports

FERIAL HAFAJEE

DISPUTES and retrenchments are the order of the day at wage talks in the metal and tyre industries as the recession continues to batter these key sectors. The National Union of Metalworkers of South Africa also threatened to declare disputes in the automobile and motor industries. Numsa called this week the "make or break phase of negotiations" and threatened to go on strike if no progress is made.

Most negotiations have to be concluded by the end of June when agreements in three industries expire. Negotiations hinge on the union's principal and controversial demand for a moratorium on retrenchments, but employers in all sectors are hard-pressed to accede to this demand. Last week employers and unions in the metal industry conceded some ground in the search for a settlement. Employers increased their wage offer from 6,4 percent to eight percent while Numsa decreased its demand from 42,6 percent to 20 percent or R1,50 an hour, whichever is the greater. The National Council of Trade Unions affiliate, the Metal, Electrical and Allied Workers' Union of South

Little reward for five-star service

Weekly Mail Reporter
SERVING with a smile — just like it is in the TV ad — is the name of the game for petrol pump attendants Lucas Mokone and Daniel Pule. They both work at a busy Caltex garage in the heart of Johannesburg. Both Pule and Mokone think it's very important to keep customers happy, but their conditions of employment make smiling difficult sometimes.

They earn R448 a month for a seven day week (and tipping is rare), working each day from 7am to 6pm or 1pm to 8.30pm. Lunch breaks are

Africa is also demanding a 20 percent increase (down from 27,7 percent).

While wage moves are crucial, other developments stole the day at last week's meeting. The employer body, the Steel and Engineering Industries Federation of South Africa (Seisa) agreed to consider job saving alternatives like wage reduction, job sharing and unpaid leave.

The employers also tabled a code of conduct to prevent unfair discrimination in the industry, conceding in part to a long-standing Numsa demand

The sophisticated negotiations net-work in the metal industry bodes well for a settlement but agreement in the

a luxury they don't enjoy and pension funds benefit they have not heard of.

Mokone has been working at the same garage for nine years. As a senior he gets the same wage as a new recruit with five days' training.

Petrol pump attendants are the lowest-paid workers, falling under the motor industry sector of the union's membership.

"We spoke with our manager a few times. We told him the salary was not enough to live," said Pule, opening his large hands. "He said it's the law of the motor industry."

motor industry will be harder to come by.

Motor employers are more hard-nosed because Numsa is not well-organised in this sector which employs about 200 000 workers at petrol stations, panel-beaters, motor component manufacturers and reconditioning workshops.

Employers have proposed a wage freeze for petrol pump attendants and chaps, the lowest paid workers in the sector, and increases of only between three and five percent for other workers. Numsa branded these increases "handouts" and said it would not even refer the offer to its members for con-



Daniel Pule

sideration

Vic Fourie, a representative of the SA Motor Industries Employers Association (Samiea) however, says substantive negotiations are impossible until the union addresses key productivity issues challenging the "distressed" industry.

These include an agreement on flexible trading hours in an attempt to boost business "like keeping repair shops open until six on Saturdays", says Fourie.

Numsa is also in dispute with the New Tyre Manufacturers Association where employers face the removal of import control regulations in

December and are adamant that they will not renew the moratorium on retrenchments beyond December.

Tyre manufacturers hold out little hope for inflation-busting increases this year, but employers agreed to a five percent increase in maternity pay.

Numsa proposed that all parties in the new tyre industry come to an indaba to hammer out a business plan for the industry, but the idea has met with cold refusal by the employers.

In an industry where productivity needs a complete overhaul — imported tyres cost 30 percent less than locally produced tyres — Numsa is adamant that "job security is fundamental to the productivity and viability of the industry". The negotiations are being played out against a backdrop of spiralling retrenchments: 13 000 jobs have been lost in the metal industry since the beginning of the year, 7 000 of these since the start of negotiations in March. The union has also been notified of 2 000 retrenchments in the engineering sector at the end of June.

Numsa representative Gavin Hartford says: "Employers are generally resisting any notion of long or short-term job security because they see themselves undertaking restructuring exercises".

The union said the retrenchments were "provocative when job security is a central issue in negotiations".

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STAR 19/6/92 1000

Dispute linked to protests

The Paper, Printing, Wood and Allied Workers' Union is to link its fight against retrenchments at Sappi to the proposed mass action next month, a union spokesman said in Johannesburg yesterday.

Speaking after a meeting between union leadership and Sappi management, PPWAWU organiser Rob Rees said the union was in dispute with the giant paper producer over two issues — retrenchments and economic restructuring.

Sappi had recently retrenched more than 2 000 forestry workers and replaced them with subcontractors who earned low wages with no benefits or protection under labour legislation.

"PPWAWU has now decided to intensify this campaign in its own ranks and inside Cosatu. These worker actions are going to fuel the ANC's mass action campaign, which PPWAWU supports," Mr Rees said.

The union would link up with other Cosatu unions in a broad national campaign.

Sappi comment was still awaited at the time of going to press — Staff Reporter.

151
30 000 march over wages

Star 17/6/92
An estimated 30 000 members of the SA Clothing and Textile Workers' Union marched through central Durban and Cape Town yesterday afternoon in support of the union's wage demands. The protesters marched to the Natal and Cape Clothing Manufacturers' Associations respectively. Sactwu said the marches followed four wage negotiation meetings which have failed to reach agreement on wages, annual bonuses, provident funds and wage parity.

Healthy basis for hospital talks



WITH the hospital strike spreading from the Transvaal to the Free State and Cape this week, it should now be clear that drastic measures are needed to resolve the wage dispute between the strikers' representatives and hospital authorities.

The strike, which began just over a week ago, follows a breakdown in talks last month between the National Education, Health and Allied Workers' Union (Nehawu) and the Commission for Administration (CFA), which regulates public servants' pay.

Nehawu, negotiating with five other staff organisations, withdrew from the talks when the CFA rejected its demand for a 15.8 per cent across-the-board increase plus a new minimum wage of R1724. Nehawu also de-

mandated that the Transvaal Provincial Administration reverse its policy of refusing general assistants permanent employee status.

The CFA's offer, accepted by the remaining five employee bodies, comprised a new minimum monthly rate for general assistants of R708 (up from R537), with those in the higher grades getting a general increase of 9.2 per cent.

It is becoming clear that as intermittent talks between the hospital authorities and Nehawu sputter along, the strike is causing untold hardship to patients and nurses.

Although, on the surface, the dispute centres on the wage issue, it has as the underlying cause the lack of proper industrial relations structures in the hospital services which might help to resolve the crisis.

To begin with, the industrial relations structure in the hospitals, such as it is, provides for neither collective-bargaining nor dispute-resolution mechanisms — a feature shared, incidentally, with the rest of the public service.

This rules out the possibility of resolving disputes through avenues such as mediation, conciliation and arbitration.

As far back as 1978, the Wiehahn Commission, which revo-

START 1916/12

The widening hospital strike shows the need for better industrial relations structures, reports MIKE SILUMA.

Intionused South Africa's labour legislation by, for the first time, extending it to black workers, made key recommendations which would have placed South Africa's public-sector labour legislation on a par with internationally accepted standards.

These recommendations included that the right to collective bargaining be extended to

public servants, but that the right to strike in this sector be replaced by compulsory arbitration.

With some modifications, especially regarding the right to strike, few today would argue against the Wiehahn recommendations. Some unions, such as Nehawu, might, for instance, want an outright ban on strikes to be restricted to only those workers involved in essential services mutually agreed upon with the hospital authorities.

The urgent necessity to modernise industrial relations in the hospital services has been underlined by the findings of the Cillie Commission, instituted after the Ga-Rankuwa Hospital strike in 1990, during which 24 babies died.

In its report — released coincidentally as the hospital services are being convulsed again by labour unrest — the commission recommended among other things that the TPA ask the Government to bring hospital workers' rights in line with internationally accepted standards, and to — in effect — extend the Labour Relations Act to hospital workers.

If carried out, this particular recommendation would breathe some life into current efforts, which are threatening to get bogged down after two years, to

devise a more liberal labour dispensation for hospital workers and their counterparts elsewhere in the public service.

Clearly, the changes recommended by the Cillie Commission cannot be implemented overnight. But the grave situation in the strike-bound hospitals requires creativity and flexibility — even the bending of evidently archaic hospital service regulations.

As an interim measure, both parties to the dispute should seek third party help to facilitate agreement. At the same time the parties should immediately get down to the business of establishing reputable and mutually acceptable workplace structures to regulate conflict between the authorities and the health workers. □

Union quiet about strike after 8 days

Sowden 19/6/92
A PROTRACTED labour dispute at the Toyota SA Durban plant remained unresolved yesterday with no sign of further negotiations since talks broke down last week.

A company spokesman said he was waiting for the National Union of Metalworkers of SA to contact him about further discussions to resolve the dispute which has claimed eight days of production.

It also follows a 17-working day dispute at the Durban plant last month

The latest dispute arose from worker dissatisfaction at a management offer to pay shop stewards for the duration of last month's strike

The company said it regarded negotiations by shop stewards as work. Workers demanded that everyone be paid for the period and not just a sector of the employees.

Meanwhile, a union spokesman said strikers were adamant in their demand for pay and would continue putting this position at negotiations

Strikers lost about R800 000 a day in wages during last month's strike - *Sapa*

Motor industry pay talks deadlock

AG 20/6/92

A DISPUTE has been declared in the motor industry after employers failed to table improved wage offers yesterday, said National Union of Metalworkers of South Africa official Mr Les Kettleidas.

The white Motor Industry Employees Union also had declared a dispute, while the Motor Industry Staff Association reserved its position.

"There was an all-round feeling that employers were not negotiating in good faith. We broke off the last meeting on June 3 to enable employers to go back and get a revised mandate.

"To propose that petrol pump attendants will not get an increase is incredible."

Mr Kettleidas said that up to 40 000 petrol attendants at over 5 000 filling stations were covered by the negotiations for a new industry agreement for some 200 000 workers.

Employers also did not take up union offers for joint discussions on the future and viability of the industry.

Numsa had tabled demands for a R2 or 25 percent wage increase, maternity and workers rights and an end to discrimination.

The industrial council would convene on June 29 to deal with the dispute.

Meanwhile, a looming deadlock in metal industry pay talks was defused yesterday after union negotiators threatened a sit-in until Seifsa improved offers on pay and job security.

Seifsa's negotiating team agreed to seek a revised mandate from its council after the 35-member Numsa threatened to occupy the Seifsa boardroom in Johannesburg.

"Absolutely no progress was made at the meeting," said Mr Kettleidas.

Seifsa spokesman Mr Hendrik van der Heever said hopes for a settlement before June 30, when the industry's agreement expired, were remote. He said most of the 12 unions party to the talks revised their demands in response to Seifsa's final offer of eight percent.

Numsa would take part in a march in Johannesburg on Monday to highlight its demands — Sapa

STAR 20/6/92 (151)
Motor union declares dispute

CAPE TOWN — A dispute has been declared in the motor industry after employers failed to table improved wage offers, National Union of Metalworkers of South Africa official Les Kettle said yesterday. He added that up to 40 000 petrol attendants at over 5 000 filling stations were covered by the negotiations for a new industry agreement for some 200 000 employees — Sapa

Conflicting views of the hospital dispute

Star 20/6/92

PATIENTS' lives are once again in peril at Transvaal hospitals during the ongoing power struggle over health services. BRENDAN TEMPLETON spoke to the two men heading the opposing sides to find out why they are fighting.

Interview with Fanie Ferreira, TPA MEC for health services

HOW has the strike affected hospital services? Is emergency health care still available?

Yes, definitely. Patient numbers have been reduced, naturally, at the hospitals affected by strike action, but all the emergency trauma cases are being taken care of.

It seems as if almost every year Transvaal hospitals are being hit by strike action. What do you see as being the reason for this?

In May 1990 the major issue was the recognition of trade unions as legitimate bodies to negotiate on behalf of employees. Strike action ended with the establishment of a negotiating body between the Transvaal Provincial Administration and the National Education, Health and Allied Workers Union (Nehawu). But now, unfortunately, one cannot escape the fact that we live in an atmosphere of mass action which makes it difficult to negotiate about pure labour relations.

One of Nehawu's major complaints is that temporary workers can be dismissed on 24 hours' notice. Have there been steps taken to address this complaint?

The use of the word "temporary" is unfortunate. In the



ment of one month's notice of termination of service.

The problem at the moment seems to be that both parties, Nehawu and the Government, recognise the need for change. But since 1990, that change has not taken place and frustrations have been building up. How are you going to go about preventing these frustrations from continuing until such laws can be changed?

Since Mr de Klerk's announcements in 1990, things have taken a different course, but it's a huge ship and when you make political decisions and take them on the road, you have to get this ship around. The Cillie Commission has made recommendations that

locks?

I don't know, that will have to be discussed at a higher level. I will be frank with you — I haven't applied my mind to that yet. We have reached deadlock and we will have to look at some or other way to reopen the situation. But we will have to bring down the temperature to address the health issues and I'm afraid that the other issues will overrule them.

Which other issues are these?

Well, the big political issues such as mass action. Do you seriously see the Nehawu strike as being part of the mass action? Well, I read you that document. The thing is this: if I say all Nehawu strikers are part of

Interview with Nehawu general secretary Phillip Dexter

EVERY year strikes break out at Transvaal hospitals. What are the fundamental reasons for this?

There are a number of reasons: atrocious working conditions and low wages. Hospital workers have no real staff facilities: basic things like protective clothing, things one would imagine the health sector would be geared up on. In addition there are the conditions of employment many do work that does not strictly fall under their job description. Many general assistants dou-

For general assistants, the average is around R500 a month, although there are people earning less than that. But are these factors enough to warrant putting patients' lives in danger? The combination of all those factors, plus the Government's refusal to have a system of governing the relationship between employer and employee, means there is no other dispute resolution mechanism.

What about the ethics of health workers going on strike? Are they justified in downing tools at the expense of patients?

The moral argument that health workers should not go on strike is totally incorrect. The Government is blackmailing people by saying "you are a life-line service

tions failed, Nehawu drew up an agenda for pressuring the State. Does this mean that Nehawu is actually trying to manufacture a strike?

No, the pressure for a strike has been there for a long time. The union decided to try to avoid a strike. We tried a channel that frustration and anger through mechanisms like demonstrations, go-slow — symbolic acts of defiance. But it was the response by the TPA which sparked the strike.

What do you think about the TPA's response to the strike?

In every case, the union has offered to provide emergency services but the TPA has refused — it's quite clear that the Government simply does not care about patients and they are trying to discredit the union.

There have been allegations by the TPA that intimidation is taking place on a wide scale. Is this so?

Tension is high and it's unavoidable, but I don't believe it's happening anywhere on the scale that the TPA says. Also, I firmly believe that most of the intimidation happens on behalf of the Government through the use of death squads — three members assassinated last week.

Every year you seem to have a particularly difficult relationship with the TPA. Every year ugly scenes develop, yet not much news, similar circumstances, other provinces emerge. What sort of relationship do you have with the TPA?

There are other cases (of industrial action) in the other provinces, but we have an acute problem with the TPA. There is a willingness on the part of other provinces' administrations to listen to the demands of workers, but the TPA literally dismisses our claims out of hand once the procedures have been followed.

Have there been any improvements in relations between Nehawu and the TPA since 1990?

No because of their intrin-

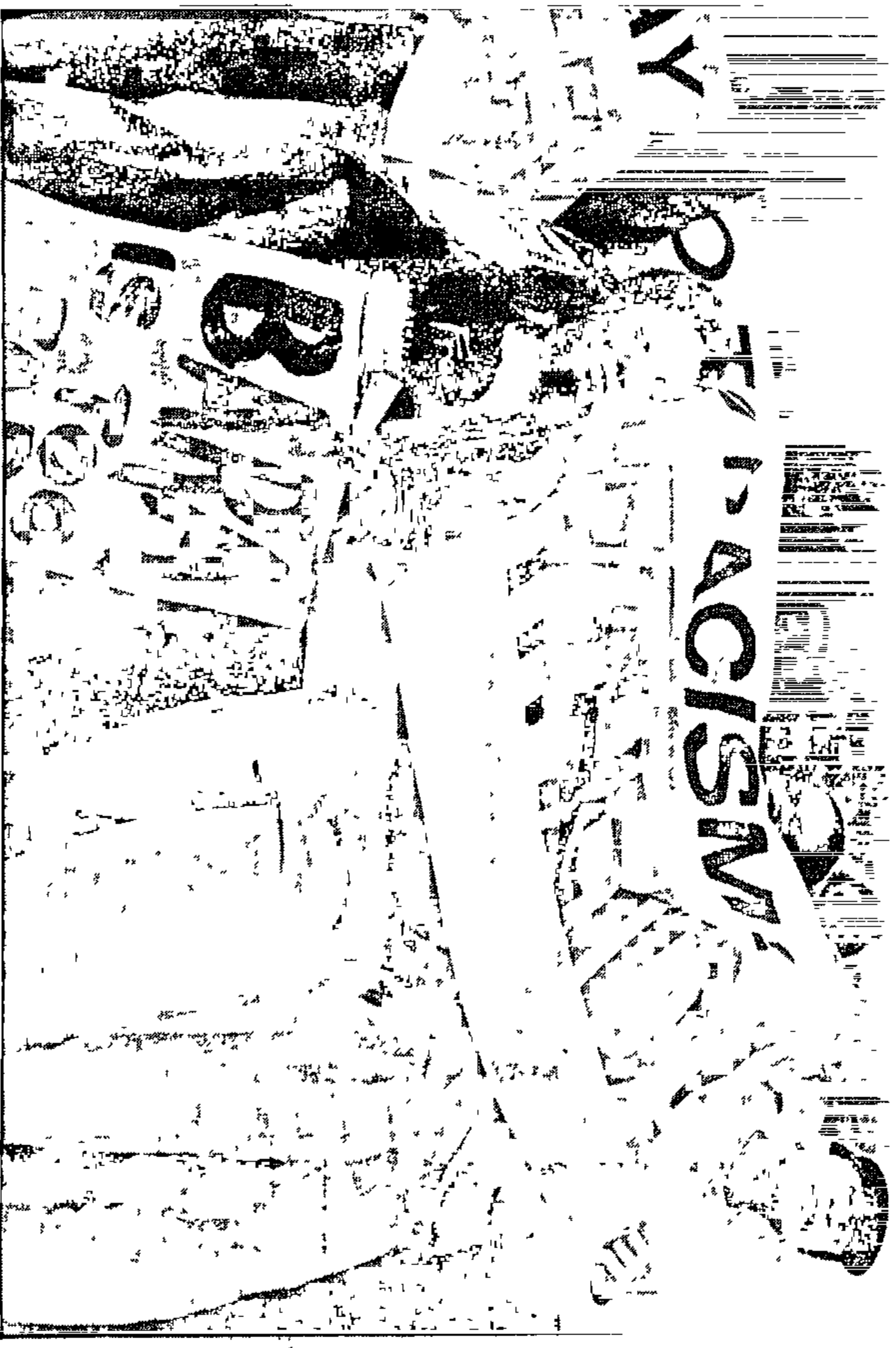
once again in peril at Transvaal hospitals during the ongoing power struggle over health services. BRENDAN TEMPLETON spoke to the two men heading the opposing sides to find out why they are fighting. (151) (140) (98) (97)

Interview with Fanie Ferreira, TPA MEC for health services

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It seems as if almost every year Transvaal hospitals are being hit by strike action. What do you see as being the reason for this?
 In May 1990 the major issue was the recognition of trade unions as legitimate bodies to negotiate on behalf of employees. Strike action ended with the establishment of a negotiating body between the Transvaal Provincial Administration and the National Education, Health and Allied Workers Union (Nehawu). But now, unfortunately, one cannot escape the fact that we live in an atmosphere of mass action which makes it difficult to negotiate about pure labour relations.

One of Nehawu's major complaints is that temporary workers can be dismissed on 24 hours' notice. Have there been steps taken to address this complaint?
 The use of the word "temporary" is unfortunate. In the past, temporary workers did not have access to pension, medical aid, leave or housing benefits. Now our temporary workers are entitled to all of these. On the question of dismissal, our temporary workers are appointed with an agree-



pressing the issue that Nehawu is actually trying to manage a strike?
 No, the pressure for a strike has been there for a long time. The union decided to try to avoid a strike. We tried to channel that frustration and anger through mechanisms like demonstrations, go-slows — symbolic acts of defiance. But it was the response to the strike by the TPA which sparked the TPA's response to the strike.
What do you think of the TPA's response to the strike?
 In every case, the union has offered to provide emergency services but the TPA has refused — it's quite clear the Government simply does not care about patients at all. They are trying to discredit the union.
There have been allegations by the TPA that intimidation is taking place on a wide scale. Is this so?
 Tension is high and it's unavoidable, but I don't believe it's happening anywhere on the scale that the TPA says. Also, I firmly believe most of the intimidation happens on behalf of the Government through the use of disaffected — three members of squads — three members assassinated last week.
Every year you seem to have a particularly difficult relationship with the TPA. Every year ugly scenes develop, yet not much news of similar circumstances in other provinces emerges. What sort of relationship do you have with the TPA?
 There are other cases (of industrial action) in the other provinces, but we have an acute problem with the TPA. There is a willingness on the part of other provinces' administrations to listen to the demands of workers, but the TPA literally dismisses our claims out of hand once the procedures have been followed.
Have there been any improvements in relations between Nehawu and the TPA since 1990?
 No, because of their intransigence and medieval attitude towards labour relations. We believe we have moved a long way and matured in terms of industrial action. This maturity is not matched by the State.

ment of one month's notice of termination of service.

The problem at the moment seems to be that both parties, Nehawu and the Government, recognise the need for change. But since 1990, that change has not taken place and frustrations have been building up. How are you going to go about preventing these frustrations from continuing until such laws can be changed?
 Since Mr de Klerk's announcements in 1990, things have taken a different course, but it's a huge ship and when you make political decisions and take them on the road, you have to get this ship around. The Cillie Commission has made recommendations that certain changes take place and all I can say at this point is that those recommendations must get into the system. Is there a possibility that you could, during the interim period, bring in an arbitrator in the event of dead-

locks?
 I don't know, that will have to be discussed at a higher level. I will be frank with you — I haven't applied my mind to that yet. We have reached deadlock and we will have to look at some or other way to reopen the situation. But we will have to bring down the temperature to address the health issues and I'm afraid that the other issues will overrule them.
Which other issues are there?
 Well, the big political issues such as mass action.

Do you seriously see the Nehawu strike as being part of the mass action?
 Well, I read you that document. The thing is this: if I say all Nehawu strikers are part of the mass action, I am making a wild statement which I cannot substantiate. But if you read this pamphlet, you can come to no other conclusion than that it is part of the total action to ask the Government to go

Interview with Nehawu general secretary Phillip Dexter

EVERY year strikes break out of Transvaal hospitals. What are the fundamental reasons for this?
 There are a number of reasons: atrocious working conditions and low wages. Hospital workers have no real staff facilities: basic things like protective clothing, things one would imagine the health sector would be geared up on. In addition there are the conditions of employment many do under that does not strictly fall under their job description. Many general assistants double up as nursing assistants. Workers who have been there more than 20 years still only have temporary status and can be fired with just 24 hours' notice.

What sort of wages are usual in the health sector?
 For general assistants, the average is around R500 a month, although there are people earning less than that. But are these factors enough to warrant putting patients' lives in danger? The combination of all those factors, plus the Government's refusal to have a system of governing the relationship between employer and employee, means there is no other dispute resolution mechanism.

What about the ethics of health workers going on strike? Are they justified in downing tools or the expense of patients?
 The moral argument that health workers should not go on strike is totally incorrect. The Government is blackmailing people by saying "you are providing a life-giving service and you are not allowed to go on strike." The International Labour Organisation has pointed out that responsible management as well as responsible trade unionism is required.

After the May wage negotiations...
 The moral argument that health workers should not go on strike is totally incorrect. The Government is blackmailing people by saying "you are providing a life-giving service and you are not allowed to go on strike." The International Labour Organisation has pointed out that responsible management as well as responsible trade unionism is required.

Numsa to hit streets

By JOHANNES NGCOBO

NATIONAL Union of Metalworkers of South Africa (Numsa) and the Steel and Engineering Industries Federation of South Africa (Seifsa) are heading for a showdown with Numsa members planning to take to the streets on Tuesday.

National wage negotiations between the two are deadlocked with

2/16/92
Numsa declaring a wage dispute. (SI)

Numsa is also locked in dispute with the tyre industry bosses.

The union expects to put about 40 000 workers from four Transvaal regions on the streets.

Cosatu this week said that its Transvaal members will stage mass protests in the streets of Johannesburg to demand higher wages.

40 000

STAN 23/6/92

march, hand over demands

(151)
Staff Reporters

About 40 000 singing, toy-toting members of the National Union of Metalworkers of SA (Numsa) yesterday marched through downtown Johannesburg to demand higher wages and improved working conditions.

Led by SACP general secretary Chris Hani, the marchers who carried anti-Government placards and ANC and Numsa banners, delivered memoranda to the Steel and Engineering Industries Federation of SA, the Department of Manpower and the Motor Industries Federation offices with demands, including:

- A 20 percent increase across the board and a moratorium on retrenchments.
- That Iscor close Kwamadala hostel, whose inmates they have linked to last week's massacre of residents in Boipatong and Slovo Park.
- A "living" wage and a reduction in basic food prices.

The march formed part of the ANC's mass action campaign for an interim government.

If employers failed to meet the workers' demands, the 230 000-strong Numsa would soon hold a strike ballot and decide on "action", warned general secretary Moses Mayekiso, adding that wage talks with employers had reached a deadlock.

"Numsa wishes to assert that we have accepted the challenge of the metal bosses in their intransigence to accede to our reasonable demands. We want to say that with today's march the matter now is in the hands of the actual producers, those who create the marvels with their labour power but are forced to live in hovels," said Numsa in a statement.

● ANC, Inkatha wrangle over unionists' meeting — Page 11

Talks aim to end strike

Soweto 23/6/92

THE National Health and Allied Workers Union meets the Minister of Administration today in a bid to break the impasse which has affected more than 20 hospitals nationally

The meeting takes place in Pretoria amid fears of the strike escalating to include professionals

The strike has largely been confined to general assistants whose demands are a R724 minimum wage, a 15 percent across-the-board increase and an end to temporary employment.

Hospitals in Kroonstad in the Free State were hard-hit by the strike yesterday and appeals have been made for voluntary workers to help.

Solidari'

Nehawu members at the Red Cross Children's and Groote Schuur hospitals in the Cape began striking yesterday in solidarity with their colleagues in other parts of the country.

The labour unrest at the Universitas and other hospitals in Bloemfontein has improved slightly, according to the Free State Provincial Administration.

A Natal Nehawu spokesman said things were "normal" at Natal hospitals and explained that the union wanted to ensure workers in northern Natal were organised before striking.

Other reports said about 300 nurses and radiographers at Baragwanath Hospital in Soweto marched to the hospital's administration building and presented a list of demands to management.

BIP 24/6/72

Talks break down (SI)

NEGOTIATIONS between Toyota and the National Union of Metalworkers of SA (Numsa) broke down completely yesterday after Toyota rejected a Numsa proposal to settle the strike. The two week strike was sparked after Toyota paid some shop stewards for the previous strike.

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Toyota talks break down (151)

STAR 24/6/92

Talks between Toyota and the National Union of Metalworkers of South Africa broke down almost immediately yesterday because of the union's demand for payment of striking workers, according to a senior management spokesman.

Business, labour move on deadlock

Blom 25/6/92

(151)

ORGANISED business and labour have held talks on the possibility of joint efforts to address violence and revive the entire political negotiating process

It is likely that Saccola and Cosatu will meet in the next few days to discuss a common approach to Monday's day of mourning for victims of the Boipatong massacre. This follows calls by Cosatu and the ANC to business to support campaigns to break the political deadlock, and a call by the ANC for business to join in observing the day of mourning.

Sacob yesterday spelled out its own plan of action to get Codesa back on track.

Saccola labour spokesman Bobby Godsell would yesterday only confirm "there have been some exploratory talks over whether business and labour can do something to break the political deadlock"

He said he hoped for further contact between Saccola and organised labour.

Godsell also said a response to the day of mourning call was being addressed in different industries.

Although the ANC's PWV region and Cosatu's Vaal region had called for the day to take the form of a work stayaway, neither organisation's national structure had

Business Day Reporters

done so. A Cosatu spokesman said the union's regions would determine specific actions for Monday.

Affiliates of Saccola, which includes all the major employer organisations, are scheduled to meet today to attempt to develop a joint position on the issue. They may meet union representatives later.

It is understood that a number of employer organisations have received formal proposals from unions regarding Monday's events. The NUM asked, at yesterday's wage negotiating session, that the industry respond in an "appropriate way".

Last night, in his capacity as Chamber of Mines president, Godsell extended the chamber's sympathies to the relatives and friends of the victims and said Monday was a day "for dignity and respect, not one to be appropriated by any group".

"It requires South Africans to pause and remember not only those killed last Thursday but also the thousands of innocent victims of mindless violence" of the past few years, Godsell said.

He added that Monday should be a day of

To Page 2

Deadlock

Blom 25/6/92

(151) From Page 1

"shared sorrow and shared commitment to bringing the killings to an end".

A chamber spokesman said any specific arrangements between management and the union for Monday would be made separately by mining groups.

Sacob president Hennie Viljoen said inability to end the political impasse could lead to further business closures, loss of jobs, withdrawal of investment and the flight of capital and skilled manpower.

He said Sacob hoped the ANC and government in particular would show the flexibility and realism needed to get Codesa negotiations back on track.

Viljoen said Sacob would assist by

- Arranging early meetings between itself
- President F W de Klerk
- ANC presi

dent Nelson Mandela and Inkatha leader Mangosuthu Buthelezi.

- Exploring ways in which business might assist in breaking the political logjam,
- Throwing its full weight behind national peace accord structures,
- Ensuring that business participation continued in other forums, and
- Working out a joint employer approach to planned stayaways and the proposed day of mourning.

Sapa reports a complete review of the economic and political situation will be undertaken at Sacob's board of management meeting next week. If necessary, a 'summit' of chambers of commerce and industry and leading businessmen would be convened next month, Viljoen said.

15 000 set to protest despite legal row

By Louise Burgers
Municipal Reporter

Up to 15 000 municipal workers are expected to attend a mass meeting in the city today to discuss their wage dispute with the Johannesburg City Council — regardless of whether an application to the Rand Supreme Court goes against the unions

An urgent court application by the joint committee of 12 municipal unions to have a Johannesburg management committee decision banning workers from protesting at Braamfontein Civic Centre overturned was postponed yesterday afternoon after the city council indicated it would

oppose the motion

The matter is set down for 10 am today in the Rand Supreme Court.

An SA Municipal Workers' Union (Samwu) spokesman said the City Hall had been booked in case the Supreme Court ruled in favour of the management committee

The Samwu spokesman said municipal employees would be disciplined and well behaved "It's not a strike; we object to the attitude of the council negotiators and we are going to tell our members"

If the unions are, however, forced to hold the meeting at the City Hall, chaos is expected as there will be no room inside for the thousands of workers expected to attend

The management committee barred the meeting at the Braamfontein Civic Centre on the following grounds:

- That the meeting would disrupt council activities.
- Such a meeting could be particularly disturbing on the day that the council meets to consider its budget
- Right of access to the Civic Centre would be denied to the public at large who used it as a thoroughfare.

The city council is to meet today to consider the annual municipal budget, which is expected to top last year's record R2,6 billion. Harsh criticism is expected from opposition councillors and civic associations

Strike said to be harming race relations at SABC

(151)
By Montshiwa Moroke

STAR 25/6/92
current and future credibility had been dealt a severe blow

The SABC remained mum yesterday on an open letter signed by senior staff members and sent to the corporation's board and management criticising its handling of the six-week-old strike by members of the Media Workers Association of SA (Mwasa).

The letter was widely circulated and signed by members of Television News Productions (TNP) — of which "Agenda" is a subdivision — and other staff members, who voiced concern on the harm the labour dispute was doing to race relations at the corporation and its public image.

SABC labour relations manager Christo Pretorius confirmed management had received such a letter but said "We're treating it as an internal matter and therefore have no comment at this stage."

The letter — addressed to the corporation's board and senior management — stated that the dispute was polarising staff along racial lines and negatively affecting the SABC's political credibility. The dispute had put black middle management staff in an untenable position. Their

An SABC source last night said "substantially more than 100" staffers had signed the petition. Black middle managers were not on strike but were "hanging in the middle" with no staff to manage.

Mwasa members, who are predominantly black, downed tools at SABC facilities countrywide on May 18 after wage negotiations broke down.

Meanwhile, a joint committee comprising Mwasa and the SABC is to hold an informal meeting tomorrow as part of ongoing talks.

TNP editor-in-chief Johan Pretorius said the SABC was doing "everything in its power" to end the strike as soon as possible, but at the same time realised that it needed a commitment from both sides. "TNP and the rest of the SABC staff are very concerned about the damage being done to both sides if the strike is not resolved."

Mwasa has contacted the National Olympic Committee of SA and sponsors of the SA team to have SABC coverage of the Games cancelled unless its demands are met.

Union wins court order for meeting

SUSAN RUSSELL

ISI

THE Johannesburg Municipal Combined Employees' Union, locked in a wage dispute with the city council, obtained an order in the Rand Supreme Court yesterday allowing it to hold a mass meeting on the piazza outside the council's offices in Braamfontein next Tuesday.

The meeting was originally planned for 3.30pm yesterday to coincide with the Council's budgetary debate.

During the course of yesterday's urgent application however it was agreed that if the judge ruled in favour of the union, the meeting would be held at 3pm next Tuesday instead. *Blaas 26/6/92.*

After hearing argument from counsel representing both parties, Judge N M MacArthur granted an order declaring that the management committee's refusal earlier this week to give permission for the meeting on the piazza was invalid and of no force and effect.

He set aside the management committee's decision subject to a number of conditions agreed upon by the union, council representatives and their lawyers.

The union brought its application against the town clerk and the management committee only hours before the meeting was due to take place yesterday afternoon.

However while the application was still in progress, the judge granted a short adjournment to allow both parties to reach agreement on conditions under which the meeting would be held if there was a ruling in the union's favour.

SABC news staff slam top brass

151
w/mail 26/6-2/7/92
By FERIAL HAFFAJEE

IN an unprecedented move, senior news staff at the South African Broadcasting Corporation this week sent a scathing open letter to management criticising its handling of a month-old wage strike.

And in related developments, sympathy trade union action overseas could black out the corporation's Olympics coverage as well as coverage of the African Athletics Championships in Mauritius this weekend. The National Soccer League will not allow the SABC to cover games from this week while its secretary general Solomon Morewa will not grant interviews to the corporation until the strike is settled.

In a partial boycott, the African National Congress will restrict appearances only to *Agenda* until the strike is resolved. And according to the Media Workers Association of South Africa, the national Cameroon soccer team due to play in South Africa in July, has said that it will not allow SABC coverage of its games while the strike continues.

In the petition to SABC management, senior news staff urged management to act in a "proactive manner" to resolve the wage dispute.

Among those who signed are Barbara Folscher, head of Television News Production and *Agenda* presenters Adrian Steed and Freek Robinson as well as *Agenda* executive producer Hein Ungerer. An SABC source said that most staff had eagerly signed the petition when it was circulated on Tuesday morning and it could signal widespread dissatisfaction with management's attitude to the strike.

"We have a labour dispute on our hands, not an armed insurrection," they said, adding that it was offensive of the "corporation's security personnel to sport shotguns and bandoliers as if the SABC had now become an unrest area."

Media Workers Association of South Africa shop steward Duma Madikizela said that Mwasa had briefed trade unions overseas who were on standby to prevent the broadcast of the Olympic games in South Africa.

Until now, the SABC has not requested a formal negotiating meeting with Mwasa while the union has maintained an "open door policy" with management. Negotiations could easily resolve the impasse — there is only a nine percent gulf between the union's demand for a 20 percent increase and the company's 11 percent offer.

Retail bosses just window shopping

w/maail 26/6-2/7/92

Weekly Mail Reporter

WHAT should have been a watershed meeting between major retail employers and the South African Commercial, Catering and Allied Workers' Union (Saccawu) last week ended a damp squib

The union sought, but did not find, concrete action on its demands for a moratorium on retrenchments and a centralised bargaining forum. Employers, on the other hand, forced to the meeting through concerted industrial action, maintained a stony silence and made no commitments

In this atmosphere, strike action seems almost inevitable as workers also attempt to wring a moratorium on

retrenchments from reluctant employers in sectors hard hit by recession and falling profits

"Employers played stupid," says Saccawu representative Rosalind Nyman of the meeting, adding that employers "were forced to come through mass action

"The large retailers just kept quiet, the smaller companies were more vocal," said Nyman. Employers only asked for a document outlining Saccawu's plans. They have committed to responding to Saccawu's demands after receiving the document on July 27.

And in a related development, Saccawu has come out strongly

against OK Bazaars' proposal of a wage freeze between April and August. On Friday, members picketed branches and have also threatened strikes on the scale of the 1983, 1987 and 1990 strikes which rocked the country's biggest retail outlet.

The union is also likely to take a strong line against the newly merged Checkers/Shoprite chain where management has proposed a 10 percent wage cut for Checkers workers in order to standardise wages between the two chains. The company also proposed that wage differentials will be standardised over seven years — the union believes it can be done in two years.

SA companies move in

on S/E Asia trade

By TERRY BETTY
S/Times (Bus) 28/6/92.
 MURRAY & Roberts is countering South Africa's construction recession by tendering for contracts in thriving South-East Asia. M&R tendered to provide expertise to build a 2km pier in Thailand. "It was the lowest tender," says M&R Suppliers & Services chief executive Andre van der Colff. M&R has operated in Hong Kong for about 10 years. But Mr Van der Colff says Singapore is now the key area. M&R is one of many SA companies taking advantage of the boom in South-East Asia since sanctions were re-

laxed. Corobrik is exporting bricks to Singapore and Sasol is gearing up for petroleum trade in the Pacific. Sasolchem division manager Karl Pretorius says his operation exports more than 200 000 tons of petroleum a year more than half of which goes to the Far East.

"We see Thailand, Malaysia, Indonesia and the Philippines as the high growth areas," says Mr Pretorius. SA has a competitive advantage in this area over Europe and the US because of shorter shipping distances. Mr Pretorius says Sasolchem intends to export to Singapore, the trading hub of South East Asia.

Safo Far East manager Graham Limerick says Hong Kong citizens want to move their companies and have gone to Singapore. This will keep them close to the source of cheap labour.

Mr Limerick says high tech companies such as Hewlett Packard, Philips and Siemens, are based in Singapore because of its tight anti-privacy legislation. Webber Wentzel trade partner Leora Blumberg says few South Africans realise how vibrant South-East Asia is.

"In 1991 while the rest of the world was battling with a recession Thailand's growth rate in gross domestic product was 10%. Singapore's GDP grew an average 8%, Malaysia 6.8%, Indonesia 6.4% and the Philippines 4.6%.

STOP PRESS!

ANNOUNCING A POWERFUL SUNDAY TIMES SPORTS SPECIAL ON THE INTERNATIONAL RUGBY TOURS

TO PUBLISH AS A NATIONAL SUPPLEMENT ON JULY 26
 FULL OF DETAILS OF THE AUGUST MEETING OF THE RUGBY GIANTS - NEW ZEALAND, AUSTRALIA AND SOUTH AFRICA
 HISTORY, PERSONALITIES, PLAYERS AND PROGNOSSES
 AN UP-TO-THE-MINUTE GUIDE
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Having lost its Russian ally Vietnam is forced to wrangle with the West and is SA.
 The Philippines has dropped people-to-people sanctions, but will consider trade offers on merit.
 Indonesia, the largest potential market with a population of 180-million, remains in place in SA.

Merit
 Singapore and Thailand have dropped all sanctions against SA.
 Malaysia has kept trade sanctions. But Mr Limerick says SA delegations have still had a superb reception from the Malaysians because they want to start trading as soon as an interim government is in place in SA.

Mr Kopke refuses to comment on whether negotiations took place.
 First indications of a possible link between MBSA and Mitsubishi were announced by Business Times in January.

Samcor managing director Robert Herberston says he has been appraised of this possibility but it is not a make-or-buy situation.
 Mr Herberston says that if Mitsubishi planned to introduce a one-ton pick-up to SA, it would have to compete against the Mazda B series and Ford Courier bakkies produced by Samcor.

It would not make sense for them to allocate funds to compete against these two vehicles.
 The introduction of a one-ton pick-up would make sense for MBSA.

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Mr Limerick says high tech companies such as Hewlett Packard, Philips and Siemens, are based in Singapore because of its tight anti-privacy legislation. Webber Wentzel trade partner Leora Blumberg says few South Africans realise how vibrant South-East Asia is.

"In 1991 while the rest of the world was battling with a recession Thailand's growth rate in gross domestic product was 10%. Singapore's GDP grew an average 8%, Malaysia 6.8%, Indonesia 6.4% and the Philippines 4.6%.

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MBSA, Samcor head for clash

By DON ROBERTSON
S/Times (Bus) 28/6/92.
 A DISPUTE is possible between Mercedes-Benz SA (MBSA) and Samcor both of which could soon be producing Mitsubishi vehicles in South Africa.
 Since 1985 when Sigma merged with Ford, Samcor has made Mitsubishi commercial vehicles. Production of passenger vehicles stopped shortly after Samcor's formation.
 Samcor still builds the Mitsubishi Canter nine-ton truck, the Star Wagon and Express minibuses as well as a light commercial vehicle.
 It is believed that MBSA is now eager to make a one-ton Mitsubishi pick up at its East London factory.
 MBSA chairman Christoph Kopke recently returned from Japan where it is believed he had discussions with Mitsubishi Corporation about a one-ton bakkie for SA production.

Mr Kopke refuses to comment on whether negotiations took place.
 First indications of a possible link between MBSA and Mitsubishi were announced by Business Times in January.

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Prospects of mediation in metal pay talks slim

By ADRIAN HERSCH
S/Times (Bus) 28/6/92.
 Sefisa proposes that each worker pay s1c a month - to be matched by the employer - into a fund for training retrenched employees.
 Mr Angus says this would reallocate about R330 000 a month, a large amount for a small contribution.
 Mr Keitlidas says Numsa rejects the plan because it deals with a problem after jobs have been lost instead of saving existing ones.
 Sefisa's 8% pay offer would bring rates to R5.08 and R11.28 an hour for labourers and artisans respectively.
 Mr Angus says conditions are so tough in the industry that prospects of using mediation to resolve the dispute are minimal.
 Employers don't have the same leeway for flexibility as they had last year.
 Metal employers are likely to vote in favour of a lock-out ballot. Should Numsa hold a strike ballot it is expected to get a yes response given the high level of worker militancy.
 Whether a strike will occur is difficult to predict because job security is an important factor and the possibility of a lock-out will be looming.
 Clinging the outlook is the political climate.

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PRELIMS	Turnover (Rm)	% change	Profits before tax (Rm)	% change	Earnings a share (c)	% change	Div a share (c)	% change
Toco	153.6	+17	18.0	+27	19.4	+3	7.5	+3
LTA	1878.0	0	54.6	+31	114.0	+30	32.5	+30
Pret Glass	1981.3	-14	216.5	-20	308.6	-25	150.0	-32
CMISA	44.8	N/A	3.9	N/A	7.3	N/A	3.0	N/A
Argus	2011.5	+85	187.5	+15	213.0	+20	56.0	+10
GDH	187.1	-3	11.5	-4	38.0	+13	15.5	+15
Chubb	97.7	-3	9.7	-16	124.9	+9	25.0	+11
Reichmann (Z)	N/A	-	620.1	+4	2343.60	+11	258.25	+11
Gypsum #	N/A	-	N/A	+10	-0.1	N/A	45.0	-
13 months (2) Sterling earnings/unit, # 9 months			19.3		120.5			+126

VW cuts prices

Sunday Times

A FAIR DEAL

THE NEWLY-PUBLISHED

CONSIDERED ONES OF CONSUMERS

Construction lifeline

S/Times (Bus) 28/6/92.
 Largest contract is for the construction of a 160-room City Lodge in Mossesburg. In the heart of Pretoria the company will rehabilitate and widen Skinner Road between Princess Park Drive and Audreth Street at a cost of R14-million.

Construction lifeline

S/Times (Bus) 28/6/92.
 CA Brand has 700 contracts worth more than R45-million in the past month in spite of the depressed construction industry.
 CA Brand chairman Peter Bayly says the company is lucky in obtaining these contracts and warns that unless there is a dramatic improvement soon, many construction companies will go to the wall.

Employers are asked to go easy

EMPLOYER organisations advise their members to adopt a sympathetic stance on tomorrow's nationwide day of mourning

Many businessmen, however, believe the day should mourn all victims of South African violence, not only those of Boipatong

Sacob labour affairs manager Gerrie Bezuidenhout says employers should allow for appropriate and practical actions which do not disrupt the workplace.

They could include prayer sessions, moments of silence, the lowering of company flags and collections of money for victims of violence

Seifsa executive director Brian Angus says the day should be respected and companies should accommodate reasonable requests from workers.

Seifsa does not, however, support calls from some trade unions for a stayaway or for factories to close

Sacob advises "no work, no pay" if there is a stayaway, but not disciplinary action.

"We would also request people not to try to gain political mileage out of the funeral," says Mr Bezuidenhout.

Big business is gearing up to help get political negotiations back on track.

Sacob's plan of action is expected to swing into full gear in the next 10 days. But Mr Bezuidenhout will not elaborate

Included in the plan to break the political logjam are

By ZILLA EFRAT

meetings with leaders of major political groupings. Sacob will also throw its weight behind the National Peace Accord and work out a joint approach with other employer bodies to planned stayaways

The Afrikaanse Handelsinstituut (AHI) is also involved

AHI executive director Joe Poolman says "It is a combined effort from business as a whole."

The AHI will attend meetings arranged by Sacob

Badly

Saccola is also evaluating whether it could play a role in the facilitating process, but has not made a final decision, says secretary Freide Dowie.

The Consultative Business Movement is advising its members of the actions it intends to take in response to the impasse in political negotiations, says Premier chairman Peter Wrighton. It is not known what the advice is

Fabcos executive director Jabu Mabuza says his organisation is concerned about the deadlock in negotiations

"We are praying that good sense will prevail. There is no better alternative to a political settlement."

Companies have expressed concern about the derailment

● To Page 3

Mourning

From Page 1

of negotiations. But they say they are confident the negotiations will get back on track.

Mr Bezuidenhout says the breakdown in negotiations has caused a negative view among SA and foreign businessmen. However, Sacob sees it as part of the negotiation process.

Anglo American corporate communications manager Glenn Bryant says "Anglo believes that all politicians have behaved badly on the issue of violence and that they should stop pointing fingers at each other"

Mr Wrighton says Premier will bring out a special issue of its company newspaper to keep employees informed

Barlow Rand group public affairs general manager Ken Ironside says Barlows has felt the effects of violence, especially at some of its PWV plants

Sanlam deputy chairman and chief executive officer Pierre Steyn says the political logjam is causing uncertainty both in SA and abroad.

Sacob has warned that failure to overcome the stalemate could lead to further closures of business, withdrawal of investment, loss of job opportunities and a flight of capital and skilled manpower

Safto's Wim Holtes says few exporters expect sanctions to be reimposed

"Large buyers, particularly in Japan and Korea, are using the situation to their advantage when negotiating long-term contracts," he says

Strike ends at
cement plants

STAR 29/6/72
Settlement has been reached in the protracted strike at Blue Circle Cement, and 400 workers resumed work late last week at the Hennenman, Lichtenburg and Industria plants (51)

The Construction and Allied Workers' Union said a wage increase of R1 an hour or 16 percent (whichever was the greater) was negotiated, and December 26 would be a recognised holiday.

Eskom agrees to suspend restructuring plan

ESKOM agreed not to retrench any staff and to suspend its restructuring programme following talks with union representatives yesterday, an Eskom statement said.

More than 3 000 employees, together with representatives from Numsa, the NUM and the Electrical Workers' Union, travelled from power stations in the eastern Transvaal to Megawatt Park in Johannesburg yesterday to present Eskom CE Ian McRae with a list of demands which included an

ADRIAN HADLAND

end to Eskom restructuring, the creation of a national Eskom/trade union forum and a moratorium on mothballing power stations.

Our own correspondent reports that the Natal Performing Arts Council (Napac) issued an ultimatum to about 230 striking employees last night to return to work by tomorrow or face dismissal.

DIRK HARTFORD reports that

factories organised by Cosatu's 45 000-strong Paper, Printing, Wood and Allied Workers' Union yesterday came out in support of marches and stoppages to back union demands for an end to retrenchments

Meanwhile, the strike at the SABC, in its seventh week, is deadlocked

SABC spokesman Christo Pretorius said he hoped the Media Workers' Association of SA would respond today to SABC proposals

Eskom accord with unions

STAR 30/6/92
Eskom last night announced it had reached agreement with the National Union of Mineworkers, the National Union of Metalworkers of SA and the Electricity Workers' Union on a set of employee demands. Eskom said it had agreed to suspend and refer to a national forum its current restructuring plan, halt the mothballing of power stations and not carry out any privatisation. (ISI)

Bid to stop dismissals

By Helen Grange

STAR 30/6/92

A total of 5 244 striking hospital workers have been dismissed with effect from tomorrow, and more letters of dismissal or intention to take disciplinary actions are on the way to scores more.

The Transvaal Provincial Administration (TPA) action comes after workers ignored Friday's deadline to return to work or provide written reasons for their absence during the protracted wage strike.

Despite this, lawyers for the National Education, Health and Allied Workers' Union (Nehawu) are making last-minute representations to the TPA, hoping to reverse the dismissals before they take effect tomorrow.

The union yesterday softened its position, saying it would call off the strike if the Government agreed to go to arbitration and withdrew disciplinary action against members.

Meanwhile, Nehawu is holding a meeting with other public sector unions today to discuss action the unions can take in support of hospital workers.

Nehawu said in a statement yesterday that arbitration was a fair offer and would be accepted by any reasonable employer.

The Government and Nehawu should enter into arbitration as soon as possible, Baragwanath Hospital medical advisory committee chairman DJ Gelderen said in a statement yesterday.

Deadlock broken

^{Sowetan}
117192 Sowetan Correspondent

(151)

A BREAKTHROUGH in the Toyota strike was made yesterday when the company and the National Union of Metalworkers of South Africa agreed to go to mediation.

The workers have been given an ultimatum to return to work on Monday, July 6 or face dismissal

(152)

A spokesman for Toyota said yesterday the company and Numsa had agreed to the director of Independent Mediation Service, Mr Charles Nupen, mediating between the parties regarding the "unlawful" strike which resulted in the ultimatum being issued against the workers

The mediation would take place on Friday, he said

He said, however, that the ultimatum to striking workers to return to work on July 6 remained in place and workers failing to comply with it faced dismissal

Numsa to hold strike ballots

By Mike Siluma

STAR
11/7/92

In a move that could be a precursor to widespread industrial action in the metal and allied industries, the National Union of Metalworkers (Numsa) will hold strike ballots for thousands of members from Monday.

The decision, taken by the union's national executive committee (NEC) and announced yesterday, follows a deadlock in annual wage talks between Numsa and employers in the metal, motor and tyre industries.

Numsa general-secretary Moses Mayekiso said the NEC had endorsed the recommendations for strike action from the union's regions and balloting would take place from July 6 to July 17.

The union's national strike committee would meet on July

20 to assess the results and take a final decision on the strike.

Regarding the crisis in constitutional negotiations, Mr Mayekiso said the union fully supported the present mass action in the Vaal area over the Boipatong massacre.

"Any disciplinary action taken against the workers involved would be fought", he warned.

ISI Demolish

The union stood by its demand that Iscor should "immediately close and demolish the Madala hostel".

Numsa is the biggest union in the metal industry, where the Steel and Engineering Industries' Federation is presently balloting employers on the possibility of locking workers out over the wage dispute.

Seifsa executive director Brian Angus said the results of the lock-out ballot should be known some time next week.

Other decisions taken by the Numsa NEC included

- That the union should support mass action aimed at toppling "the De Klerk regime" and achieving constituent assembly elections by year's end.

- That Codesa negotiations should be open and public, and be aimed solely at "transferring power to an elected constituent assembly".

- Urging Toyota SA to agree to refer its dispute with members at the Durban assembly plant to mediation, instead of dismissing the strikers.

- Supporting African National Congress demands regarding the security forces, including subjecting them to international monitoring.

Eskom clarifies agreement

ESKOM said last night it had not agreed to suspend the closure of certain power stations and its restructuring programme as was demanded on Monday by three trade unions. (15)

Eskom said in a statement yesterday there had been some misunderstanding about Monday's accord reached between Eskom and the trade unions.

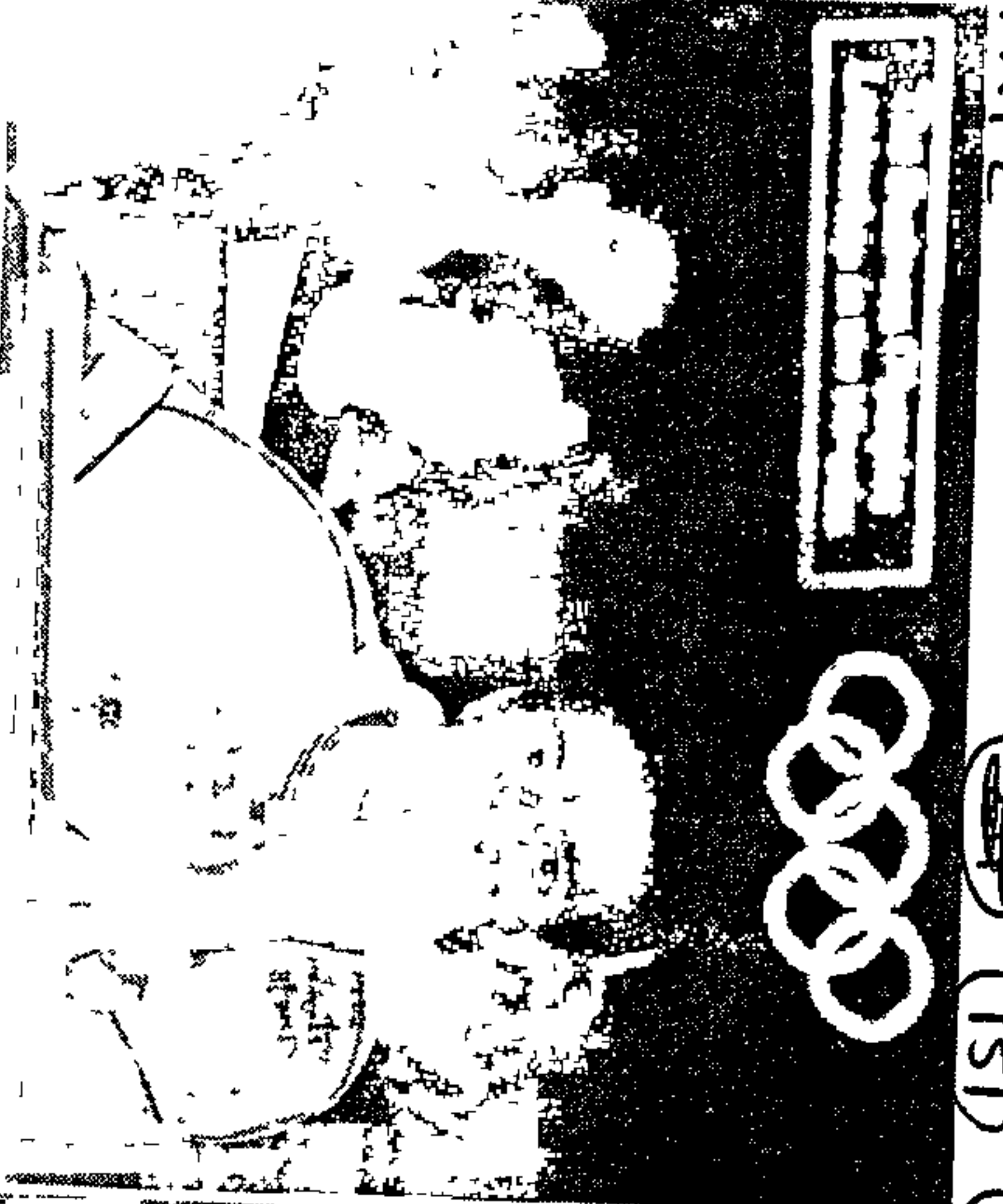
"In the understanding reached between Eskom, the National Union of Mineworkers, the National Union of Metalworkers of SA and the Electricity Workers' Union some details were incorrectly reported," Eskom said in a statement. BDay 117192

Eskom pointed out that in its accord with the three, it had not agreed to suspend its restructuring programme or the closures of certain units.

"Eskom and the relevant trade unions supported the formation of an Eskom-trade union summit where various issues of mutual concern, including restructuring, will be discussed," Eskom said.

It undertook not to retrench staff until the management of surplus staff had been discussed. — Sapa.

B10000 21719 2



BUSINESS DAY, Thursday, July 2 1992

NUM assistant secretary general Marcel Golding and Anglo American industrial relations and public affairs director Bobby Godsell argued the future of SA's economy at a debate organised by the International Association for Students of Economics and Management (Aiseclae) at Wits University's Business School in Johannesburg yesterday. Godsell — also Chamber of Mines vice-president — warned of the negative effects of a general strike, but agreed with Golding that mass action and peaceful protest went hand-in-hand with the negotiation process. Golding said mass action was the only way to press government into giving way to democracy.

Picture ROBBIE BOTHA

TPA agrees to mediation

Sowetan 21/7/92

THE Transvaal Provincial Administration has agreed to mediate with hospital strikers - but insisted that crucial wage demands at the centre of the dispute will remain off the agenda.

Meanwhile, thousands of unemployed men and women are seeking to fill the vacancies left by about 7 000 workers dismissed yesterday.

But the hospitals have turned them away, after having decided not to hire people until the TPA has made a final decision on workers' continuing representations against dismissals.

The cases of 1 299 workers were still being considered, and 325 strikers had been warned of dismissal, the TPA said last night.

In addition, a seven-day period - beginning yesterday - has been granted to dismissed workers to supply written representations over why they should not be fired.

The National Health, Education and Allied Workers Union yesterday held a march through central Johannesburg to deliver a memorandum to TPA officials.

They demanded that the dispute be referred to arbitration, that the TPA withdraw all interdicts and disciplinary action, and that all dismissed workers be reinstated.

Several unions affiliated to the Congress of South African Trade Unions have pledged their support for Nehawu's strike, warning that they will consider solidarity action should the union's demands not be met by tomorrow.

The Conservative Party has urged the Government to dismiss all provincial hospital strikers countrywide, adding that the strikes "are obviously politically inspired and part of the ANC's mass action plans".

Hospital workers in Natal and the Eastern Cape joined the strike yesterday, but low stayaway figures were reported in both regions - *Sowetan Correspondent*.

Perskor, union dispute appeal

By JOE MDHLELA

Sowetan 21/7/92

THE two-year-old dispute between the Media Workers' Association of South Africa and Perskor will be heard by the Appellate Division of the Supreme Court in Bloemfontein on August 27.

The case is a sequel to the dismissal of 3 500 workers by Perskor in 1990

The company subsequently re-employed some of the dismissed workers, a move that angered the union, which then took the matter to the industrial court

Favour

The industrial court ruled in favour of the union and ordered the company to reinstate all the dismissed workers

The company appealed to the Pretoria Supreme Court, which upheld industrial court ruling and dismissed the appeal

At a later hearing, the same court overruled an earlier decision by Mr Justice Curlewis in favour of Perskor

Mr Justice Spoelstra ruled in favour of the company, prompting Mwasu to take the matter to the Appellate Division

NEWS IN BRIEF

~~151~~ (151) **Mediator for strike**

8/Day 2/7/92

MEDIATION in the three-week-old Toyota SA strike in Durban, involving about 6 000 workers, begins tomorrow — three days before workers have to return to work or face dismissal.

Charles Nupen of the Independent Mediation Services of SA will attempt to resolve the deadlock which is costing the company about R15m a day in lost production. Effectively, Toyota loses production of 430 vehicles a day.

TV debate breaks deadlock

KATHRYN STRACHAN

HOPES for the resolution of the hospital workers' strike were raised yesterday when the National Education, Health and Allied Workers' Union (Nehawu) and the TPA agreed to enter into mediation following an acrimonious TV debate

TPA deputy director Deon van Loggerenberg said the three-week deadlock was broken yesterday afternoon when representatives of the two parties met to discuss the details of the mediation

He said the agreement followed a heated discussion between TPA MEC Fanie Ferreira and Nehawu general secretary Philip Dexter on SATV's Agenda programme on Tuesday, after which both parties realised the situation would not be resolved unless they agreed to resume talks

Earlier yesterday Cosatu sent a memorandum to President FW de Klerk demanding mediation to settle the disputes

Cosatu spokesman Siphso Binda said if De Klerk did not respond by tomorrow the 12 Cosatu public service unions would adopt "other strategies"

Van Loggerenberg said the 5 730 fired workers had seven days to make written appeals against their dismissals to their

own hospitals The fate of 1 299 other strikers was still under consideration

Nehawu assistant general secretary Neal Thobejane said the union's lawyers would also make a collective representation on behalf of the dismissed workers

In the Free State 600 general assistants were dismissed yesterday when they failed to respond to ultimatums to return to work Nine institutions are still affected

Earlier in the day thousands of strikers marched from the centre of Johannesburg to the TPA regional offices in Braamfontein in protest against the mass dismissal, Thobejane said

Meanwhile, general assistants at Natal hospitals began their strike yesterday

According to Natal Provincial Administration (NPA) director-general N E Howes, no general assistants came to work at King Edward VIII and Osindisweni hospitals in Durban, while at three other institutions between 25% and 50% of the workforce were on strike

NPA MEC for Health Services Peter

To Page 2

Hospitals

Miller warned that the strike in the Natal/KwaZulu situation would heighten tension and increase the potential for violence The lives of hospital secretaries had been threatened and there were reports of widespread intimidation, he said

Thousands of unemployed men and women turned up at the gates of Baragwanath Hospital early in the morning to apply for the vacancies left by nearly 1 000 general assistants who had received their letters of dismissal

Hospital spokesman Annette Clear said the vacancies could not be filled during the appeal period, but added that many had

been taken on as voluntary workers The hospital underwent a spring clean yesterday with the assistance of hundreds of voluntary workers, and the hospital was slowly returning to normal

A Groote Schuur Hospital spokesman said late yesterday patients were being given cold food and support services were unable to do their normal work

Operations at Port Elizabeth hospitals were being cancelled and patients not requiring constant attention were sent home yesterday. However, in other parts of the eastern Cape workers reported for duty as usual

From Page 1

TPA agrees to mediation

By Helen Grange

(151)

The Transvaal Provincial Administration has agreed to mediate with hospital strikers — but insisted that crucial wage demands at the centre of the debilitating wage dispute will remain off the agenda

Meanwhile, thousands of unemployed men and women are seeking to fill the vacancies left by about 7 000 workers dismissed by yesterday

Hospitals have turned the prospective employees away, having resolved not to hire labour until the TPA has made a final decision on workers' continuing representations against dismissal

The cases of 1 299 workers were still being considered, and 325 strikers had been warned of dismissal, the TPA said last night

The National Health, Education and Allied Workers' Union

yesterday held a march through central Johannesburg to deliver a memorandum to TPA officials. They demanded that the dispute be referred to arbitration, that the TPA withdraw all interdicts and disciplinary action, and that all dismissed workers be reinstated

Hospital workers in Natal and the eastern Cape joined the strike yesterday, but low stayaway figures were reported in both regions

The Free State Provincial Administration dismissed 600 hospital workers yesterday after strikers failed to respond to an ultimatum to return to work and explain in writing why they should not be disciplined

Nine health institutions in the province were still affected by the strike on Tuesday. Strikers at Botshabelo Hospital returned to work on Monday

Napac strike over



Sowetan
Correspondent

STRIKING employees of the Natal Performing Arts Council decided to return to work yesterday morning.

The workers, members of the South African Commercial Catering and Allied Workers Union, had been on strike since June 15.

The 230 workers went on strike to get 28 of their retrenched colleagues reinstated. They were given an ultimatum to return to work by yesterday after Saccawu and Napac failed to reach agreement on arbitration of their dispute.

The workers returned to work but vowed to "continue the struggle".

Napac director Mr Robert Cross said they would try to work closely with Saccawu to avoid strike action in the future.

"The Natal Playhouse will reopen to the public with immediate effect and the production of Cordon Bleu (which has been running at The Movies) will transfer back to The Loft Theatre," he said.

Meanwhile, the strike by members of the National Union of Metalworkers of South Africa which has cost Toyota more than R400 million in turnover has not been resolved.

The motor manufacturing workers who have been on strike since May 6 have been given an ultimatum to return to work by Monday.

Nehawu is prepared to call of strike

Sowetan 31/7/92

THE National Education Health and Allied Workers' Union has agreed to call off the hospital strike if the Commission for Administration commits itself to arbitration or mediation.

The union also demanded that the commission withdraw disciplinary action against the strikers

Nehawu president Mr Neal Thobejane said yesterday the union had agreed to call off the strike depending on the response of the CFA

The two parties are scheduled to meet today to discuss withdrawal of disciplinary measures the Transvaal Provincial Administration intends to take against the strikers.

However, the TPA yesterday said while it had agreed in principle with Nehawu to enter into mediation, "this has no effect on the process of disciplinary action against striking workers and those already dismissed

"Nehawu still demands arbitration on several issues which do not fall within the ambit of the statutory functions of the TPA," TPA said in a statement.

(151)

By ISAAC MOLEDI

The TPA said it was concerned about conditions of patients at the strike-affected hospitals as well as intimidation and brutality on its workers and volunteers

Eight homes of Tembisa Hospital employees were set alight in the past two days

Meanwhile Nehawu cancelled its meeting with management at Groote Schuur Hospital yesterday while another Cape hospital, Karl Bremer, joined in the strike - but with only one person - the Cape Provincial Administration reported

Fury over firing of hospital staff

151
By FERIAL HAPFAJEE

THE Transvaal Provincial Administration (TPA) this week dismissed more than 5 000 general workers, but finally agreed to go into mediation with the National Education, Health and Allied Workers' Union (Nehawu).

The fate of about 1300 workers still hangs in the balance. The country faces the possibility of sister unions in the public sector coming out on sympathy strikes.

Nehawu general secretary Phillip Dexter this week called the mass dismissal "malicious and short-sighted"

About 22 000 workers are on strike around the country in 19 hospitals; the Cape Provincial Administration has said it will not dismiss workers at the five hospitals on strike in the Cape. The Free State Provincial Administration this week began interdicting striking workers

Workers in the Transvaal were selectively dismissed. According to the TPA, "the case of each individual striker was reviewed on merit", but the union believes this may be a process of weeding out active union members. New workers will be employed after the seven days allowed for workers to make representations. Meanwhile, volunteer workers at strike hit hospitals are holding the fort and being paid R3,25 an hour

The strike highlights the need for expediting legislation in the public sector, says Dexter. Last year, the Public Servants Association (PSA), Nehawu and the Commission for Administration (which deals with human resource development in the public service) started negotiations towards drawing up legislation.

The PSA submitted draft legislation while Nehawu urged the commission to seek a wider mandate from the government which would give it decision-making powers in order to speed up the process, by doing away with the commission having to report to the cabinet on every clause.

Nehawu believes the existing Labour Relations Act should be extended to the public service with additional provisions for emergency service workers.

Shamima Mayet, the union's attorney says "We have not had a response from the Commission for Administration. The legislation is a long way away because we have not started work on the first clause".

But she is hopeful draft legislation will be tabled in October.

The Commission for Administration says the legislation is "under consideration".

Mediation holds the key to hospital strike (S)

THE crippling hospital strike by thousands of health workers country-wide could end next week — if the Government agrees to refer the industrial dispute to mediation

In an important breakthrough, the Government's public sector negotiating forum — the Commission for Administration — agreed to consider a mediation proposal by the National Education, Health and

Allied Workers' Union (Nehawu) at a meeting in Pretoria yesterday

"If the Government agrees to mediation, the strike ends on Monday. We will be able to get our workers to go back to work," Nehawu general-secretary Phillip Dexter said

The Government has agreed to give the union an answer when the parties meet on Monday. But Dexter was not very hopeful that the strike

STAR 4/7/92
SHARON SOROUR

would end soon, given the forum's "intransigence" and "negative attitude"

"We spent four hours trying to get the Commission members to agree to consider the proposal to refer the dispute to mediation. I am not hopeful that they will agree to mediation"

He felt the Commission wanted to prolong

the dispute to hurt the union, which had shifted its position, made proposals and had come up against "a wall of bureaucracy"

Dexter warned that the union was seriously considering leaving the forum because it was a waste of time

"We will then have to devise other ways of having our demands met and this would most definitely include prolonged industrial ac-

tion," he said

The union proposal includes that the following issues be referred to mediation: Salaries, the status of temporary employees, interim dispute resolution mechanisms and the dismissal of strikers

Dexter said the union agreed that the mediator's recommendations would be referred back to the negotiating forum.

The Commission declined to comment.

Mediation key to strike

THE nationwide hospital strike could end next week if the government and 10 public service trade unions agree to proposals made at Friday's meeting between the Commission for Administration (CFA) and the National Education, Health and Allied Workers' Union (Nehawu) in Pretoria.

Nehawu general secretary Phillip Dexter said if the CFA and the negotiating forum of unions accepted the proposals, Nehawu would ask its striking members to return to work.

Both the CFA and the negotiating forum had to agree that a mutually-agreed arbitrator would mediate on Nehawu's demands, which included: wages, the status of temporary employees, interim dispute resolution mechanisms, and the dismissal of strikers.

He added that all parties in the forum could participate in mediation.

But Dexter said he was not hopeful that the CFA would respond positively when they meet again on Monday, as it had taken the union four hours to convince them to consider the proposals.

The CFA had argued it could not make decisions without all the unions present. Agreement had been made with only five unions after the other six

walked out of negotiations on May 19.

The CFA declined to comment on Thursday's meeting.

Dismissed Transvaal hospital workers were not responding to the Transvaal Provincial Administration's invitation to apply for reinstatement, according to TPA health services MEC Fanie Ferreira.

Dexter said dismissed workers would not make appeals until the CFA promised to agree to mediation.

The Free State Provincial Administration said fired workers had to apply for reinstatement before July 11, while the Natal Provincial Administration obtained a court interdict preventing strikers from inciting others to strike. Strikers were also interdicted from interfering with non-strikers.

Dexter said though cases of intimidation had been reported nationwide, there was no evidence that Nehawu members were responsible, adding that the union's members were being harassed, bullied and assassinated.

Nehawu is demanding a wage increase of R724 a month and an across-the-board increase of 15,3 percent.

The CFA has offered R708,50 a month. - Sapa.

UPPER 151

Health strike off if mediation allowed

S1 Times (C.M.) 517197

151 (88)

By KURT SWART,

STRIKING Western Cape health workers are optimistic that the countrywide strike will be called off tomorrow following a meeting this weekend between the government and the National Education Health and Allied Workers Union (Nehawu).

Nehawu regional chairman Mr Wilfred Alcock said the union was optimistic after the meeting with the Commission of Administration in Pretoria on Friday.

"There will be a general meeting tomorrow to receive the reportback from the meeting with the government and to decide on our next course of action. We believe the strike will be called off if the state responds positively to our proposal to refer the dispute to mediation and arbitration."

Solidarity

Union general secretary Mr Philip Dexter was less optimistic. The government had agreed to give its answer tomorrow on the mediation proposal but Mr Dexter said on Friday that he was not hopeful that the commission would change its "intransigence" and "negative attitude".

If the government failed to give a positive reply the union would be compelled to "intensify the struggle".

Mr Alcock said this could entail calling on all other public sector workers to engage in solidarity action from tomorrow and bringing out on strike union members in the private sector, "especially at private hospitals and creches used mainly by so-called whites".

The Transvaal Provincial Administration (TPA) has dismissed more than 7 000 strik-

ing workers to date, but no workers have been sacked in the Western Cape.

"The Cape Provincial Administration (CPA) has distanced itself from the actions of the TPA," said Mr Alcock.

"The relationship between ourselves and the CPA right now we can term progressive and we also have a healthy relationship with the hospital administrations."

The union was however, "highly disturbed" when a Groote Schuur heart transplant patient was transferred to City Park for an operation last week after the hospital administration barred its own surgeons from operating at Groote Schuur.

The hospital cited the lack of back-up service because of striking staff as the reason for the bar.

Emergency

"It has been our position from the start that for emergency cases only we would provide service if management requested extra staff. We are highly disturbed that management of Groote Schuur never approached the union before the City Park operation. We could have released staff to render emergency services."

More Western Cape workers joined the strike this week when Nehawu members joined Health Workers Union (HWU) members already on strike at Tygerberg Hospital, bringing the total number on strike to about 2 400.

Two courts at odds over a can of Coke

SIT (me) (Buss) 5/7/92
THE Labour Appeal Court (LAC) has become much stricter than the Industrial Court when dealing with employees

The matter was discussed at a law seminar by PAK le Roux of Unisa's department of mercantile law

He said the Industrial Court found that a waiter sacked for stealing a can of soft drink had been unfairly dismissed because of its low value. But the LAC found the dismissal to be fair because the relationship of trust between employer and employee had been eroded

Line

Another issue discussed at the seminar was the importance of the employee's circumstances. In the case of a woman who stole films worth R50 from CNA, the LAC ruled that because she had destroyed the trust relationship, the importance of her personal circumstances could be downgraded.

The LAC was also much stricter on a managerial employee than was the Industrial Court in a case concerning dismissal on the grounds of incapacity

On several occasions a department failed to submit accounts to management within the specified time. So the woman employed as the head-office accountant was fired.

Professor Le Roux says that technically she was a good accountant, but a bad manager. She believed the problem was inadequate staffing of her department.

The Industrial Court agreed with her employers that the problem was her inability to manage properly — but found the dismissal unfair because she was never told "her job was on the line"

It found that her superiors should have told her of her shortcomings

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other is an aerobatic trainer

The case of the waiter who stole a can of Coke highlights the increasing severity of Labour Appeal Court rulings. CATHY STAGG reports. (151)

But the LAC said the employee must have known she would be dismissed unless the problems were resolved. The Industrial Court should have held that as a senior employee, she should have been aware of where she was failing.

Clive Thompson of the University of Cape Town labour law unit spoke about collective bargaining. Professor Thompson said that in spite of changes in legislation, it seemed the Industrial Court had a mind of its own. The basic rules had been set out over five to six years and the main theme was the promotion of collective bargaining

Cancel

The highlight of the past year was the first unfair labour practice appeal to go before the Appellate Division of the Supreme Court. Num vs Ergo was the first at that level (the highest court in the land) since provision for appeals was introduced in 1988

The hard law which the appeal established spanned a relatively modest part of collective bargaining turf, said Professor Thompson

However, in deciding the narrow points, the court declared its position on three major labour law issues

● The fundamental philosophy of the Labour Relations Act was that collective bargaining was the means preferred by the legislature for maintaining good labour relations and for the resolution of disputes.

Professor Thompson said it was a revelation for the Appellate Division to come out with this type of language

● The right to strike was an essential and integral element of collective bargaining

● In the exercise of its power and the discretion given to it, the Industrial Court was obliged to have regard not only, or even primarily, to the contractual or legal relationship between the parties to a labour dispute. It must have regard to the applica-

tions of the principles of fairness. In essence the Industrial Court was one in which both law and equity were to be applied

Professor Thompson said the court held that Ergo had breached the terms of a sole collective bargaining agreement when, at the point of impasse in wage negotiations, it had gone directly to its employees and made them an offer not previously put to the union. The offer was to give back pay to those who ignored the strike call

Professor Thompson said an employer was not entitled to suspend or cancel a recognition agreement. In an impasse, an employer could implement only the final offer

For as long as the union's recognition agreement was in effect, an employer could not negotiate with individual employees. However, the employer could take unilateral action

Professor Thompson said that if the employer's last stance had been that all workers must take a pay cut, he could communicate that fact to union members and then implement it by reducing the wage packet.

The fact that the shrunken pay envelope was received by workers did not mean that they accepted the position and that their contracts had been amended accordingly.

Status

The parties remained in dispute and union members, even having taken the reduced wage, were allowed to strike for something better until such time as their collective bargaining representative had settled their claims with the employer

Only if there was a basis on which to cancel the union's collective bargaining status could the employer deal directly with workers

The employer could indirectly induce the members to persuade the union to amend its bargaining position, but could not invite the members to accept its last offer

Toyota set to fire up to 6 000

Bloom 6/7/92
TOYOTA is set to dismiss up to 6 000 employees today after mediation efforts on Friday failed to end the three-week strike at the company's Durban assembly plant.

"The breakdown in talks came about through National Union of Metalworkers of SA's (Numsa's) intransigence in its demand for payment for no work during the current 19 day strike. In the light of this our ultimatum that striking workers face dismissal if they do not return to work by Monday stands," said Toyota MD Ralph Bradley.

A Numsa spokesman said Toyota had continued to insist that workers return to work today and raise their grievances, including those that led to the initial strike, through the proper channels.

Workers went on strike after they

(151) (152) (153)
DIRK HARTFORD

learned that some shop stewards had been paid for the duration of a strike in May.

He said the union had offered to shelve its demand for payment to workers for the second strike if the agreement reached after the first strike could be reinstated.

In addition, it wanted Toyota to consider a series of ex-gratia payments to the workers in lieu of the second strike once production and relations at the plant had returned to normal.

Numsa's members will meet today to discuss their next step.

The possibility of "solidarity action" from Toyota workers in the Transvaal and at other motor assemblers could not be ruled out, the spokesman said.

Sowetan 6/7/92 (151)

Bid to end dispute

A CONCILIATION board will be convened in Port Elizabeth on July 13 in an effort to resolve the dispute declared by motor industry employers, the National Union of Metalworkers and the Iron and Steel Workers Union against the Delta Motor Corporation on June 22

The corporation said in a statement a dispute meeting had been held between the parties involved on Friday to discuss wages, job security and workers' rights

3
SALVATION

Toyota talks fail

Last ditch mediation between Toyota SA and the National Union of Metalworkers of SA aimed at resolving the strike at the company's Durban manufacturing facilities failed to bring an end to the strike, the company said on Sunday. "We regret the fact that mediation which took place in Durban on Friday, July 3, was unsuccessful in obtaining a solution which would bring our plants back to normality," Toyota SA managing director Ralph Broadley said.

STAR 617192

n the hospital strike

the nation in brief

Sowetan 6/7/92 Vow on hospital strike

THE National Education, Health and Allied Workers Union has re-affirmed its commitment to ending a nationwide hospital strike if the proposals it made at Friday's meeting with Commission for Administration are met.

Nehawu president Mr Neal Thobejane yesterday said that the status of temporary employees, interim dispute resolution mechanisms, salaries and dismissal of strikers were the demands which formed the "bottomline" to call off the strike.

Nehawu, ten public service trade unions and CFA are to meet again today to resolve the logjam.

Boycott set for Vaal

A CONSUMER boycott is set to hit four Vaal towns today after local organisations suspended the work stayaway, which started 12 days ago.

The public relations officer for the Vaal Civic Association, Mr Paul Sithole, said the consumer boycott was aimed at white-owned businesses in Sasolburg, Vanderbijlpark, Vereeniging and Meyerton, and that Indian-owned shops had been exempted. *Sowetan 6/7/92*

SABC strike end in sight

THE resolution of the six-week-old strike by SABC employees may be in sight with further talks between the two parties set for tomorrow.

The workers, all members of the Media Workers Association of South Africa, are locked in a wage dispute with management - *Sowetan Reporters.*

(151) Sowetan 6/7/92



Here are the winners of the Miss Rose '92 Beauty Show which was held at Club 7071 in Orlando West, Soweto, at the weekend. From left, second princess Mmabatho Ramoupi, first princess Jahanna Ramalefo and the queen, Rethabile Matseke.
PIC FANI MAHUNTSI

Unionists in sit-in after talks fail

Sowetan 7/7/92
Four National Education, Health and Allied Workers' Union officials yesterday staged a sit-in at the Transvaal Provincial Administration's offices after talks to resolve the hospital strike ended in a deadlock in Pretoria

The four are Nehawu first vice-president Mr Vusi Nhlapho, secretary-general Mr Phillip Dexter and shop stewards Mr Siphwe Mabaso and Mr Matthew Siko.

The sit-in followed a stalemate reached by

Nehawu, 10 public service trade unions and the Commission for Administration (CFA) during negotiations to defuse the continuing hospital strike at more than 75 state hospitals countrywide

Nehawu president Mr Neal Thobejane blamed the CFA for the break down of the negotiations. He said the CFA's failure to take part in mediation proceedings - agreed earlier - was the cause of the deadlock

(151) (152) (71)
He said part of the Nehawu delegation, which staged the sit-in in the TPA's offices, would continue until mediation is agreed upon

A CFA statement said "the employer representatives could not agree to the appointment of a mediator - demanded by Nehawu - regarding matters which had already been concluded, or should be dealt with, within the forum

"Funds for the improvement of conditions of service have to be voted by Parliament"

X

New Toyota staff 'within weeks'

81 Day 8-11-92
THE strike at Toyota SA could be resolved if Numsa reconsidered its position and put forward a reasonable stance, Toyota MD Ralph Broadley said yesterday (151)

Management had reluctantly resorted to mass dismissals. But after two months of lost production and the impact of the strike on suppliers, dealers and customers, Toyota had to bring its facilities back on line.

Numsa was demanding payment for no work for the second strike. Accession to this demand would ripple through the economy and set unacceptable precedents for labour re-

~~THE~~ DIRK HARTFÖRD ~~152~~

lations, giving a wrong signal to workers nationally, Broadley said.

Toyota chairman Bert Wessels said getting the work force back was "first prize". But Toyota would have to employ new workers within weeks if there was no settlement.

Numsa said it was willing to negotiate and called on Toyota to move from ultimatums to negotiations. It said it had made moves at mediation which were rejected by the company without any counter-proposal.

A spokesman said Toyota's industrial relations system was in tatters.

8/10/92
**'Commitment' from
employers wanted**

(151)

DIRK HARTFORD

THE biggest obstacle to peace and prosperity in SA was the minority government and Cosatu would do all it could to persuade the majority, including employers, to take action against government intransigence, Cosatu general secretary Jay Naidoo said yesterday.

He confirmed that Cosatu and Saccola had held "constructive talks" yesterday on the current situation, but said Cosatu was still looking for an active commitment from employers.

In talks earlier this week, business leaders warned that workers who participated in strikes would face disciplinary action, reports Sapa.

They said mass action would result in further business closures and retrenchments and a "downward spiral" in the economy from which it would be extremely difficult to restore growth.

There would also be a negative impact on local and overseas business confidence, and an increased potential for violence.

Naidoo would not elaborate on the contents of yesterday's talks, but said Cosatu was "more hopeful" that employers might act in support of democracy.

The joint meeting of Saccola, Cosatu and the TPA to try and facilitate a solution to the hospital strike demonstrated this.

He challenged employers to come up with practical solutions to the issues Cosatu was campaigning against, instead of wasting their energies on opposing its mass action campaign.

Cosatu would never forfeit its democratic right to mass action, especially when employers were unable to deliver a viable alternative, Naidoo said.

Toyota and Numsa ⁽⁵¹⁾ ~~151~~ begin talks on dismissals

Sowetan 10/7/92
■ Workers' jobs now hang in
the balance:

TOYOTA-SA's management and union leaders are to meet in Durban today to discuss the dismissal of 6 000 striking workers, according to a company spokesman.

The announcement of the talks follows a letter from Toyota to the National Union of Metalworkers of SA advising them that unless the union presents reasonable proposals for the re-employment of the dismissed workers by 4pm today the company will start employing replacement workers on a permanent basis.

Numsa's national organiser Mr Gavin Hartford said yesterday that the tone of management's letter was "a request to reopen negotiations".

Hartford said union leaders would meet workers at the plant this morning before meeting management.

— Sapa

NUMSA, Toyota seek solution to strike

NUMSA and Toyota representatives were to meet today to seek a solution to the strike by 6 500 workers in Durban and Johannesburg after Toyota told the union it would begin recruiting permanent workers next week.

NUMSA said Toyota's letter amounted to a request to reopen negotiations. *31 DAY 10/7/92*

Meanwhile, NUMSA yesterday rejected Toyota's assertion that sections of its plant were running at up to 40% capacity.

(S) DIRK HARTFORD (S)

A NUMSA spokesman said even if it were true, customers should be warned that most of the production would have to be scrapped.

He said when workers returned to work after the first strike, not one car had been produced. During the second strike the company tried to produce a car, but it was "overburnt and crudely spraypainted and headed for the scrapheap".

CT1017192 (151)

Textile workers sue Mooitex

MARITZBURG — Mooi River Textiles allowed people to bring weapons to its factory and even provided storage facilities for them, the South African Clothing and Textile Workers' Union said in an application before the Supreme Court here to reinstate arbitration procedures previously agreed to.

Sactwu has applied to the

court to order Mooitex's holding company, Avtex, to reinstate arbitration procedures agreed to in October 1989.

The reinstatement of these channels would mean that workers dismissed in and after July last year could enter arbitration over their dismissals.

The workers were dismissed when they failed to arrive at

work "as a result of extreme and violent intimidation in Bruntville as well as at the workplace", according to an affidavit by a Sactwu official.

The violence, including a number of murders committed on the factory premises and in the township, was "so severe, aspects were referred to the Goldstone Commission of Inquiry"

Strike wave set to engulf S.A.

WMA 10/7-16/7/92

Tension between employers and workers in the giant metal, auto and tyre industries could spill over into strikes over pay and retrenchments By **Weekly Mail Reporters**

MORE than 400 000 workers in three industries organised by the National Union of Metalworkers (Numsa) are teetering on the edge of strike action over wages and job security.

Numsa strike ballots are currently being conducted in the giant metal and engineering industries, and are due to be finalised by next Thursday. At the same time, the metal employer body, the Steel and Engineering Industries Federation (Seifsa), is conducting a lockout ballot.

Balloting is also in progress in the tyre industry, while in the auto assembly sector, a conciliation board is due to sit next week. If this fails to settle the dispute — and Numsa's Les Kettleidas said the two sides were so widely separated that settlement was "highly unlikely" — a strike ballot will begin at once. In all three sectors, the disputes revolve around Numsa demands for a



Getting respite ... Numsa workers may soon go on strike

R1,50-an-hour or 20 percent increase, whichever is higher, and for a moratorium on retrenchments. The union's opening demand was for R2.

Nearest to accommodating the demand are tyre employers, who in their final offer in the industrial council offered 12 percent and the 12-month extension of the watershed retrenchments moratorium agreed last year — but with conditions the union rejects. These include employers' right to rescind the retrenchments agreement if

unprecedented industrial action undermines productivity.

Seifsa has offered an eight percent rise and has told unions party to the metal industrial council that proposals for a retrenchments moratorium are impracticable.

Auto assembly employers are among the highest-paying in South African industry, but their tough stance in this year's talks — their final wage offer is 6,4 percent — bears out depressed conditions in the sector.

On retrenchments, the flashpoint is an employer proposal of voluntary retrenchment packages. Numsa argues that as employers will select suitable candidates for redundancy, it cannot be voluntary.

Also in dispute are union demands for worker rights such as immunity from dismissal during procedural strikes, picketing facilities and paid time-off for general meetings on company premises.

Auto employers have told Numsa that poor market conditions have forced them to revise projected vehicle sales this year from 220 000 to 190 000.

Denying that Numsa's demands were unrealistic in the light of the sector's current woes, Kettleidas said employers continued to "duck and dive" on union proposals, tabled last year, for industry restructuring to promote growth and create jobs.

"We understand that Naamsa (the Nation Association of Automobile Manufacturers) are unilaterally devising a strategy for the industry's future, and are to invite overseas experts. We are not involved," he said.

The union was also pressing for full disclosure of information, but no details of companies' financial positions had been provided.

R1 612 minimum pay at SA Brews

5 Times (BUS) 12/7/92

(151) By ADRIAN HERSCH

SA BREWERIES and the Food and Allied Workers Union (Fawu) have agreed on a 15% pay increase.

This year's wage talks were concluded well within the negotiation period — for the first time ever.

Fawu negotiator Ernest Buthelezi says the rise takes the minimum wage to R8,53 an hour — about R1 612 a month for a 45-hour week.

The minimum for those working a 40-hour week will be about R1 433 a month.

The relationship between SAB and the union has improved since the seven-week strike in 1989.

SAB public affairs manager Adrian Botha says negotiations were held in a positive fashion.

Mr Botha says: "This is the first time we have been able to conclude negotiations before the expiry of the current substantive agreement — and without any third party intervention."

Mr Buthelezi is not entirely unhappy with the agreement, but says the union would have "preferred an agreement about 3% or 4% above the inflation rate"

Fawu did not push strongly for this because the union is also giving attention to improvements in non-wage issues — housing and medical aid.

These matters are being discussed in a separate forum.

Mr Buthelezi says "some progress" has been made.

Joint action plan as townships slide into new anarchy

BOSSERS IN BRID TO HEAVEN START

By EDYTH AULBRING, MIKE ROBERTSON and EZRA MAAPHANI

TOP businessmen and unionists are engaged in desperate last-minute talks to avert a drawn-out general strike and halt the drift of black townships into the anarchy of the mid-80s. Already comrades in several Reef townships are resurrecting the old block committee system as a first step to seizing control of the townships. They also intend marching on the homes of black policemen

This week, with neither the ANC nor the government showing any sign of backing down, the ANC's protest campaign moves into a new phase: the occupation of government buildings. But even as the rhetoric of civil protest against the government mounts, the business community and unionists are involved in delicate talks which could seize the initiative from the deadlocked politicians

The SA Co-ordinating

Committee on Labour Affairs, a body representing 10 major employers and Cosatu, the trade union federation sponsoring the protest actions, is considering joint worker-boss action to pressure political leaders to speed up moves towards a democratic settlement.

A day of joint business-union action on August 3 — the proposed launch date for a seven-day general strike — is now being considered.

Representatives of Cosatu and Saccola agreed on Tuesday to a draft set of proposals on joint action to achieve democracy. The proposals were endorsed on Thursday at a full executive meeting of Saccola and are to be finalised with Cosatu this week.

Swift

Saccola vice-chairman Johann Liebenberg said the objective was to avoid a national strike and to find ways to urge politicians to negotiate.

The draft proposal endorses swift transition to an interim government and the holding of democratic elections for a constitution-making body.

Beauties walk on the wild side



Wife's murder: Top CP MP is quizzed

Sunday Times Reporter GONSERVATIVE Party MP for Ventersdorp Fanie van Vuuren was questioned this week in connection with his wife's murder on April 24.

Police also quizzed a young woman, believed to be a good friend of Mr Van Vuuren's who was recently divorced from a lecturer at Potchefstroom University. They also spoke to several other people.

A spokesman for the SAP said yesterday the investigation was "at an extremely sensitive stage" and a murder docket would probably be handed to the attorney-general this week.

Primary school teacher Mrs Hermina van Vuuren, 40, was shot once behind the ear in the bedroom of the family home on a smallholding near Carltonville at about 1am.

Now high what dummy for you're?



JUST CHECKING Kent Durr with a waxen president Picture: ROGAN COLES

By CHARMAIN NAIDOO London

PRESIDENT FW de Klerk's wax likeness was unveiled at Madame Tussaud's yesterday as London ambassador Kent Durr

A special friendship. A special kind of friendship.

joint action to achieve democracy. The proposals were endorsed on Thursday at a full executive meeting of Saccola and are to be finalised with Cosatu this week.

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The draft proposal endorses swift transition to an interim government and the holding of democratic elections for a constitution-making body.

Key personalities in this initiative are Saccola chairman Bokkie Botha, Chamber of Mines president Bobby Godsell, Cosatu secretary-general Jay Naidoo and Cosatu deputy secretary-general Sam Shulowa.

A leading Cosatu official said joint action by business and the unions was bound to make an impact on resolving the impasse in political negotiations.

But the ANC alliance's bottom line for resuming talks and averting the general strike remained that the government accept majority rule, he said.

On Friday Cosatu's central executive committee decided on a seven-day national strike beginning on August 3.

Rallies

The first two days would consist of a stayaway from work. On August 5, workers would occupy the major cities with the intention of bringing city life to a standstill.

The next two days would involve workers' occupation of factories and other workplaces while the last two days would consist of rallies and meetings.

Already, however, events on the ground appear to be overtaking the leaders.

ANC Youth League president Peter Mokaba confirmed this week that the intention was to take the townships back to the era of "ungovernability" of the mid-80s.

"As part of our mass action we are going to identify and march towards the homes of police who killed our people during riots," he said. "We are going to harass their families so that they know that they are stay-

□ To Page 2

Bid to end strife

From Page 1

ing with killers in their families

"We are going to return to the 1985 period with the establishment of street and block committees and people's courts. Residents are going to take their town-

ships away from the government and run them as they please. After all, that is better than living in fear of being attacked by state agents who kill them in their sleep," Mr Mokaba said.

A new slogan has emerged among firebrands in the more radical Pan Africanist Congress in Transvaal townships "Kill a cop a day".

From East Rand townships, meanwhile, come reports of a hardening of anti-white sentiment. ANC, PAC and Azapo youth have also apparently buried their difference and declared themselves ready to support the protest actions.

The government is also showing few signs of compromise.

"There is too much fight left on both sides," was how a senior cabinet minister summed up the situation this week. "The ANC believes it is on a winning streak while the government believes it is too strong to succumb."

South Africa's domestic crisis will also take the international stage this week.

Effort

At least six Codesa participants will be at the United Nations in New York on Wednesday when the Security Council begins its hearing on South Africa.

Among those addressing the council will be Foreign Minister Pik Botha, ANC leader Nelson Mandela, Inkatha president Mangosuthu Buthelezi and homeland leaders Lucas Mangope of Bophuthatswana, Brigadier Oupa Gqozo of Ciskei and General Bantu Holomisa of

Transkei. In an effort to position itself before the hearing, the South African government has again made clear that it would be willing to accept a greater role for the international community within the country.

Yesterday National Party secretary-general Stoffel van der Merwe called for an independent team of international experts to be asked to investigate, evaluate and report on the extent to which the ANC alliance has honoured its agreements with the government — particularly on the control of weapons and its armed wing.

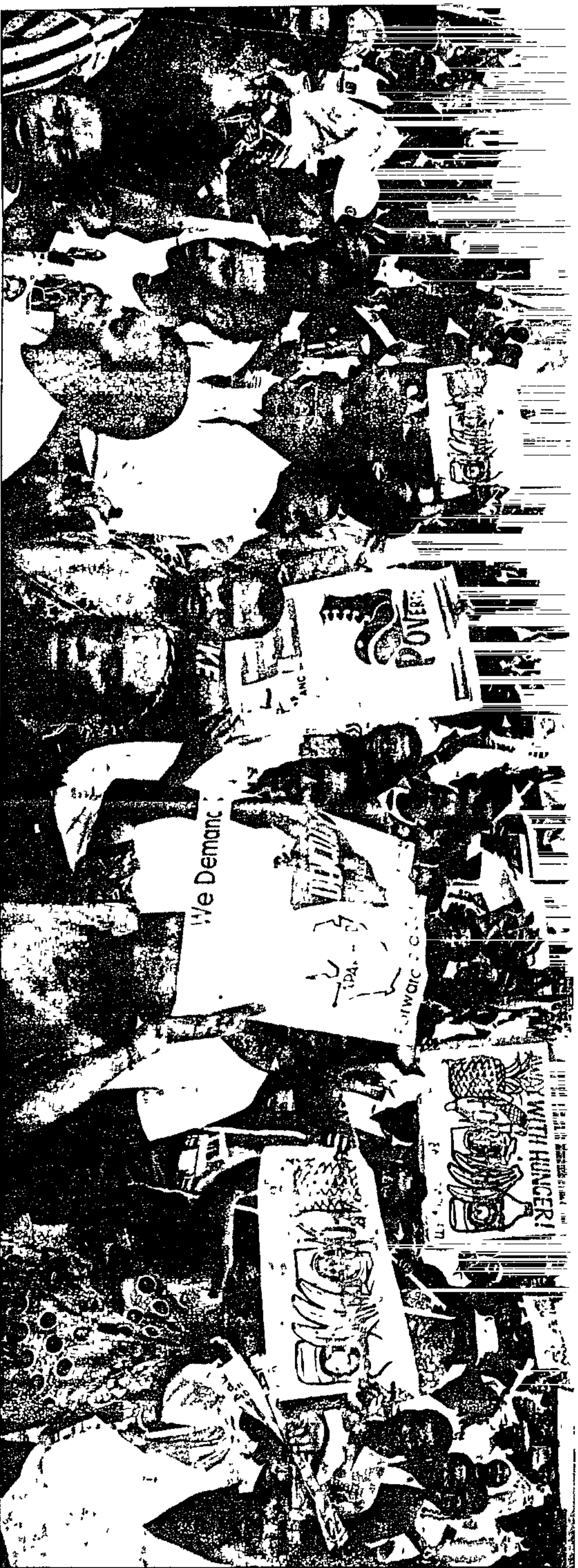
Crisis

In effect he was asking for international involvement in monitoring compliance with the Peace Accord and the Groote Schuur, Pretoria and DF Malan minutes. A monitoring role for the international community is a key ANC demand.

President FW de Klerk's diplomatic initiatives and the absence of the Soviet Union convince the government that it will have a more favourable reception at the Security Council.

Whatever the outcome of the council meeting, however, government ministers are already preparing themselves for a greatly changed climate after mass action.

"When we return (from the current crisis) it is likely to be a very different negotiating table," said one who is intimately involved in the negotiations. "If it does involve the same players and format you can be sure that the issues will be different."



MASS APPEAL... As the strike action juggernaut begins to gather momentum, observers say the question is no longer whether Cosatu can launch the strike but how to prevent it.

■ Pic: MIKE REZLINSKI

THE BIG BROWN

WITH only three weeks to go before the big one — the August 3 strike of “unprecedented magnitude” — big business and Cosatu are grinding their loins for what could become the most serious industrial/political confrontation.

When Cosatu announced two weeks ago its campaign of rolling mass action culminating in a general strike on August 3, there were sneers in some business quarters that this was nothing more than scare tactics.

Constitutional Development Minister Roelf Meyer went as far as dismissing it as a “propaganda ploy.” Some commentators said Cosatu could not sustain a strike for more than two days.

Now, as the mass action juggernaut begins to gather momentum, the question is no longer whether Cosatu can launch the

Sneers turn to pleas as

Chen 12/1/92

big business

tries to avert

the ‘mother

of all strikes’

By SFKOLA — The recent strike by

de Klerk from power. The target period for this is not later than December.

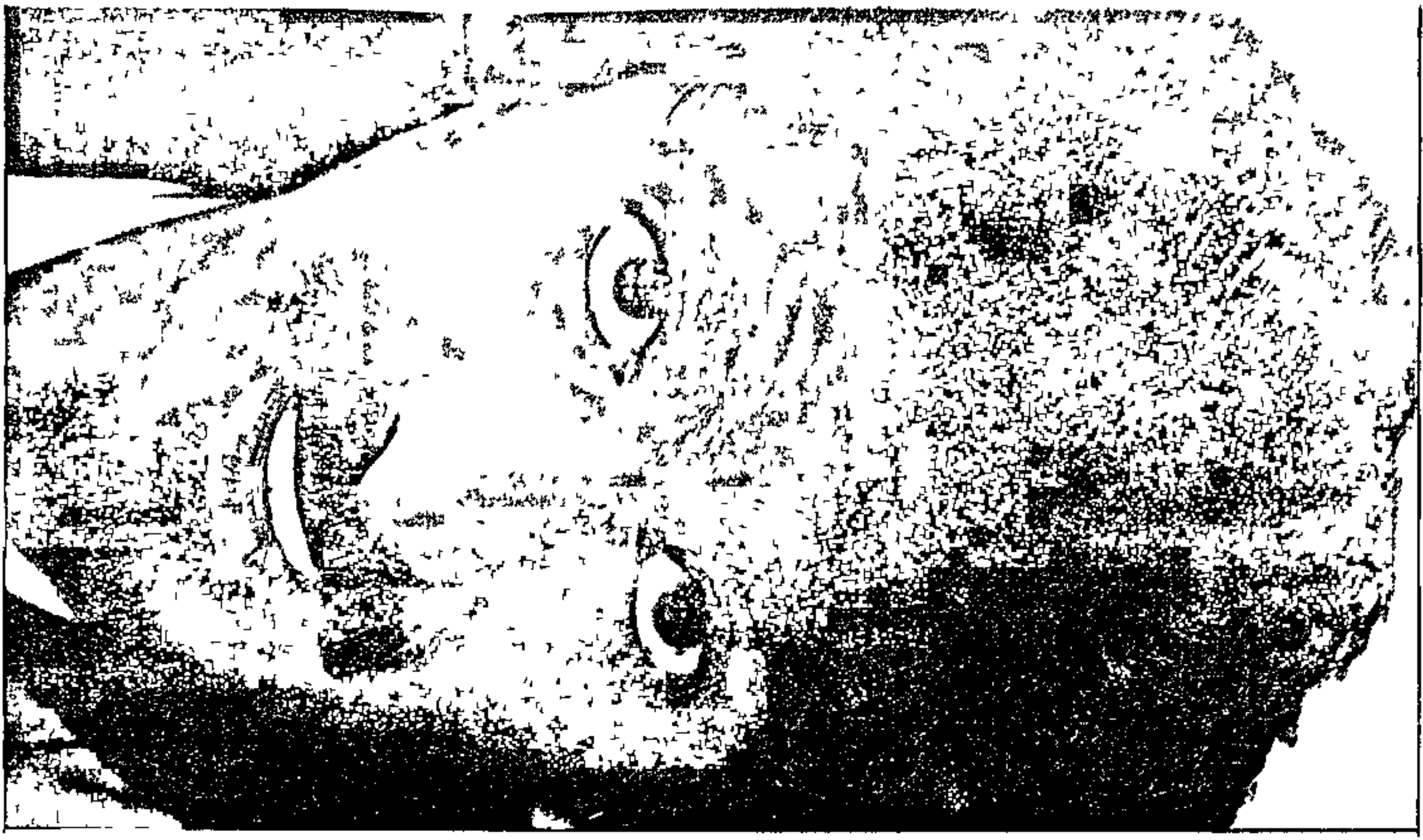
With a membership of 1.2 million — which could be augmented by another 300 000 from the National Confederation of Trade Unions — Cosatu is not making an idle threat when it says it will launch an unprecedented strike in the history of this country.

Apart from voluntary strikers, the non-availability of transport in the townships and an element of intimidation, whether sanctioned by the leadership or not, could swell the figures to over two million strikers. Cosatu has already

MASS APPEAL... As the strike action juggernaut begins to gather momentum, observers say the question is no longer whether Cosatu can launch the strike but how to prevent it.

PHOTO: STRIKE MENTLEMEN

THE BIG GROWN



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Now, as the mass action juggernaut begins to gather momentum, the question is no longer whether Cosatu can launch the strike but how to prevent it.

In the last few days, there has been a flurry of activity in the business world indicating that in-difference or dismissal is now giving way to a realisation of the nightmare looming ahead.

Of course, big business is still talking tough. It warns that factories could close as a consequence of the strike. It also warns that disciplinary action will be taken against strikers.

But, behind this rhetoric of tough talk, it is reported that big business, the government, Cosatu, the ANC and several other parties are engaged in behind-the-scenes discussions to avert the strike - the outcome of which could be crippling to both employers and employees.

Representatives of big business like the South African Chamber of Business (SacoB), the Africanse Handel Instituut (AHI) and the Steel Engineering Industries of South Africa (Sedisa),

By SEKOLA SELLO

Sneers turn to pleas as big business tries to avert the 'mother of all strikes'

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12/17/92

have all held emergency meetings with the ANC, Cosatu's big brother in the tripartite alliance which also includes the SACP.

SacoB and AHI have also met government representatives and the Inkatha leadership in an attempt to resolve the constitutional deadlock and thus avoid the strike.

It will take a lot more than mere promises to make Cosatu change course. The trade union federation is under extreme pressure from its equally beleaguered members. The leadership must take drastic action to seize control.

Cosatu secretary-general Jay Naidoo understands the dilemma faced by the trade union leadership. He told City Press recently that "if democratic forces do not go to take things into their own hands as they already are doing, this is going to lead to a situation of total anarchy".



POLITICAL OBJECTIVE ... Cosatu has clearly spelt out the aim of the looming stayaway campaign to oust FW de Klerk and his government from power. The target date? No later than December.

points out that the economy has reached record low levels.

Given the desperate state of the economy, a number of Cosatu's major affiliates are in vulnerable positions. These include the federation's second and third largest unions the NUM and the South African Chemical and Textile Workers Union (Sactwu) respectively.

Mines are closing down daily while, as Barometer

de Klerk from power. The target period for this is not later than December.

With a membership of 1.2 million - which could be augmented by another 300 000 from the National Confederation of Trade Unions - Cosatu is not making an idle threat when it says it will launch an unprecedented strike in the history of this country.

Apart from voluntary strikers, the non-availability of transport in the townships and an element of intimidation, whether sanctioned by the leadership or not, could swell the figures to over two million strikers.

Cosatu has already shown its ability to draw millions of workers to its cause. This was demonstrated last year during the two-day anti-VAT campaign. It was SA's most economically crippling two-day stayaway.

But, to embark on this campaign will not be an easy thing for the Cosatu leadership. Another influential journal, *Labour Bulletin*, has made some important observations about the dilemma of Cosatu's leadership.

It has this to say: "As Cosatu seeks to influence processes of transformation in all arenas, its leadership will be drawn into more and more complex bargaining and even co-operative relationships with the State, political parties and capital."

These are the dilemmas faced by Cosatu. Whether the big one takes place on August 3 will depend on how such an intractable problem is addressed. Self-interest all round is likely to play an important role in this regard.

UNION DILEMMA ... "If democratic forces do not give leadership, people are going to take things into their own hands as they are already doing ... this is going to lead to a situation of total anarchy," says Jay Naidoo

THE whispers are becoming increasingly insistent, even at the highest levels of the industry: the Chamber of Mines' days as the collective bargaining representative of the big six mining groups are numbered. And so are the days of centralised collective bargaining in the industry.

This is not the first time that the possibility has surfaced. Discussion over the chamber's ability to survive as an employers' organisation in the face of disunity has arisen periodically ever since the mid-'80s and the advent of chamber/NUM bargaining. But the issue has become more stark as industrial governance has become more complex and the choices open to mining groups broader. At the same time, paradoxically, strong centralised bargaining is arguably more important for the industry now than ever before.

Since the NUM was first recognised by the chamber in 1984, different mining groups have taken different stances in wage negotiations, and in attitudes towards the place in the industry of black trade unionism in general.

Where wages are concerned, Gold Fields and Anglovaal have consistently opted for a steeper wage curve — meaning lower wage rates in the lower job categories where most NUM membership is situated. Rand Mines gold division, under its previous regime, often took a similar stance, although its coal division generally went with the more liberal positions of Anglo American and JCI — higher wages for the unskilled and semi-skilled, mainly black, section of the workforce and a narrower skill differential overall.

Genmin wage and other labour policies shifted from the former to the latter group around 1986 after a hierarchical upheaval which saw the departure of the conservative Johann Pritz and the rise of Derek Keys and Naas Steenkamp within the organisation.

These shifts between the liberal and conservative axes in the industry continue to this day. Rand Mines gold division, now under CE John Turner and human resources executive Richard de Villiers, is now perceived in union circles as possibly

Chamber of Mines may not survive new labour relations era

BIDAY 13/7/92

ALAN FINE



the most liberal group

They were, for example, the first to make a move on the NUM's agency shop proposal this year. And the NUM has been astonished at the group's openness in disclosing financial and operational information. This has contributed in no small measure, for example, to the NUM's relative amenability towards austerity measures aimed at keeping Harmony in business.

JCI, on the other hand, the union says, has changed its spots for the worse — although JCI denies this. Having taken similar positions to its sister company, Anglo American, for much of the '80s, the NUM alleges that the corporation has adopted, for example, similar policies to the Gold Fields/Anglovaal grouping in facilitating union organisation.

Assistant general secretary Marcel Golding says JCI has been frustrating union access to its mines. It has adopted restrictive policies on the holding of mass meetings and has not been as co-operative as it could have been in processing union subscription stop orders. He says JCI has also taken to "promoting ethnicity" on its mines. "We cannot organise their captive labour force," he says.

He takes issue, in particular, with JCI gold and uranium division chairman Kennedy Maxwell, whose activities in the liberal Consultative Business Movement Golf "eg sees as

incompatible with JCI labour relations practices

Maxwell says Golding is "misinformed". He says JCI has access agreements which provide for meetings and that the union has made no complaints about stop order processing in the past year. With regard to ethnicity, Maxwell says each employee is entitled to choose for himself where to live, and JCI does not attempt to influence hostel residential patterns in any way.

The Gold Fields style of operation has, in the union's view, consistently made it more difficult to organise workers. The NUM has continually been frustrated at its inability to make significant inroads at group mines. And Gold Fields has consistently suffered less industrial unrest than those groups which facilitated NUM activities through easier access to workers. Some union officials, in moments of despair, grumble that they have not yet been able to show — through concerted industrial action — that Gold Fields' "anti-union" approach is counter-productive.

Gold Fields has traditionally refused to become embroiled in debate over NUM "union-bashing" allegations. Its argument, though, is that its philosophy is a "long term"

(as opposed to conservative) one more conducive to job retention and job creation.

It is not only corporate philosophy that has prompted divided employer stances within the chamber. On wages in particular, Rand Mines wages are generally lower than their Anglo and JCI counterparts because of the more marginal nature of their operations. Genmin wage levels fall between the high and low points — a reflection, perhaps, of the relative profitability of its gold mines.

Golding sees corporate philosophy as the crux of industry development. "Anglo, Rand Mines and to a lesser extent Genmin have developed coherent views which recognise the union as partners in industry. Gold Fields, Anglovaal and JCI do not accord us the same role, but they take this path at their peril."

The refusal of Gold Fields and Anglovaal to participate in productivity or profit-sharing schemes is seen as yet another symptom of the philosophical divisions in the industry which threaten the chamber's role as a central collective bargaining agent.

Two factors which have acted as a "glue" between chamber members in the face of diversity are now melting away. Firstly, until a few years ago, individual mines' "ability to pay" was not a significant determinant of wage levels — allowing a large degree of wage homogeneity

But the gold mining costs squeeze has changed all that.

Secondly, the closed shop agreement which applies to white workers has been the basis of centralised bargaining in the industry for decades. Now the closed shop is to go — the chamber has announced its intention to negotiate its scrapping as soon as this year's wage talks are concluded.

This will mean that entirely new bargaining structures will have to be devised and, given the growing philosophical diversity and differing operational imperatives in the industry, a more decentralised form of bargaining could be in the offing.

The NUM can see it coming, and plans to do what it can to head it off. "The chamber is not succeeding in acting as an industrial negotiating forum. We accept the need for flexibility, and for negotiations at company or mine level on appropriate issues. But an industry level negotiating forum is needed for negotiations, for training matters, research, regional development, health and safety and for industrial restructuring and management," says Golding.

The NUM also has more practical problems with decentralised bargaining. It simply does not have the manpower resources to conduct dozens of separate negotiations each year.

This is not the time for either chamber officials or representatives of their affiliates to discuss these issues at length. They are, after all, still in the midst of the 1992 wage negotiations, and publicly raising these questions could cause a far amount of discomfort within their ranks.

"We have a longstanding structure of collective bargaining. The structure has proved to be flexible, and is continually reviewed in regard to developments in the industry," was all chamber GM, industrial relations, Adrian du Plessis would say.

It is only the extent of this revision that is in question. With the NUM scheduled to respond on Wednesday to the latest chamber wage offer — or, shall we say, offers, since each group and, in some cases, individual mines have made separate and distinct offers — it is time to begin asking whether this may not be the last time the negotiations occur in their present form.

Strike averted by last-minute talks (151)

BIDAY 13/7/92

CAPE TOWN — A threatened strike by clothing workers to back wage demands has been averted at the 11th hour and the beleaguered clothing industry has been rescued from what employers say would have been a disastrous blow.

Finishing touches were being placed on agreements in the western Cape, Natal and Transvaal on Friday, with only the eastern Cape still plagued by indecision.

The agreements were reached in informal, closed door negotiations after the SA Clothing Workers' Union declared a formal dispute and workers staged a march.

Wage increases averaged 11%-12%, with packages ranging between 12,75% in the Cape and 13,9% in the Transvaal.

Cape Clothing Manufacturers' Association and Cape Knitting Industries Association executive-director Peter Cragg said the settlement was realistic in current economic conditions. Retrenchments were at record levels.

National Clothing Federation (NCF) figures showed that over the last eight months the number of manufacturers in the western Cape, Natal and Transvaal had fallen by 73, and more than 13 000 jobs had been lost.

The clothing, footwear and textiles index fell about 25% since July 1991.

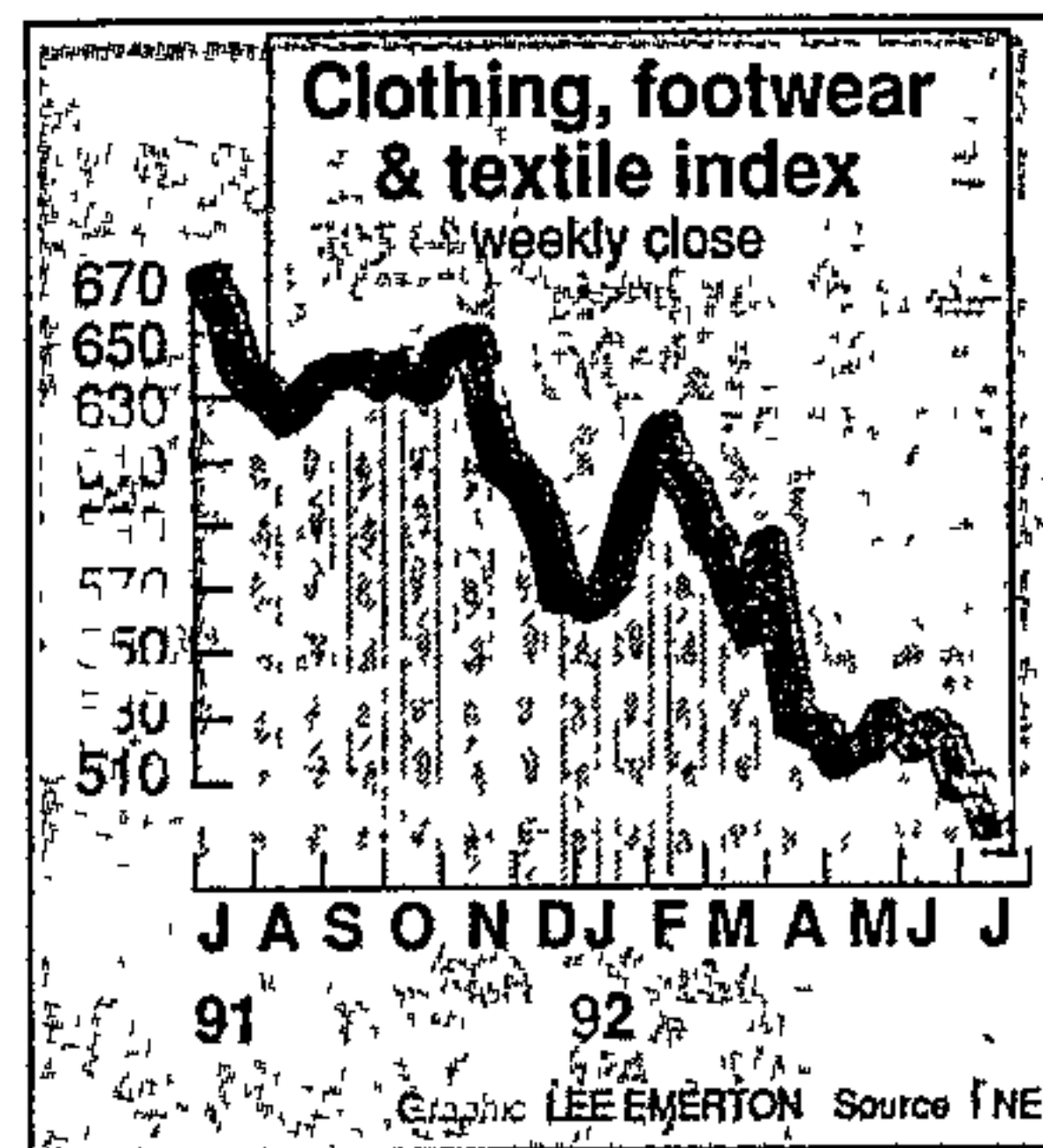
Cragg said Cape employers, unlike those

LINDA ENSOR

in Natal and Transvaal, would not accede to calls for the creation of a slack fund and for a guaranteed annual bonus.

Chief negotiator for Cape employers and Seardel industrial relations executive Johan Baard said employers had started out with a 5% offer and the union with a package which amounted to a 45% increase. A dispute was declared at the point

□ To Page 2



Strike (151)

BIDAY 13/7/92

where the unions proposed an increase of 22% and the employers 8%.

Baard said it was the first year since the industry had been exposed to "Cosatu-style negotiations" that the parties had reached a settlement without third party intervention. This augured well for the future of collective bargaining in the industry.

Meanwhile, five listed clothing and textile companies have disappeared from the JSE board over the last year. And many unlisted companies have gone under.

The two industries' circumstances have been made more difficult by an uncertain legal framework.

A new interim tariff and quota structure was introduced in May and was due to be amended again by the Board of Tariffs and Trade in the next few weeks. The long delay in instituting a new structure caused serious disruptions, industry sources said.

One analyst said this was a sector in deep trouble and a lot of the share prices were at "bombed-out" levels. But he added there was still relative value in some shares like Seardel and Romatex.

Earlier this month, JSE-listed clothing

□ From Page 1

retailer Focus Holdings was provisionally liquidated. Leegall Clothing, Trimtex, Filati Holdings (DCM) and, last week, Debonair Group were other listed companies which collapsed.

Unispin was only saved from the brink by a R120m restructuring agreement with its bankers. Chairman Robert Wachberger partly blamed the flood of cheap imports, estimated at 65% of the market.

Significant unlisted companies which fell by the wayside include Starter Clothing in Cape Town and Calypso, Triple-A, Daylee Clothing and Nina Fashions in Durban, while Hebox Textiles in Hammarsdale and Scotford Mills in Ladysmith had been plagued by problems.

Employment over the last eight months had fallen to 103 000 from 116 000, NCF executive director Hennie van Zyl reported. This excluded the rural and homeland areas where 40 000 people worked.

Clothing output dropped 5% between November and June and 13% since the beginning of 1990. Van Zyl expected a further contraction up to the fourth quarter. Thereafter, positive growth was expected.

Saccola and Cosatu join forces

Business plan to resolve talks impasse

BIDAY 14/7/92

DIRK HARTFORD

BUSINESS yesterday threw its weight behind key ANC demands, including the formation of an interim government before the end of the year, in an attempt to avert a general strike and break the negotiations deadlock.

The decision was contained in a document agreed to by union federation Cosatu and employer body Saccola yesterday.

Saccola, a grouping of 10 employer organisations including Sacob and the Chamber of Mines, also said it saw no reason why democratic elections for a constitution-making body should not be held within six months.

And it plans, together with Cosatu, to convene joint assemblies for peace, democracy and economic reconstruction on August 3 — the first day of Cosatu's planned week-long general strike.

Both organisations will promote the document among their members and the broader public.

It is the first time employers have come out in support of a transition to democracy within a specified time-frame. The ANC and Cosatu are insisting that elections for a constituent assembly be held by the end of the year.

The document also supports the idea of an independent electoral commission to ensure elections are free and fair.

An employer source said the agreement means Saccola is likely to ask its members to voluntarily close their factories on August 3 so the joint assemblies can take place.

He said employers would be reluctant to discipline workers — other than the standard "no work, no pay" — for taking part in the mass action campaign when Saccola

supported one of its key political demands. However, another source said employer organisations were still discussing the document. He said the aim of the document was to try to persuade Cosatu to call off its general strike "which will cripple the economy which is already seriously ill".

But Cosatu general secretary Jay Naidoo said its mass action campaign, including the general strike, will not be affected by the agreement with Saccola. The agreement was a step forward in breaking the political logjam and part of Cosatu's attempt to "find solutions with all parties" committed to peace and democracy.

Naidoo said Cosatu would reconsider its position on mass action only if substantial progress was made in resolving demands for the resumption of political negotiations, an end to violence and in unlocking negotiations around food prices, jobs and restructuring. "We want to see employers taking action to break the political logjam and open the way for democracy, peace and economic reconstruction."

Reuter reports that Cosatu yesterday unveiled its mass action plan for early August to try to force the government from power.

Cosatu assistant general secretary Sam Shilowa said there would be a general strike on August 3 and 4, marches throughout cities on August 5, occupation of factories on August 6 and rallies in townships on August 7 and 8.

Shilowa told 10 000 demonstrators outside the Union Buildings that yesterday's protest was a warm-up for the general

□ To Page 2

P.T.O.

Breakthrough imminent

Sowetan 14/7/92

■ Cosatu and business leaders on the brink of agreeing on a document to speed up transition:

BUSINESS and trade union chiefs are on the brink of agreeing on a joint document which could speed up the stalled political transition and ensure that if next month's general strike does take place, its effects on the economy will be limited.

Top labour and business leaders met in Johannesburg yesterday to try to hammer out a final version of the document, which proposes practical steps to combat violence and poverty - and commits the signatories to mobilising support for a transition to interim government and an elected constitution-making body by this year.

It is understood that Cosatu is consulting a wide range of organisations, including churches, to see if there is support for the approach set out in the document.

Sources say they hope it will be finalised and made public by the end of the week.

Members of the SA Co-ordinating Committee on Labour Affairs and Cosatu are the key players in the negotiations.

Saccola spokesman Mr Bokkie Botha yesterday confirmed that meetings had taken place and said another was scheduled for later this week.

The discussions had been "constructive", he said, but would not comment further.

The labour/business negotiators are also considering proposals that:

Assemblies "for peace, economic reconstruction and progress to democracy" be jointly convened by participants on August 3 - the day the strike is scheduled to start.

The document be presented to "a broadly representative meeting or convention" to be held before the end of this month.

Observers believe that if the joint business/labour initiative comes off, it will offer clear benefits to both sides.

Lock-out vote

A LOCK-OUT ballot will be held in the metal industry on Wednesday following a breakdown in annual pay talks, the Steel and Engineering Industry Federation of SA (Seifsa) said yesterday

Seifsa's Mr Hendrik van der Heever said the outcome of the vote could be known by tomorrow

the nation in brief

Sowetan 14/7/92
Seifsa and the National Union of Metalworkers of SA (Numsa) last met on June 19 in a bid to break the bargaining deadlock over wages, job security and workers' rights

Numsa was not available for comment - *Sapa*

Union boycotts hospital talks

HEALTH union Nehawu boycotted negotiations with the public sector negotiating forum yesterday and instead led marches by striking hospital workers in Cape Town and Johannesburg.

Police also said yesterday that a hospital worker killed an assailant with a broken bottle in an incident they indicated was connected to the strike. However, police refused to supply further details or say where the attack took place.

Sapa reported that three sisters injured in a petrol bomb attack related to the strike died in Baragwanath Hospital in Soweto at the weekend.

Hospital chief superintendant Dr Chris van den Heever said the sisters were among seven people injured in one of three petrol bomb attacks on the homes of non-strikers last week.

"A 13-year-old boy ... remains on the critical list, while the remaining three patients are still serious but stable."

Sapa reports that 1 000 Nehawu supporters marched to the TPA's Braamfontein offices in Johannesburg yesterday, while in Cape Town striking hospital workers demonstrated outside the headquarters of

the Cape Provincial Administration.

In a statement yesterday Nehawu said it might boycott all further meetings of the public sector negotiating forum as these had been made futile by constant bickering.

The forum is made up of 11 employee associations, including Nehawu and the Health Workers Union, and negotiates with government's Commission for Administration on pay and benefits.

Nehawu's position has been hardening, its secretary-general Phillip Dexter said yesterday.

"Until the weekend we were calling for mediation, but now that has changed. We have to get rid of the TPA."

RAY HARTLEY reports that TPA spokesman Piet Wilkens said yesterday hospitals had become soft targets in the ANC's mass action campaign since the Civics Association of Southern Transvaal (Cast) had threatened to barricade them in support of Nehawu's demands.

The TPA knew from the beginning that the hospitals strike was linked to the mass action campaign, he said.

CHARLIE PRETZLIK

BIDAY-14/7/92

(151)

On the factory floor

pay pique is simmering

Figures show that workers are beginning to resist the erosion of their disposable incomes
MIKE SILUMA reports

SAR 14/1/72

(151)

WHILE the country looks on apprehensively at the looming general strike shown down between the Government and the ANC alliance, trouble is brewing on the factory floors over wages, which can only compound an already charged atmosphere.

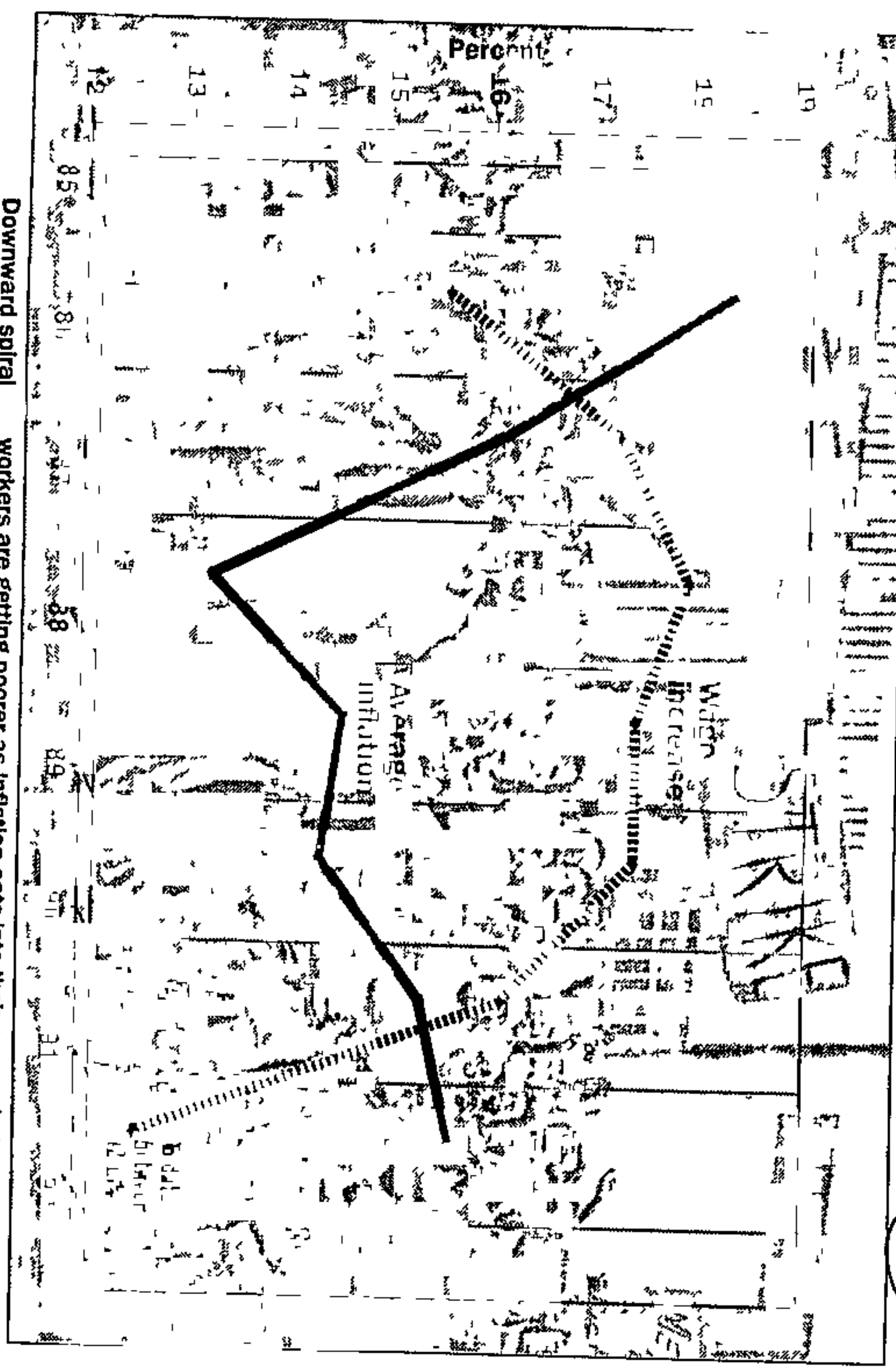
Although the present SABC and hospitals wage disputes have received most prominence, hundreds of thousands of other workers are edging ever closer to damaging fights with employers over pay and working conditions.

The National Union of Metalworkers (NUMsa), for instance, is in dispute with employers in at least four sectors: engineering, the tyre industry, vehicle assembly and motor industry (which includes panelbeaters and filling stations).

In all these sectors, where Numsa is representing about 280 000 workers, the union is claiming, among other things, a R1-an-hour increase, or 20 per cent, whichever is the greater. It is balloting members on strike action.

At the same time the results of a lockout ballot among employers in the Steel and Engineering Industries Federation (Seitisa) will be known this week. Seitisa is offering individual increases of 8 per cent while its motor assembly counterpart are offering rises of between 60c and 73c an hour, or 6.4 per cent.

The employer offer in the motor industry ranges from zero to 2 per cent. That in the tyre industry is R1.13 an hour. In the beleaguered mining in-



Downward spiral workers are getting poorer as inflation eats into their pay packets

dustry, where workers last year swallowed one of their lowest increases in recent years, with gold miners settling for 6 per cent on average, the National Union of Mineworkers (NUM) is set to respond tomorrow to the Chamber of Mines' final offer.

It consists of a 5 per cent increase, plus profit-sharing at gold mines owned by Anglo American, Gemmin and JCI, with Gold Fields of SA and Anglovaal offering a straight 6 per cent. Chamber colliers are being offered increases of be-

tween 7 and 12.5 per cent. This contrasts with the NUM's current demand of a minimum rise of R45 or 6 per cent, whichever is the greater, as well as a 20 per cent share of gold mine profits. On the colliers, the NUM wants 17.5 per cent across the board.

The chamber talks affect more than 400 000 miners, of whom about 200 000 are NUM members.

In the catering sector, the SA Commercial, Catering and Allied Workers' Union (Saccawu) is locked in disputes with two of the major retailers, Checkers/Shoprite and OK Bazaars.

The talks with Checkers, which opened with the company asking workers to take a 10 per cent wage cut, are continuing at conciliation board level following the union's declaration of a dispute. Parties are also at loggerheads over the retail chain's rationalisation programme.

The same issues dominate Saccawu's talks with OK, due to its resume through conciliation.

In the petroleum industry Sasol is in dispute with the Chemical Workers' Industrial Union at the company's installations in Secunda. About 4 000 workers are affected.

The union has rejected Sasol's 10 per cent offer, demanding a 17 per cent rise instead.

R724, against the authorities' offer of 9.2 per cent and R708. The Media Workers' Association of SA, whose strike has crippled the SABC's black television channels and radio stations, has done likewise. It is claiming a monthly minimum of R1 500 and a 30 per cent increase, having spurned the SABC's R1 300 and 11 per cent.

The question raised by the rash of wage disputes is, with the country in the grip of one of its worst recessions, shouldn't workers be protecting their jobs by settling for lower increases?

An explanation seems to lie in figures compiled by leading labour relations consultants Andrew Levy and Associates (ALA), which show that workers are beginning to resist the erosion of their disposable incomes, which has accelerated over the past two years or so.

The figures, which exclude industries such as metal and mining, show, for instance, that wage settlement levels have been falling steadily over the past four years while inflation has risen (see graphic).

Brian Allen of ALA says: "In a recession, when order books are low and the inventory high, employers are better positioned to take a strike. There is no doubt that the high inflation rate has eroded employees' disposable incomes, especially those in the low-paid jobs. The demand for an increase above or around the inflation rate has become stronger as a result."

"I don't believe that this year's increases will keep up with inflation and this will place pressure on both sides."

Numsa's chief negotiator Les Kettlebas concurred: "From last year, workers' standards of living have declined in real terms because they received increases below the inflation rate. Value-added tax and food prices, which have been rising by as much as 28 per cent in some cases, have played havoc with workers' pay packets." □

Mass meeting . . . thousands of protesters gather on the lawns of the Union Buildings after a march through Pretoria yesterday to demand a "living wage"

Picture Ken Oosterbroek

General strike may be shortened

Business, labour close to deal

By Shaun Johnson
Political Editor

Business and trade union chiefs are on the brink of agreeing to a joint document which could speed up the stalled political transition and ensure that if next month's general strike does take place, its effect on the economy will be limited.

Top labour and business leaders met in Johannesburg yesterday to try to hammer out a final version of the document, which proposes practical steps to combat violence and poverty — and commits the signatories to mobilising support for a transition to interim government and an elected constitution-making body by the end of this year.

It is understood that the labour federation Cosatu is consulting a wide range of organisations, including the churches, to see whether there is support for the approach set out in the document. Sources say they hope it will be finalised and made public by the end of the week.

Forum of major employers including the Chamber of Mines, and Cosatu, the country's largest labour body, are the key players in the negotiations. Saccola spokesman Bokkie Botha said yesterday the discussions had been "constructive".

The labour-business negotiators are also considering proposals that:

- Assemblies "for peace, economic reconstruction and progress to democracy" be jointly convened by parliament on August 3 — the day the strike is scheduled to start.
- The document be presented to "a broadly representative"

JSE investors nervous

By Stephen Cranston

Investors on the Johannesburg Stock Exchange are reacting nervously to the prospects of the ANC-led mass action campaign.

Heavyweight investors among the financial institutions are waiting to see what direction mass action takes before committing more funds into shares.

Turnover was small yesterday with many fund managers away on holiday rather than at their desks making selling orders.

De Beers led the market declines, posting a R3, or 3.6 percent, fall to R80.25 before recovering to close at R80.75.

Most gold shares were marked down but oil shares seemed to be in favour.

Dealers expect the market to drop further this week with most experts agreeing the predicted downwards "correction" is now fact.

Cosatu general-secretary Jay Naudoo told The Star last night that the aim of mass action — and the labour-Saccola initiative — was to "break the political logjam and stop unilateral economic restructuring".

Addressing thousands of protesters after a march on the Union Buildings in Pretoria yesterday, Cosatu assistant secretary-general Sam Shilowa said the key demands of the rolling mass action campaign included an interim government and a constituent assembly by the end of the year.

The stayaway is scheduled to start on August 3 and 4, to be followed on August 5 by mass demonstrations including besieging major centres throughout the country. On August 6, Mr Shilowa said, there would be another protest march on the Union Buildings and other Government premises, as well as factory occupations.

He called on workers to erect barricades in the townships on August 1 and 2 to prevent riot police from entering black areas. "We must make our areas no-go areas for them," he said. However, Mr Shilowa said policemen engaged in normal crime prevention activity were welcome in the areas.

Steroid tests for rugby trialists

By Barry Glasspool

The 30 players and reserves for next Tuesday's national rugby trial at Pretoria's Loftus Versfeld will be tested for anabolic steroids.

In confirming this last night, SA Rugby Football Union general manager Arrie Oberholzer announced that the drive to catch rugby's drug cheats was intensifying between the arrival of the All Blacks and the Wallabies next month.

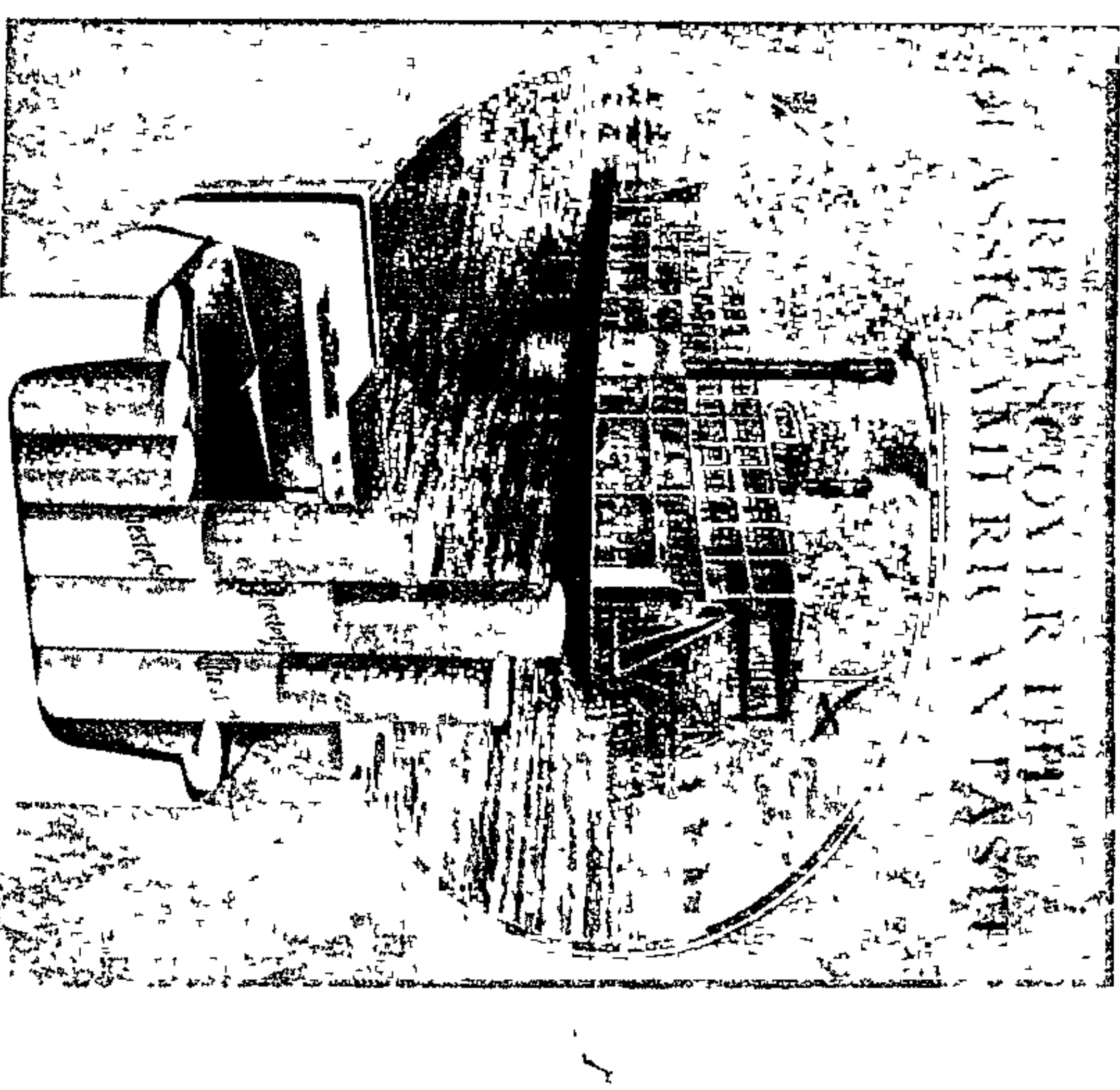
Mr Oberholzer revealed that for seven tour matches, two players would be chosen at random from either side for testing. For the internationals, five players from each country would be tested.

The SARFU manager confirmed that the samples would be sent for analysis to the Australian sports drug test agency centre in Sydney.

It has not been finalised whether the testing of the samples would be done by SA medical police or whether experts from Australia would be flown over for the duration of the tours.

It is likely that players who have not been tested, but form part of the SA squad for a two-day training camp after next week's trials, will also have to provide urine samples for analysis.

● SARFU will name a select of development players at which a hill development centre will be spent. It was recently by Natal and Olympic SpA at Congress.



Bid to avoid strike

Sowetan 15/7/92

■ Talks between Cosatu and businessmen on Friday:

By Ike Motsapi and Sowetan Correspondent

THE Congress of South African Trade Unions will meet businessmen on Friday to discuss a proposal aimed at averting the proposed general strike scheduled to start next month

And, the South African Democratic Teachers' Union (Sadtu) yesterday announced that its 38 000 members would join the mass action spearheaded by the African National Congress, Cosatu and the South African Communist Party

The teachers' organisation was considering strategies to support the campaign, and teachers, parents and students were being consulted

"It is clear that mass action has become the only viable, non-violent tool left at the disposal of the democratic forces," Sadtu said

Meanwhile, Friday's meeting between business and Cosatu has been confirmed by Cosatu's

assistant-general secretary Mr Sam Shilowa and Mrs Frieda Dowie of the South African Consultative Committee on Labour Affairs

Business and labour leaders have been locked in urgent negotiations aimed at producing a joint approach to key issues facing the country

At issue is Cosatu's planned general strike on August 3. The federation is calling the strike in support of a set of demands which include the curbing of violence, a moratorium on retrenchments, living wage and the establishment of a democratically elected constituent assembly

Businessmen, who are affiliated to Saccola, presented to Cosatu a draft document in which they committed themselves to efforts to, among other things, curb violence and combat poverty

Shilowa said the federation was going ahead with its mobilisation campaign with marches arranged for King William's Town and East London tomorrow

No brakes ⁽¹²⁾ on dispute ⁽¹⁵⁾

^{CRIS/7/92}
DURBAN — The labour dispute at Toyota SA's plants remained unresolved yesterday although there was a possibility of further talks, said a company spokesman.

Toyota's public affairs general manager Mr Flip Wilken said talks with the National Union of Metalworkers of SA on Monday were inconclusive.

Cosatu upbeat but Saccola points a finger of caution

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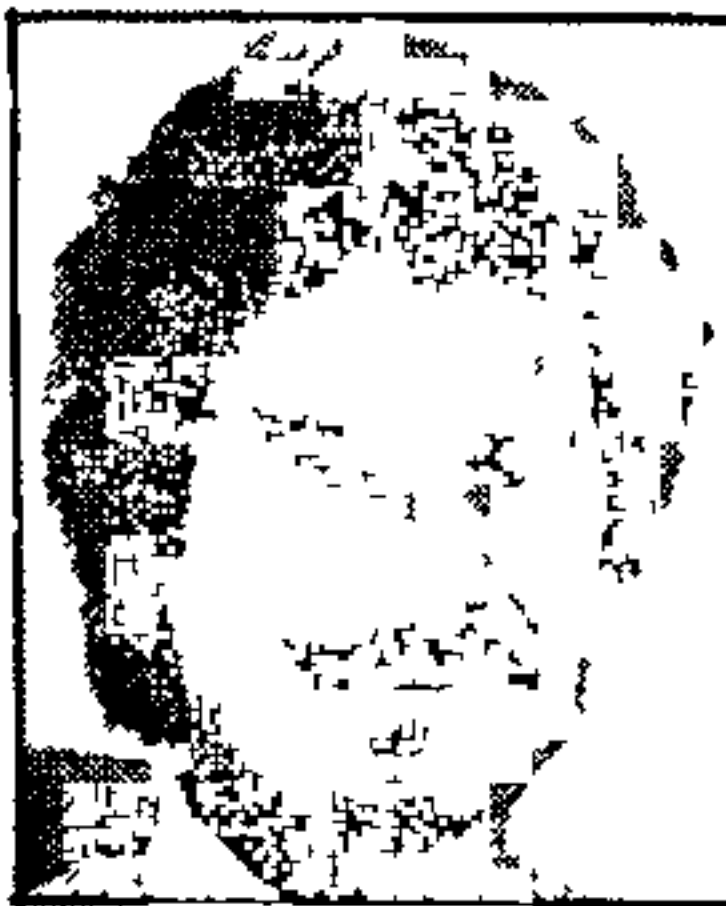
By Shaun Johnson
and Esther Waugh

Business chiefs moved yesterday to lower expectations about imminent agreement on a joint Saccola-Cosatu document aimed at speeding up the transition process and limiting the effects of strikes — but labour leaders remained optimistic.

Bokkie Botha, chairman of the SA Co-ordinating Committee on Labour Affairs (Saccola), said some press reports about his organisation's talks with trade union leaders had "created dangerously wrong impressions". He confirmed, however, that the talks were continuing.

The Star understands that a meeting of the Saccola and Cosatu executive committees is scheduled for Friday.

In a statement, Mr Botha said no agreement had been reached between Saccola and Cosa-



Jay Naidoo remains hopeful

tu, and stressed that Saccola would not "take sides with any political party in respect of the current impasse". It is outside of Saccola's scope.

Cosatu general secretary Jay Naidoo remained upbeat about the prospects for a joint document, however. He said there was tentative agreement in principle on several proposals.

He did not rule out postponing the strike threatened for early next month, but said Cosatu was committed to mass action, in alliance with

the ANC, aimed at bringing down the Government.

The Star reported yesterday that discussions between the business leaders and Cosatu officials were at an advanced stage, and published the text of a draft joint document — adding that clarity could be expected by the end of the week on whether consensus had been achieved.

Mr Botha said in his statement that the document was "an unmandated exploratory draft" which had now "been overtaken by subsequent events".

Saccola officials suggested that there was unlikely to be agreement with Cosatu unless the strike was called off.

The Star understands that a newer version of the exploratory draft includes the suggestion that normal economic activity might be suspended on August 3, the first day of the scheduled national strike.

Masa may help in health dispute

THE Medical Association of SA (Masa) looks increasingly like being drawn into helping resolve the dispute over health workers' pay and conditions

There were indications in discussions last night that Masa, together with the newly formed SA Health and Social Services Organisation and other health groups, would be brought in as a mediator in the dispute between Nehawu and the authorities. The talks continue today

The parties hope that Masa will be able to encourage intervention "at the highest level". *6 DAY 16/7/92*

A solution to the six-week-old hospital workers' strike also appeared closer after a meeting between Nehawu and the Cape Provincial Administration (CPA) in Cape Town yesterday.

Nehawu secretary-general Phillip Dexter said he was "optimistic and hopeful"

CHARLIE PRETZLIK

any agreement reached in the Cape province would influence the outcome of strike talks in other provinces

The CPA displayed a more progressive approach than the TPA, he said. His union had begun urging strikers in Natal and the Cape to return to work

The CPA said yesterday that 2 387 hospital, roads, community service and conservation workers were still on strike, LINDA ENSOR reports

Striking workers marched through the Kimberley Hospital, while at Valkenberg strikers from surrounding hospitals gathered in the hospital and allegedly forced non-striking workers to join them.

Frere Hospital in East London announced that 90% of its work force had resumed work

Bid to avert general strike

Sowetan 17/7/92.

■ **Business representatives hold crucial talks with Cosatu in an attempt to ward off a threatened work boycott.**

By Ike Motsapi

BIG business and the Congress of South African Trade Unions engage in crucial talks today aimed at averting a general strike scheduled to start on August 3.

Cosatu's national executive committee will meet officials of an organisation representing employers, the South African Consultative Committee on Labour Affairs (Saccola) at the talks

The talks will be held in Johannesburg and start at 10am

They were initiated by Saccola after Cosatu announced that it planned a general strike from August 3 if its demands were not met.

The strike is part of the ANC-led mass action campaign aimed at installing a democratically elected constituent assembly by December this year

Pressure is on to end hospital strike

BIDAN 17/1/92
CAPE TOWN - Agreement reached yesterday by the Cape Provincial Administration (CPA) and health union Nehawu to end the strike by 2 500 hospital workers in the Western Cape would put increasing pressure on other provinces to settle the six-week old dispute, the union said.

In terms of the Nehawu-CPA agreement, no worker will be victimised, no disciplinary action will be taken against workers and no worker will be dismissed.

Nehawu (the National Education, Health and Allied Workers' Union) regional chairman Wilfred Alcock said the CPA had also agreed not to take legal action against the union.

The CPA had also agreed to minimise workers' loss of earnings by paying them for the strike period but deducting these wages from their pay over five months.

The CPA undertook to make representations to the Commission for Administration to consider mediation to resolve the dispute and to make representations to the Transvaal Provincial Administration and its Free State counterpart to reconsider their dismissal of workers.

Alcock said the CPA had distanced itself from the dismissals, supported mediation and the demand for internal dispute resolution mechanisms.

He said the union was grateful for the CPA's progressive attitude and

(151)
LINDA ENSOR and CHARLIE PRETZLIK

that dialogue had resolved the dispute. He said it was not necessary to use force to resolve crises and that the police should not be used in industrial relations disputes.

Alcock said representations would be made to settle the dispute along similar lines elsewhere in the Cape.

But in Johannesburg, Nehawu vice-president Vusi Nhlapo said the TPA was digging itself in very deeply.

He warned that the TPA had until 4pm to reinstate dismissed workers and that unless this demand was met, occupation of hospitals and government buildings would begin.

Representations had already been made to the Goldstone commission in anticipation of confrontations which might result from such actions.

He also warned of possible conflict with workers employed after the dismissal of strikers. Many of them were sympathetic to Inkatha and hostile to Nehawu and Cosatu and, he alleged, some of them had been armed by the TPA. Non-striking Nehawu members at Baragwanath Hospital had already been intimidated by new employees, he said.

Sapa reports that services at seven eastern Cape hospitals were returning to normal as workers returned to their posts, but that at Ga-Rankuwa Hospital near Pretoria all but one of the administrative staff were absent.

Seifsa votes for lockout in pay dispute

Star 17/7/92

By Thabo Leshilo
Labour Reporter

Members of the Steel and Engineering Industries Federation (Seifsa) have voted in favour of a lockout in their wage dispute with the National Union of Metalworkers of South Africa (Numsa).

The decision by member companies, announced on Wednesday, follows a deadlock in the annual wage negotiations with 12 trade unions, including Numsa.

Numsa, the majority union, is claiming, among other things, a R1-an-hour increase, or 20 percent, whichever is the greater, while Seifsa is offering individual increases of 8 percent.

Numsa is the only union conducting a strike ballot. The results will be available next week.

The show of employer solidarity did not mean that industry would now necessarily lock out employees en masse, Seifsa said in a statement.

The lockout would depend on the outcome of Numsa's strike ballot.



SACCOLA and Cosatu meet today in an attempt to finalise an unprecedented agreement designed to break the escalating "cycle of conflict" since the breakdown of negotiations at Codesa and the launch of the ANC alliance's mass action campaign.

Cosatu and Saccola leaders, who initiated the idea several weeks ago and who have been involved in discussions to secure consensus, are all sticking their necks out.

But that is the job of leaders. And in a situation as critical as the present one they might even succeed.

For the likes of Saccola's Bokkie Botha, Johann Liebenberg, Friede Dowie and Bobby Godsell and Cosatu's Jay Naidoo, Sam Shilowa, Jayendra Naidoo and Chris Dlamini, the stakes are high. They are all deeply committed to a process designed to take their heterogeneous constituencies onto new ground — whatever their claims and counter-claims in the Press.

Last week Saccola and Cosatu leaders gave "in principle" support to a draft document and instructed their negotiators to proceed with finalising it while they sought the endorsement of their memberships.

Saccola's largest affiliate Sacob, for example, said in a letter to its members last Friday that Saccola members felt "that in principle support could be given to (the document) in exchange for an undertaking by Cosatu to call off their planned strike". It went on to recommend that Sacob give its support to the document to enable Saccola to reach an agreement with Cosatu.

Saccola's primary aim in supporting the document is to avert Cosatu's planned general strike in August.

And although the Sacob letter says "there is nothing in the principles and actions contained in the document that is not already covered either in a Sacob position . . . or one of other forums", the document would hardly be so controversial if this were the case.

For a start, the proposal that

Business and labour campaign to co-opt each other

B1044 17

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DIRK HARTFORD

Cosatu and Saccola jointly convene assemblies on August 3 for peace, economic reconstruction and progress is unprecedented. Whatever interpretation one gives to this — a couple of hours' production stoppage to a complete factory shutdown are just two possibilities — doing the rounds in Cosatu and Saccola — it would be a whole new ball game for employers and unions. It would amount to employer "mass action".

Even jointly presenting the agreement to a "broadly representative convention", as is envisaged in the document, would be a bold step for employer and union organisations. Since when have SA unions and employers jointly addressed political issues in this manner?

But Saccola representatives are particularly irked by insinuations that it might "take sides with any political organisation in the current political impasse". The organisation is unlikely to want to see itself in coalition with the ANC-Cosatu alliance.

Leaving aside the fact that employers and their organisations did not hesitate to throw their weight and millions of rands behind a "yes" vote in the referendum, the point is that the document contains explicit suggestions, including time-frames,

on the political transition process that are generally the preserve of ANC rhetoric.

But why quibble? If supporting a "yes" vote was not support for any political party, as employers have repeatedly said, why should support for a set of processes for rapid political transition to democracy be support for any political organisation which also happens to support the idea?

This raises the question of Cosatu's primary aim in trying to secure agreement on the document. Its motive is to get employers on-side with the "coalition" of broad forces it is trying to build to promote its idea for a transition to democracy.

Cosatu has repeatedly said it sees the government as the main obstacle to peace, progress and economic reconstruction. While it has been discussing mass action (and the general strike) since early this year around an increasing list of demands, the Codesa breakdown allowed its programme to move to centre stage in the ANC alliance. The mass action and threatened strike are designed

to force the issue and to compel everyone to take sides.

Employers would be first prize for Cosatu in its "coalition", because of their social importance, influence and perceived political neutrality. To secure this they need to win and hold Saccola to a document which carries this implication.

In return Cosatu will have to break new ground of its own — join hands with employers, traditional "enemy" of unionists — on political, economic and violence-related issues, as well as turn off the strike for which its organisers have been laying the groundwork over months.

If Cosatu can be convinced that joint initiatives with Saccola can deliver the same result as its strike is designed to achieve, it would have room for agreement. In essence, if relatively conservative, apolitical Saccola agrees to employer "mass action" on August 3, the militant, socialist Cosatu will join hands with employers for peace and democracy and call off its nationwide strike.

But, as always, the imponderable will be what the Saccola and Cosatu constituencies think of their leaders' plans. In spite of all the rhetoric about democracy, accountability and mandates, Saccola and Cosatu

leaders have thrashed out the draft agreement among themselves and must now hope they can get their members to support it.

It is no easy task. In both Cosatu and Saccola, some rank-and-file are distrustful of the "other side" and tend to perceive their leaders as striking deals they might not understand or appreciate.

Employers canvassed expressed a wide range of opinions and perceptions on the situation. While some are openly sympathetic to the issues the ANC alliance is raising, others are deeply suspicious of the unions' aims and regard alliance-related actions with hostility.

There is a huge buildup of frustration among employers, bordering on sheer desperation, at Cosatu's rhetoric and planned actions. While some hope for a miracle to bridge the gulf in perceptions between Cosatu and employers, the mood of the average employer seems to be hardening. There is a belief that being tough is the only way to deal with, and survive in, the "new SA".

On the Cosatu side, despite the often mistaken perception that a few radicals at the top are whipping up an otherwise indifferent workforce, the labour leaders face their own problems. Unionists range from those who believe joint initiatives with employers are the best way forward to others who argue mass action will blast open the road to the socialist revolution. Workers, buffeted by the recession, do not automatically become more amenable to the arguments of caution because of hard times, as some argue.

They can also become more desperate, and for some the chance of losing the little they have in return for gaining all in the socialist paradise could be worth taking. The dozens of illegal marches, factory occupations, strikes and stoppages in the past month is one indicator of the mood on the ground.

Cosatu and Saccola leaders at today's meeting will have a lot to think about as they decide whether to dot the i's and cross the t's of the groundbreaking document in front of them.

LABOUR BRIEFS

Metal giants gear for fight

■ THE metal industry moved closer to a showdown as the two giants in the industry balloted their members in preparation for strike action.

The Steel and Engineering Federation of South Africa revealed its members had voted in favour of lock-out should workers go on strike. Its main adversary, the National Union of Metalworkers of South Africa is still balloting its members and results are only due out on July 20. Of the 22 unions which are in dispute with Seifsa only Numsa is conducting a strike ballot.

Numsa is demanding a R1,50 an hour or 20 percent increase, whichever is greater — and Seifsa is offering eight percent.

(51)
WIMAF 1717-2317192

Hopes high for a labour deal

w/Mark 17/7-23/7/92

BUT THERE'S
STILL SOME
HARD TALKING.

**By MONDLI
MAKHANYA and
ANTON HARBER**

THE attempt by organised business and labour to avert a costly general strike is hanging in the balance.

Saccola, representing 10 employers' organisations, and the giant labour federation Cosatu meet in Johannesburg today to try and finalise a draft accord.

If they succeed it will be the most significant agreement ever between business and labour.

But both sides are facing resistance from their constituents. In particular, leaders of Saccola were struggling this week to get the support of members who reacted negatively to leaked press reports that suggested they had already reached agreement.

When Cosatu and Saccola meet today they are likely to alter aspects of the draft agreement in order to be able to sell it to their affiliates. However, the basis of the discussion remains that Cosatu will call off its general strike.

● Continued on PAGE 2

P.T.O.

Clothing dispute mended

By MONDLI MAKHANYA

WHILE strike threats in the beleaguered clothing industry may have receded, the tanning industry is teetering on the verge of strike action.

Eleventh-hour negotiations between the National Clothing Manufacturers' Association and the South African Clothing and Textile Workers' Union (Sactwu) at the weekend averted a strike by 20 000 workers nationwide which would have dealt a deadly blow to the ailing industry.

Workers have settled for raises of between 12,75 percent in the Cape and 13,11 percent in the Transvaal, as against the opening demand of 22 percent and an opening offer of eight per-

cent. A dispute had already been declared and workers were poised for strike ballots. 1717-2317192

At the same time, a pay dispute in tanning has been referred to the executive committee of the leather industrial council, and 2 500 workers are due to begin strike ballots on Tuesday.

Sactwu, which joined forces in the talks with its long-standing rival, the National Union of Leatherworkers, is demanding a 17,8 percent raise, while the South African Tanning Employers' Association has offered 12,5 percent. Negotiations began in April and increases should have come into effect at the beginning of this month.

S/ Times 19/7/92

Strikes in in two key industries loom

By ADRIAN HERSCH

STRIKES about pay could begin on Wednesday in the motor and metal industries

Conciliation board talks held this week in the motor industry failed to resolve differences — and Numsa immediately held a strike ballot.

The disputes in both industries, affecting about 370 000 workers, enter a critical phase as Numsa's national executive committee meets this weekend.

Seifsa, the employer body in the metal industry, has received a vote in favour of a lock-out

The last national pay strike in the metal industry occurred in 1988 and lasted two weeks. Numsa members embarked on what it called "strategic strike action".

It occurred at carefully chosen companies, mostly in the PWV area

There is speculation that Numsa may not get a yes vote for a strike. But even if it does, a strike is not certain

Given tough economic conditions, Numsa may hesitate to call a strike across the entire metal industry

One of the key advantages of the lock-out is that even if "strategic strikes" occur, employers will be able to act on a broad scale, placing pressure on the union.

Seifsa offers an 8% pay increase and Numsa demands 20%. The union wants a moratorium on retrenchment. Employers say it is impractical.

Seifsa executive director Brian Angus says "we would prefer a settlement — in line with the economic conditions in the industry"

The unknown factor — likely to play a decisive role as many pay negotiations come to a head — is how political events unfold

The parties in the motor industry are reluctant to comment on what happened in conciliation board meetings this week

But it is believed that there was some modification of position by both parties, which offers some cause for hope

Workers accuse union of stalling

By RYLAND FISHER

A LARGE group of University of the Western Cape workers have signed a petition accepting a wage offer by the university administration — and have accused their union of dragging its heels in wage negotiations.

About 80 workers marched on the university's administration building after they were informed the university would not be able to meet their demands because of an agreement with the campus branch of the National Education Health and Allied Workers Union (Nehawu).

"We are upset that negotiations are continuing for so long despite a mandate given by the workers to the union leadership two weeks ago to accept the university's offer of an 8,5 percent across-the-board increase, with R510 in lieu of back pay," said one of the workers, who refused to be named for fear of victimisation.

He said the petition had been signed by most of the workers in the gardens and grounds department and the march had been joined by workers in three other departments.

More than half the union's 600 members wanted to accept the union's offer, he said, but the union leadership was being held back by "militant elements".

This was denied by Mr

John Jantjies, chairman of the UWC branch of Nehawu, who said the march on Friday was "unconstitutional and not representative".

"There is lots of confusion among the workers especially since the campus has been closed for the past three weeks and not all workers have been attending meetings."

He said the union's negotiators were acting within their mandate and would have another meeting with the university administration on Wednesday.

"After I spoke to the workers on Friday, they understood the situation much better," he said.

The union had initially demanded a 20 percent increase backdated to January.

UWC spokesman Mr Nazeem Howa said the university and the union had an agreed forum for negotiations. All views related to the wage talks should be raised at this forum, he said.

Bosses and unions agree on wide charter to tackle social ills

A NEW DEBATE BREAK THROUGH

STimes 19/7/92

By EDYTH BULBRING
Political Reporter

BUSINESS and union leaders have hammered out a wide-ranging "social charter" designed to end violence and rebuild the country's shattered economy.

After days of tough bargaining while the country's politicians bickered at the UN — bosses and workers finally agreed to a draft accord late on Friday night. Their deal goes well beyond averting a proposed seven-day general strike in August. They still have to take it back to their membership for approval. If they get support, the charter will be signed on Tuesday night.

Key elements of the accord are:

- A moratorium on a general strike until the end of September.
- Joint action by churches, labour and business for a day of reconciliation on August 3 which would include a voluntary shut-down of industries.

- A national conference attended by political organisations and cultural, religious and business leaders at which they would commit themselves to the charter of peace, democracy and economic reconstruction.

- Concrete steps to deal with violence, jobs, poverty, food and housing.
- A four-point programme to boost negotiations:

- The launch of an economic negotiating forum with the government, labour and business to reconstruct the economy

Golden girl Elana sets South Africa on track for Olympic comeback



Surrogate mum divorce shock

By JOCELYN MAKER

THE parents of the world famous surrogate-granny triplets are getting divorced.

Mrs Karen Ferreira-Jorge, 29, issued summons against her husband, Aichno, last month.

On June 16, Mr Ferreira-Jorge, 36, filed papers with the Pretoria Supreme Court, indicating he would contest the action.

This weekend, neither of them would discuss the breakdown of their marriage, beyond a terse "no comment".

Mrs Ferreira-Jorge's mother, Mrs Pat Anthony, 53, who carried and gave birth to triplets David, Jose and Franklin on October 1 1987 at the Park Lane Clinic in Johannesburg, also refused to discuss her daughter's impending divorce.

Residents of the northern Transvaal town of Tzaneen closed ranks around the family this week, but



DISFUL COUPLE Karen and Aichno on their wedding day

reconstruction.

● Concrete steps to deal with violence, jobs, peace, food and housing.

● A four-point programme to boost negotiations.

● The launch of an economic negotiating forum with the government, labour and business to reconstruct the economy.

Pledge

The SA Co-ordinating Committee on Labour Affairs, a body representing 10 major employers, and Cosatu, a labour federation of more than 1.3-million workers, finalised the draft charter at a 10-hour meeting on Friday night.

In addition to the draft charter are two documents, one detailing a programme of action for August 3, the day the ANC-Cosatu alliance has set as the first day of a seven-day national strike, and a second document which details a commitment by labour and business to a general-strike moratorium until the end of September.

Saccola's and Cosatu's membership will be canvassed on the charter and its supporting documents until the representatives meet on Tuesday night to put their signatures to the pledge.

Negotiators said both bodies would have a tough time persuading their members to accept the draft.

Saccola is determined not to be seen as ganging up against the government or being seen to become the fourth leg of the ANC/SACP/Cosatu alliance, and Cosatu cannot be seen by its members as being won over and compromised by big business.

Action

On Tuesday night the negotiators will have three options to endorse the charter, reject it or propose to renegotiate parts of it.

While the charter has been negotiated by business and labour, it is envisaged that it will also be signed by political and other public organisations.

It has therefore been altered substantially to make the wording and the recommendations non-partisan and not party-political.

A conference on July 28 has been suggested for the signing of the charter.

The document on the programme of action for August 3 says there will be joint church, labour and business assemblies and rallies in the major centres. There will be a voluntary shutdown of all businesses.

Business negotiators envisage that this will be turned into a day of reconciliation and the programme will be led by the major churches, which have already been consulted.

□ To Page 2



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SI Times 19/7/92 Breaking logjam (151) 1109

□ From Page 1

The second document boils down to a trade-off between business and labour. In return for endorsing the charter, Cosatu will agree that any action taken after August 3 will not damage the economy, nor will it be life-threatening. Any mass action will abide by the Goldstone Commission recommendations.

This, in effect, would stop the general strike planned by Cosatu for the rest of that week.

This effective moratorium would last until the end of September when the parties would meet to assess the progress made towards the charter's goals.

The charter commits the signatories to goals of political transition and curbing violence and combating poverty. They have drafted a timetable for political progress.

The signatories commit themselves to four pre-

requisites for progress towards democracy.

● The need to move swiftly to a political settlement based on a one person, one vote of equal value in a united country;

● The period of transition and the new dispensation would conform to principles of democracy contained in the declaration of intent at Codesa;

● An elected constitution-making body which will be constrained only by the principles already negotiated at Codesa, which will also act as a transitional parliament;

● Effective transitional arrangements and an independent electoral commission to ensure that elections are free and fair.

The charter commits the signatories to the implementation of these political goals in six to nine months.

Measures to combat poverty include the setting

up of job-creation programmes by the end of August, food and drought relief programmes by the end of this month, housing and hostel upgrading and related services by August, a programme for the provision of electricity for all by mid-August, a national forum on food inflation by mid-August, and urgent programmes to create a viable system of education and training for all.

It also commits the signatories to an economic negotiating forum which would seek consensus among the government, labour and business on a national economic strategy by the end of August.

Measures to curb the violence include ensuring that effective peace committees are established and that the recommendations of the Goldstone Commission and the provisions of the Peace Accord are implemented.

Still no strike settlement

NO final agreement on next month's general strike has been reached following discussions between the country's biggest trade union federation and employer representatives this week.

The meeting between Cosatu and the SA Coordinating Committee on Labour Affairs (Saccola), was aimed at averting the strike.

Saccola spokeswoman

Frieda Dowie declined to confirm that Saccola was considering a one-day economic shutdown provided Cosatu undertook to call off the general strike due to start on August 3. (1/11/92)

At a media briefing, Cosatu general secretary Jay Naidoo said there was agreement in principle on several proposals.

He did not rule out postponing the general

strike, but said Cosatu was committed to mass action.

Dowie said further discussions would be held over the next few days.

Business leaders have warned that the general strike would further hurt the struggling economy.

Key ANC/Cosatu demands are for the installation of an interim government, elections for a constituent assembly and an end to violence. - Sapa

Today's talks raise hopes that Toyota strike will be settled

THE strike and negotiations about 6 000 dismissed workers at Toyota SA's Durban plant could be settled today.

A Numsa spokesman said the union would meet Toyota this morning, with a new proposal to end the strike and get the dismissed workers reinstated. He said Numsa had dropped its demand to be paid for the strike and had agreed to refer to arbitration two aspects of the agreement reached after its strike in May. These were Numsa's demand for the reinstatement of a shop steward dismissed last year, and the relocation of a manager.

DIRK HARTFORD

Toyota has been insisting that these issues be referred to arbitration.

But the company has already indicated it will drop all legal charges against Numsa, and consult the union on overtime and production schedules. It will also relocate a superintendent the workers wanted dismissed in the first strike.

A source said the key issue at today's negotiations was likely to be whether Toyota reinstated or re-employed the dismissed workers.

the workers were reinstated, they would be entitled to all their benefits — including long-service allowances, an end-of-year gratuity, and pension and medical aid. If the workers were re-employed, they would have to start from scratch — or Toyota might agree to maintaining some of the benefits like pension and medical aid, while asking workers to forfeit the rest.

A Toyota spokesman confirmed there was a meeting with Numsa, but would not elaborate. EDWARD WEST reports that Toyota

fired the workers on July 6 after losing 47 production days to two strikes. The strikes have cost Toyota more than R1bn in lost production. In June alone, the company estimated that between 800 and 1 000 car sales opportunities were lost.

Component suppliers had lost orders worth R200m, with many of their workers either having been retrenched or put on short time.

Toyota Manufacturing MD Ralph Broadley said salaried staff had stepped in to help get the plant running. However, production was at about 40% of normal.

COMMENT

Beyond August 3

BIDAY 20/7/92
(151)

MOST businessmen will be relieved when Saccola and Cosatu finally sign their agreement ending the threat of a week-long general strike and confining protest action to a single day's stoppage on August 3. When they have breathed their sigh of relief, they should also consider what will have been achieved and what is needed next.

The agreement lasts until the end of September. At that stage do we have another confrontation, initiated by a Cosatu which then believes business is sufficiently pliant or cowed to be co-opted completely into the alliance?

Perversely, a week-long stoppage might have been the better alternative. It would have given government a sharp shock and also delivered a lesson in realism to Cosatu's allies. Struggling firms will probably manage to limp through August 3. A week-long strike would have pushed many under and helped persuade Cosatu to face up to the reality of the attendant job losses.

The left's argument that the economy has been so badly damaged by apartheid that politically motivated strikes can do no more harm is trivial. The damage has been done by five years of uncertainty and recession.

Like their counterparts worldwide, South African businessmen have for years gone about their business apolitically — adjusting operating strategies to the swath of legal and fiscal constraints which restricted their attempts to make profits. Support for the "Yes" vote

and social projects outside the strict confines of business were initiated by business leaders choosing what they believed was right not who was right. Partisan politics do not and cannot mesh with the aims of business in a democratically run market economy.

Social projects — housing, electrification, job protection, food prices — contained in the Saccola-Cosatu accord are fine. They are fundamental to the economy's ability to survive the present political changes. Cosatu's insistence that business should side with the ANC alliance against government goes way beyond business's proper involvement in politics.

Fact is that most businessmen probably believe the De Klerk government has responded responsibly and positively to the 14 conditions set by the ANC for a resumption of talks. Many probably believe the ANC is using mass action because government did not simply accept the organisation's view of constitutional development. That view should be made clear.

If the ANC alliance wants the broad support of business it must earn it, not force it by threats of stoppages and action which prevent business from getting on with its job. The ANC's economic policies remain too general to inspire business confidence. If it hopes to enlist unreserved business support for its policies, it must present clear policies which persuade businessmen the ANC's economic management offers the best prospects.

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Nehawu 'takeover'

THE National Education, Health and Allied Workers Union (Nehawu) has set next Saturday as the "takeover" day of Baragwanath Hospital in Soweto. Nehawu's assistant general secretary, Mr Neal Thobejane, said yesterday: "That seems to be the only action the TPA will understand." Meanwhile, the union signed an agreement with the Cape Provincial Administration last week allowing workers to return to work on Friday, according to Thobejane.

Sowetan 20/7/92

Peace charter (151)

THE Congress of South African Trade Unions and the South African Consultative Committee on Labour Affairs have drawn a peace charter. Details of the peace charter agreed upon at a meeting last Friday will be released this week.

South African 20/7/92

Business to seek support for shutdown

BIDAY 2017/192

EMPLOYER body Saccola and trade union federation Cosatu will attempt this week to sell to their constituents a proposed 24-hour shutdown of business and worker stayaway in place of a five-day general strike.

The proposal is the result of two weeks of negotiations between Cosatu and Saccola. If approved, it will be adopted by the two organisations at a meeting tomorrow.

It is a compromise on earlier ANC/Cosatu intentions to stage a longer strike in support of an interim government and an elected constituent assembly.

Saccola spokesman Bobby Godsell said yesterday Saccola and Cosatu "had been asked to do things which for each of them were unusual".

For Cosatu it meant watering down its industrial action, for Saccola it meant officially sanctioning a stayaway.

"We've all got to try and turn around our constituents," Godsell said.

"The proposal has some potential and some problems. In the end its acceptance will depend on the reaction the ideas evince from our constituents."

The 24-hour shutdown was discussed by the ANC's national working committee last week. The committee agreed there would be no other stayaway if Cosatu and Saccola received their constituencies' backing.

The committee said "This 24-hour closure would mean a form of general strike with the support of business and other such forces, demonstrating the isolation of the regime." Other actions planned for a week of action, starting with the 24-hour closure on August 3, would go ahead.

(151) (152) (152)
ADRIAN HADLAND

These include regional initiatives to blockade towns and cities on August 5, factory demonstrations on August 6-7, a "local assessment" on August 8 and religious activities on August 9. ANC spokesman Gill Marcus said the actions would be taken during lunchtimes and breaks and would not interfere with production.

The stoppage would take place on August 3 which the ANC has billed a Day of Peace, Democracy and Economic Reconstruction.

A decision to hold a one-day stoppage in place of a longer general strike would be taken amid signs that a number of key strikes could be resolved soon — on terms favouring employers rather than workers. These include the Toyota, SABC and hospital strikes.

In a parallel agreement, the two parties are set to adopt a social charter which commits business to backing the ANC's demands, taking steps to end violence, expediting the establishment of an economic forum and job creation programmes. This agreement would set an end-September deadline for actions to be taken before new possible union action.

Cosatu general secretary Jay Naidoo said last week an agreement with Saccola would enable Cosatu to stage a shorter general strike than originally planned.

Mass action received a further setback at the weekend when trade union federation Nactu indicated, after its national consultative conference in Soweto, that it was reconsidering its participation.

'Peace charter' must pass test

STAR 2017192
By Jo-Anne Collinge

The draft Cosatu/Saccola agreements hammered out late last week, particularly the proposal to put the planned August general strike on hold, will be subject to close scrutiny and widespread consultation over the next two days.

The two primary parties to the agreements — the Congress of SA Trade Unions and the SA Co-ordinating Committee on Labour Affairs — have until tomorrow night to consult their members and allies before finalising or repudiating the agreements negotiated last week.

At the heart of the package is a "charter for peace, democracy and reconstruction" which commits both parties to help curb political violence, combat poverty and engage in efforts to get constitutional negotiations back on track. In addition, the package addresses the question of mass action and the sche-

duled general strike.

The ANC and SA Communist Party will undoubtedly be closely consulted by Cosatu before the signing of any of the agreements, as aspects of the package have direct implications for the tripartite alliance's campaign of mass action.

The proposals include that

- The first day of the planned strike, August 3, be converted to a day of national reconciliation in which businesses voluntarily close for 24 hours.
- The strike, the length of which has not been finalised by the alliance, be suspended until the end of September.
- Cosatu political action after August 3 will not damage the economy, threaten life or depart from any norms set by the Goldstone Commission.

ANC spokesman Carl Niehaus said it was likely that the alliance's secretariat would meet urgently "to discuss the decisions that have been taken and to consider if it is necessary for the ANC's national working committee and the executive

structures of the SACP and Cosatu to meet"

If it appeared that the Cosatu/Saccola talks impinged broadly on the campaign of mass action, the matter would also have to be taken up at regional level in the ANC.

Saccola chairman Bokkie Botha declined to comment on the package, saying Saccola and Cosatu had agreed to refrain from speaking to the media until matters were finalised.

The National Council of Trade Unions (Nactu), resolving to support in principle "any mass action that is intended to dislodge the regime from power", has set the terms for its participation in the campaign.

A consultative conference of 200 Nactu delegates, meeting in Soweto at the weekend, demanded a meeting of all liberation organisations as well as Cosatu and Nactu to discuss mass action.

The weekend also saw several public protests mounted under the banner of the mass action programme.

Rival union to target health workers

THE Inkatha-aligned United Workers' Union of SA (Uwusa) would begin a recruitment drive among 900 hospital workers appointed to replace dismissed strikers, Uwusa national PRO Duke Senagomo said yesterday.

Senagomo said that by Thursday a strategy would be drawn up to attract new workers to Uwusa ranks.

Baragwanath Hospital obstetrics and gynaecology professor and Medical Advisory Committee chairman Cyril van Gelderen warned the recruiting drive "will almost certainly cause disharmony, maybe even worse"

SA Health and Social Services Organisation (Sahsso) general secretary Dr Rafik Bismilla said "while other workers are on strike it would be incorrect for other unions to move in"

By employing new workers, he said, the TPA was "sowing the seeds of future conflict".

Nehawu officials were yesterday expecting a response

BIPAY 217192
CHARLIE PRETZLIK

from the TPA on the union's demand that workers be reinstated. Saccola had agreed to act as a mediator between the two parties

The PAC also joined the fray yesterday by calling for an urgent resumption of negotiations between Nehawu and the TPA, Sapa reports

A spokesman for the PAC's West Rand region said it supported Nehawu's demand for a living wage and had decided to establish contact to help end the deadlock in the negotiations

"We are mainly concerned with the suffering of black patients in Baragwanath and other hospitals," the PAC spokesman said. "Both sides must realise blacks are suffering and their attitudes, and particularly the TPA's, are not helpful."

Meanwhile, the three-week strike at Cape provincial hospitals showed no sign of letting up by yesterday as members of the Health Workers' Union (HWU) continued their protest over wages and service conditions.

Most Nehawu members had returned to their posts, but about 300 remained on strike at three hospitals.

In a statement yesterday, the Cape Provincial Administration said HWU members remained on strike at the Groote Schuur, Mowbray Maternity, Valkenberg, Woodstock, Somerset, Conradie, Victoria and Brooklyn Chest hospitals in Cape Town.

The CPA said 292 Nehawu members were on strike at Kimberley Hospital

Nehawu, whose members spearheaded the national strike, suspended its action in the western Cape last Thursday pending the reinstatement of fired workers by the Transvaal and Free State provincial administrations.

The situation at Pelonomi Hospital, at Mangaung near Bloemfontein, was tense yesterday after strikers overturned garbage cans and food in the wards

SABC strike ends

21/7/92 (151) (182)
■ Two-month strike is finally settled:

Sowetan 21/7/92
By Sonti Maseko

THE two-month strike by about 1 200 SABC black employees is over

The Media Workers Association of South Africa and the SABC signed a number of agreements after lengthy talks in Johannesburg last night. However, these are still to be ratified by corporation's board next Tuesday

The workers will resume work on Friday

Negotiations on other outstanding issues continued late into the night. Two activists, Mr Aubrey Mokoena and Mohammed Dangor, who staged a sit-in at the SABC headquarters in a show of support for the strikers, abandoned the action following agreements

The SABC and Mwasa have agreed on

● Fifteen percent across the board increase with effect from June 1;

● A minimum wage of R1 300 a month This will be backdated to October 1, 1991;

● The strike must be suspended from today, and

● Workers must be paid for the month of July.

D-day for crucial draft on business-labour accord

By Peter Fabricius (151)
Political Correspondent

Today is D-day for approval of the draft business-labour accord which could avert an extended general strike planned for August 3.

Cosatu and Saccola are consulting their members, trying by tonight to secure mandates for the accord. The SA Chamber of Business has called a summit of its members today.

Saccola secretary Friede Dowie said yesterday an announcement could be expected as soon as tomorrow.

The draft agreement reached on Friday is aimed at achieving peace, reviving constitutional negotiations

and combatting poverty.

If approved by the members of Saccola and Cosatu today, it could lead to a voluntary one-day factory and business shutdown on August 3 instead of a protracted strike.

There is growing confidence that the agreement will be endorsed, although there were fears yesterday that some businessmen would balk at backing an agreement requiring employers to give workers a day off.

Some businessmen also fear that by giving their blessing to a charter for "peace, democracy and reconstruction" — an important part of the package of Cosatu-Saccola agreements —

they will implicitly be backing the ANC.

Saccola spokesmen, as well as Constitutional Development Minister Roelf Meyer, have rejected this interpretation. Democratic Party leader Dr Zach de Beer said yesterday it was "to be welcomed that, in the industrial sphere, employers and employees are showing so much more maturity and generosity than the politicians."

● The all-white Mine Workers Union says Saccola will be declaring war if it sides with the ANC/SACP/Cosatu alliance. The MWU and other white unions would not accept mines and factories being shut down on August 3.

STAN 21/7/92

Games cloud lifts as media strike ends

By Helen Grange and Montshiwa Moroke

The SABC's coverage of the Olympic Games is no longer threatened, following the provisional suspension last night of the Media Workers' Association of SA strike.

The suspension — pending the SABC board's ratification, expected next Tuesday, of agreements reached between Mwasu and SABC — was announced after a meeting between the two parties.

It ends a two-month-old strike by workers for better pay and effectively removes the threat of an SABC blackout at the Olympics.

Govt favours adoption of strike accord

ADRIAN HADLAND (15)

BUSINESS and labour groups will meet today to decide whether to adopt a draft Saccola-Cosatu accord aimed at averting a general strike and gaining business backing for political demands.

Today's meetings will take place against a background of business concern that it is tying its fortunes too closely to the ANC-Cosatu camp. **B/DAY 21/7/92**

Government indicated yesterday it favoured the accord, which sets aside August 3 for a 24-hour stoppage. Government backing for the accord has been cited by Cosatu and Saccola as a vital ingredient. Constitutional Development Minister Roelf Meyer said government welcomed the business sector's participation in efforts to normalise the situation in SA.

"Business people have an important role to play in the negotiating process, which is not only the domain of politicians."

"If this agreement can limit the effects of a national strike, the government welcomes it," he said.

Business would not be choosing sides politically. If it signed the accord, he said senior representatives from business chambers across SA will meet today at a special Sacob summit in Johannesburg to discuss the accord and the 24-hour shutdown. Sacob's recommendation will be passed on to Saccola in time for its meeting with Cosatu later tonight.

Saccola chairman Bokkie Botha said he was not aware of business opposition to the accord on political grounds. Business groups wanted clarification on details of the August 3 stayaway.

Sources said some business chambers were unhappy with the political aspects of the accord and were unlikely to agree to a paid holiday on August 3. One JCCI source said there would be "a riot" if Sacob accepted a "pay for no work" precedent.

Free State Chamber of Business president Able Koch said his members believed politics should be separated from the business environment. "Politics does not do business or the economy any good at all." As an important Saccola affiliate, Sacob's decision is essential to the ratifica-

To Page 2

Strike accord

B/DAY 21/7/92

tion of the accord. A Sacob spokesman said consensus was required before recommendations could be made to Saccola.

Koch said his members opposed the stayaway and would take a hard line on a "no work, no pay" policy should the stayaway be agreed upon.

Cape Town Chamber of Business CE Alan Lighton said many companies had adopted a "wait and see" attitude. The Cape Town contingent was going to the Sacob meeting today with particular views on the accord and stayaway, but were prepared to discuss the proposals.

Saccola chairman Botha and national peace committee chairman John Hall will be among speakers addressing the Sacob summit today. Their efforts to persuade Sacob to adopt the draft charter will be strengthened by messages of support received from Meyer and DP leader Zach de Beer.

In a statement yesterday, De Beer said, "SA is in a crisis where differing groups must understand each other, make com-

(15)

From Page 1

promises and work together for the common good, or we may all go under."

Saccola secretary Friede Dowrie said "the day of the third (of August) is drawing closer. This is a matter of urgency."

Another Saccola affiliate, the Chamber of Mines, is also facing considerable pressure from below.

In a statement released by the white Mine Workers' Union (MWU) yesterday, general secretary Peet Ungerer said Saccola would be "declaring war" if it sided with the ANC-SACP-Cosatu alliance.

He said the MWU would be approaching the CP for support and meetings would be sought with other Saccola affiliates, including the AHI, Seifsa, Iscor and the Chamber of Mines.

ANC spokesman Carl Niehaus said it was likely the general secretaries of the SACP, ANC and Cosatu would be meeting today to hold "informal discussions" about the Saccola-Cosatu meeting tonight.

Comment: Page 10

SABC strike suspended pending agreement

Blom 22/7/92
THE eight-week-old strike at the SABC has been suspended and Media Workers' Association of SA (Mwasa) members return to work on Friday, the day before the Olympic Games open in Barcelona

The strike by 1 200 Mwasa workers had threatened the SABC's Olympic coverage. Mwasa said that under a provisional agreement, the workers had accepted an offer of a 15% increase, effective from June 1, and payment for July when they were on strike.

SABC labour relations group manager Christo Pretorius could not confirm or deny the union's claim, saying management would decide next Tuesday.

(151)
THEO RAWANA

But he said the union had agreed to suspend the strike on condition there was a settlement by next week.

Mwasa's version of the settlement terms was backed by the National Council of Trade Unions (Nactu).

Saying it had decided to call off its campaign for a blackout of Olympics coverage, Nactu added that the terms included a R1 300 minimum backdated to October 1 1991, the establishment of a joint task force to look into wage disparities and the restructuring of the SABC.

The union had demanded a 20% increase and a minimum of R1 500 a month, while management had offered an 11% increase and a minimum of R1 300.

The SABC said Mwasa had undertaken not to interfere with SABC activities and to distance themselves from attempts to ban the SABC from the Olympics.

Nactu general secretary Cunningham Ngcukana said his federation had informed the International Congress of Free Trade Unions of the provisional agreement. Nactu had called off a news conference scheduled in Barcelona today. It would reactivate the process if the SABC failed to honour the agreement.

Sowetan 22/7/92 (230)
Union's demand (151)

BARGAINING on a national level in the transport industry is the key demand to be made at a conference of the Transport and General Workers

rief

Sowetan 22/7/92
Union's goods and docks sector to be held in Maritzburg on July 24-26 (151) (230)

The conference will also discuss how to involve employers in an Aids education policy and programme adopted by the union, he said - Sapa

NEWS Meeting to ratify draft labour accord postponed until tonight

news

put off

Madikane funeral plans

THE four Madikane family members killed in a petrol bomb attack in Naledi, Soweto, during the Nehawu hospital strike will be buried at Avalon cemetery tomorrow.

The four are Madikane sisters Zodwa (22), Buyiswa (24) and Nomngqibelo (40), as well as Joci Khathleli (13), grandson of Mrs Sannah Madikane who is fighting for her life at Baragwanath Hospital. A short service will be held at 1174 Naledi Ex12, Soweto, from 8am to 9am. Another service will then be held at Naledi 2 Sports Grounds at 10am and the cortege will leave for the cemetery at 1pm.

Meeting on labour accord put off

■ Fine tuning: Cosatu and Saccola await members' responses to draft accord and other changes to mass action campaign: *Sowetan 22/7/92*

By Ike Motsapi and Sapa

YESTERDAY'S meeting to ratify a draft labour accord between business and Cosatu was postponed to tonight to allow the drafting committee to consider changes to the document.

The ratification meeting would now take place at 5.30pm in Johannesburg, the South African Coordi-

nating Council on Labour Affairs confirmed.

And, Cosatu's central executive committee will reconvene its meeting which was postponed on Monday to discuss the matter further.

After this meeting, the labour federation would meet the ANC and SA Communist Party to discuss and adopt further details and timeframes for the mass action

campaign.

A smaller drafting committee, between six and 10 members, met last night to consider "inputs" from Saccola and its 10 affiliated employer groups and from Cosatu and its alliance partners, the African National Congress and SA Communist Party.

Sources close to the secret negotiations stressed yesterday that no final agreement had yet been reached. "Negotiations are still at such a sensitive stage that any leaks now could have disastrous consequences," one source said. However, he was cautiously optimistic that if the drafting committee did make any changes to the proposed accord "it won't affect the character of the document".

Meanwhile, Saccob members were locked in a strategy meeting yesterday - *Sapa*



West Rand unrest areas

SEVERAL West Rand townships were declared unrest areas yesterday *Sowetan 22/7/92*

The Minister of Law and Order, Mr Hernus Kriel, gazetted a notice in Pretoria declaring Kagiso, Munsieville, Swaneville squatter settlement and Bekkersdal unrest areas

TV blackout threat withdrawn

A THREATENED blackout of the Olympic Games by the Nactu has been called off following the interim agreement reached by Mwasu and the SABC

Nactu general secretary Mr Cunningham Ngcukana yesterday said the lifting of the blackout threat could be reimposed if the SABC board failed to approve the settlement that brought the 10-week-old strike to an end *(151)*

The agreement has been hailed as a significant victory for Mwasu *Sowetan 22/7/92*

King speaks of difficulties

THE ANC yesterday failed to set a date for talks between its president, Mr Nelson Mandela, and Zulu King Goodwill Zwelithini *Sowetan 22/7/92*

At a meeting in Ulundi, Zwelithini said "In terms of Zulu culture and those who share with us ubuntu/botho as African brothers, the consequences of the kind of statements that Dr Mandela has reportedly made about a meeting with me give rise to difficulties. There is anger around me about these statements and I would have to respond to any request by Dr Mandela for a meeting with me in the circumstances this anger is creating"

Mwasu strike vote delay

At last, business enters the Ring

STAR 22/7/92

(151)

THE social charter being worked out between businessmen and the ANC-Co-satu alliance is the most encouraging development in many months. Not only does it represent a breakthrough to mutual understanding in this polarised nation, but it also indicates a healthy return to political involvement on the part of our business community.

For decades, indeed ever since the days of Cecil John Rhodes, the business community has been politically dormant. This has been part of the general political impotence of English-speaking South Africa. With Afrikaner politicians running the show from Botha and Smuts onwards, English-speakers, locked into a minority role in what became an increasingly ethnic-driven system, retired to the sidelines and concentrated on running their businesses instead.

"They must grin and bear their political impotence in the country they dominate economically. They are the largest, richest, most influential non-self-governing community in the world," wrote Douglas Brown, a perceptive British journalist, of the English-speaking

South Africans in the 1960s. Politics and the civil service became the Afrikaner's preserve, business the domain of the English-speakers. Over time this deepened into a kind of Church-and-State cleavage which permeated the cultures of both board room and Cabinet room. Businessmen ceased thinking in political terms, and the politicians failed to develop the capacity to think in economic terms.

The businessmen came to believe that politics was none of their business, a dirty business anyway best left to those brutish Afrikaner Nationalists with their crude apartheid ideas while we decent English kept our hands clean and our noses out of it.

It was a curious opting out unique to the breed. It baffled Marxists, who believed all political truth stemmed from the economy and the dynamics of capitalist exploitation, and the Americans, who are accustomed to big business having political clout and couldn't conceive of a system where this was not the case.

It meant the business community raised hardly a peep, and certainly launched no protest cam-



Allister Sparks

paigns, as Hendrik Verwoerd launched his mad apartheid schemes and, by crippling the country's manpower skills with his education for inferiority, inflicted damage on our economy that will take a century to repair.

Things changed a little through the 1970s and early 1980s as urbanisation and industrialisation saw Afrikaners surge into business, but the acculturation tended to be one-way. It depoliticised the new Afrikaner businessmen more than it politicised business as a whole. They conformed to the apolitical norm, partly because it was easier that way.

Apartheid conflicted with business interests, but to criticise it was ethnic treachery.

There were a few exceptions, such as when Theo Wassenaar erupted over the extent of State involvement in the economy, but such interventions stood out be-

cause they were so unusual. For the most part business, both English and Afrikaner, remained politically mute, neutered, effete.

This is unhealthy. A nation is powered by the twin locomotives of political and economic leadership, and if they don't work in tandem, if they don't interact, the nation will eventually stumble over its own contradictions, as South Africa is now doing.

The political awakening of our business community began with the legalising of black trade unions in 1979. Suddenly businessmen were confronted on the shop floor with the realities of what their political inertia had permitted to develop under their own noses: poor pay, poor education, poor training, political harassment, social alienation, and an angry, frustrated work force.

The learning curve was steep and harsh. Many companies made the knee-jerk response of union bashing, fire-and-rehire tactics — South Africa's "traditional way of life" when it came to dealing with cheeky blacks. It may have worked down on the farm or even in the mines in the early days, but not in modern times when essen-

tial skills are crucial to an industrialised economy.

The next lesson came in the mid-1980s, when political repression provoked disinvestment and sanctions. There was much bravado at the time, about how sanctions had never worked anywhere and couldn't possibly work here, and how our tough economy was impervious to such pinpricks.

But no one is fooled any longer. We all know that sanctions hurt like hell, and that as economic crisis loomed more and more businessmen realised that neutrality meant waiting for death. They began speaking out as never before, passing resolutions and asserting themselves in calling for political change. In no small measure this led to President de Klerk's epochal speech of February 2 1990.

Now we have lesson number three, with yet another crisis. A crisis caused this time by a confrontation between black expectations and Government obduracy. President de Klerk raised those expectations by announcing that he was ending apartheid and bringing in democracy, then frustrated them by trying to manipu-

late the process into a system of "power-sharing" that would prevent majority rule and entrench the inequalities developed during the years of apartheid.

It is a crisis caused by the threat of mass protests and industrial action, by the prospect of investor alarm and capital flight, worse still by the quickening spiral of more unemployment, more unrest and yet more alarm.

One may bewail all this, and warn — to use the latest cliché — that we are all in the same boat and will all sink together, but sometimes it is only the prospect of calamity that galvanises inert people to action. Like being hanged in the morning, it concentrates the mind.

And sometimes oppressed people get desperate enough, or angry enough, or heedless enough, to precipitate such a prospect. It is then that the complacent wake up, precisely because they are in the same boat.

We may be at that point now. With just 10 years to go, business has awakened to perform what may be its most important political role in the century since Rhodes left us. □

Cosatu, Saccola near final accord

DIRK HARTFORD

SACCOLA and Cosatu leaders met last night to try to finalise their draft accord on ways of breaking the deadlock in political negotiations before reporting back to their constituencies, where both face some resistance to the proposed agreement

Sources close to the negotiations said that if everything went well, a final version would be signed at a meeting between Cosatu and Saccola tonight

The accord — which has proposed a 24-hour shutdown instead of Cosatu's five-day general strike and has been welcomed by government, ANC and DP spokesmen as a bold initiative — has generated a flurry of activity in employer, trade union, political and government ranks.

In all these constituencies there are signs of division and doubt about the agreement, overlaid with a cautious optimism that it will nevertheless succeed

No official spokesmen were prepared to comment on the record at this stage for fear that it could jeopardise the process

However, it is likely the ANC alliance and government will support the accord if Saccola and Cosatu are able to reach final agreement on it.

Yesterday, Saccola chairman Bokkie Botha met Constitutional Development Minister Roelf Meyer but Meyer's office would not comment on the outcome of the meeting or on what the two might have discussed

□ To Page 2

Cosatu

It is understood that Meyer's earlier, tentative support for the initiative did not find favour with all his colleagues. This included the possibility of government supporting the proposed August 3 voluntary shutdown by asking civil servants to join assemblies

Saccola, meanwhile, was having trouble getting consensus before its meeting with Cosatu last night

Its biggest affiliate, Sacob, held a meeting yesterday afternoon and some of the major Sacob players argued — as do some cabinet ministers — that the accord went "too far" in meeting Cosatu and was open to "manipulation" because of its vague wording

Saccola will today meet Fabcos, Nafcoc and a delegation of the International Employers' Organisation, which is visiting SA, and the accord could be discussed there as well

One of the issues to be addressed last night was the basis on which the proposed shutdown would take place

Employers argue there are four options — a voluntary closure where workers are

paid, a "no work, no pay, no discipline" deal, workers taking leave on that day and local arrangements being struck between employers and their workers

Within Cosatu and the ANC, a key issue is what effect the accord will have on its capacity to take mass action

While many employers regard a moratorium on the general strike until end-September as leaving the door open for Cosatu to such action at a later stage, many in Cosatu want to reserve the right to action — including a general strike — from now on

They are also not keen to compromise their right to take other forms of mass action even if the general strike is called off

However, one source said there must be "something exceptional" about the accord if people on all sides were unhappy with it but would nevertheless not throw it out completely

He said it indicated that all sides would have to make compromises and stick with them if there was to be progress made in the country

● Comment Page 6

From Page 1

WHATEVER their final outcome, the Saccola/Cosatu talks have their supporters and opponents in political, business and trade union circles

This demonstrates the advantage of the negotiating process Both business and trade union leaders have been required to move from their positions in order to try reach an accommodation Persuasion in the negotiation process has generated what might be termed moderated positions

International experience has demonstrated that we will encounter turbulence during the period of political transformation Such turbulence, be it a political stalemate, violence or mass action, can have a negative effect on the business and economic climate.

The value of negotiations between business and labour is to find ways of developing common ground for the future, and in the short term to find ways of managing the incidence of turbulence The businessman's motivation is to limit or avoid disruption in business and to protect the economic welfare of employees and

Key lies in managing turbulence

BLOY 23/7/92

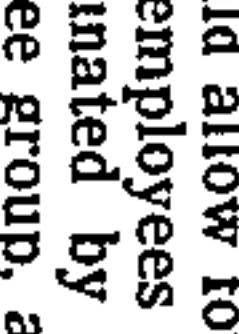
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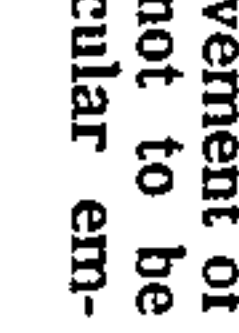
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stakeholders' interests

Cosatu is taking an overt political line through its alliance with the ANC and SACP Such alliances can, however, be found in countries such as Britain, Sweden and Australia

The recent International Labour Organisation report on SA labour legislation criticised local law for the narrow purposes for which strikes may be conducted. The report opposed purely political strikes but indicated that strikes for socio-economic reasons should be permissible where the underlying motivation was to advance the economic and material wellbeing of members

The risk of a general strike might or might not have been exaggerated A prolonged general strike could have multiplier effects across the economy with far greater potential damage compared with a strike at a single plant. Such a risk is too great.

The proposed general strike could also be criticised not only for its short-term effects but also longer-term damage to relationships in the workplace Mass action in the form of go-slows and worker sit-ins would only compound the situation

Such unilateral action runs contrary to industrial relations principles and industrial peace. The effects could only be negative and, in any event, would not address underlying problems

Any accommodation between employers and labour seeks to avoid these consequences and is likely to be multidimensional in the sense that it will shoot out issues to be handled on a national basis, for example in the economic forum, and

items which can be addressed at plant level

A divergence of views at plant level will, in all likelihood, mirror the national picture This divergence needs to be narrowed in the context of managing turbulence An understanding of certain guidelines and principles could assist in this:

- A management/labour accommodation is not to be in direct support of any political party;
 - The employers' principle motivation is concern for the economic position of employees and the survival of business;
 - A willingness to explore alternatives to mass action is to avoid total interruption in production and loss of earnings for employees The motivation is orientated to business needs;
 - In return for a preparedness to look at issues such as poverty and drought relief at shop-floor level, employers require maintenance of industrial peace and industrial relations norms in the workplace;
 - Activities at shop floor level should allow for the involvement of all employees and are not to be dominated by any particular employee group, and
 - Acknowledging the value of symbolic actions (prayer meetings, flying flags at half mast) as opposed to confrontation
- Turbulence, or the prospect of it, can have either negative or positive consequences Some major strikes recently have been characterised by their futility, violence and harm They have, no doubt, been fuelled by the expectations of workers of enhanced benefits and the perception of the validity of power
- Management and labour both have a responsibility to change this experience in favour of the route of negotiation The challenge now is with Cosatu to illustrate in turn that it and its affiliates can respond to the crisis in business and the economy in future collective bargaining
- Beaumont is a Johannesburg-based management consultant.

LETTERS



Toyota agreement

So we fan 23/7/92

THE dismissed 6 000 Toyota SA workers may go back to work today depending on whether they sign a unilateral agreement drafted by the company

The regional secretary of the National Union of Metalworkers of SA, Mr Eckie Esau, said Toyota and the union officials had met, with the union seeking some clarification on the agreement

Flowing from the meeting a few slight changes were made in the agreement and this was to be presented to membership yesterday he said

~~ISI~~ (ISI)

BIDA-7
23/7/92

Strike warning (151)
THE Media Workers' Association of SA yesterday warned the SABC it would immediately resume its strike if the corporation's board of directors failed to endorse by Tuesday its interim agreement on a 15% across-the-board wage increase and an increase in minimum salaries to R1 300.

Hopes of Saccola, Cosatu agreement dashed

Strike on as talks fail

By Mike Siluma
and Peter Fabricius

The Congress of SA Trade Unions' general strike beginning on August 3 is set to go ahead — following the failure last night by employers and Cosatu to reach agreement on a draft charter to break the impasse in the constitutional talks

The talks, which were preceded by nearly two weeks of frantic, behind-the-scenes consultations between and among employers and labour, collapsed after less than an hour of deliberations last night

A crucial element of the charter was Cosatu's suspension of the strike in return for a shutdown of industry on August 3

Cosatu and its allies are now expected to revert to their initial position of a general strike lasting several days, as well as mass action including factory and city occupations

Blame

Speaking after the meeting in Johannesburg, Cosatu general-secretary Jay Naidoo blamed the failure of the talks on the SA Employers' Consultative Committee on Labour Affairs' inability to obtain employer support for the charter

"The failure of Saccola to get a mandate leaves us no option but to revert to our original programme of action for the week of August 3," Mr Naidoo said

In a separate statement, Saccola said in its view the collapse of talks was "rooted in our inability to reach agreement on a total shutdown of all sectors of the economy, including the public sector"

"The deal did not fail as a result of insurmountable dif-

ferences on the principles in the draft charter dealing with the urgency of a resumption of national negotiations for a new political dispensation, joint employer and employee actions to reduce the unacceptable levels of violence and measures to combat poverty

"Saccola remains of the view that it and Cosatu have established a basis for future dialogue on these issues and certainly does not regret the time and effort that was put into an attempt to reach this agreement," Saccola said

Describing Saccola's failure to endorse the charter as "a shock and disappointment to all South Africans determined to resolve the current crisis", Mr Naidoo said employers had thrown away "an historic opportunity"

Cosatu had agreed to the draft charter despite "the considerable compromises it entailed on our side"

"The employers' failure to commit themselves to act on the goals contained in the draft charter can only confirm the feeling among the majority that many employers, while declaring themselves to be in support of democracy are, in fact, supporting the Government's attempts to cling to power"

Cosatu, he added, remained committed to the draft charter and urged employers to publicly commit themselves to it and to demonstrate this support during the week of August 3

Apart from limiting the proposed strike to a day, the charter sought to commit signatories to seek ways to curb violence, fight poverty, extend labour rights to farm and domestic workers and to facilitate a speedy transition to democracy

Both Saccola and the Cosatu-ANC-SA Communist Party alliance are scheduled to hold press conferences today to elaborate on their next course of action



Sewage on the streets of Sebokeng . residents in strife-torn Vaal Triangle townships are facing what could become a total collapse of municipal services The non-payment of rent since the Boipatong massacre is one of the main reasons for the problems being experienced ● Report — Page 3 Picture Melody McDougall

SABC strike may resume — union

By Brian Sokutu

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STAR 23/7/92

The Media Workers' Association of South Africa (Mwasa) has threatened to resume its strike at the SABC if the broadcasting corporation fails to honour terms reached at the signing on Tuesday of a provisional agreement.

The 10-week-old strike by 1200 Mwasa members, which threatened the SABC coverage of the Olympic Games in Barcelona, was suspended on Monday after the union accepted an offer of a 15 percent wage increase, backdated to June 1.

Mwasa national general-secretary Sithembele Khala yesterday warned: "The strike is

not over yet. It has been suspended pending an SABC board meeting.

"If the SABC board fails to honour terms of the provisional agreement, our members will resume the strike."

Mr Khala said that in the provisional agreement signed by Mwasa and the SABC it was agreed that

- The strike be suspended and an Mwasa-SABC joint committee be formed to address racial disparities in the corporation.
- Workers resume duties from tomorrow.
- Workers be entitled to seven days' leave to "readjust and re-orientate themselves with a view to cementing and strengthening working relationships,

which suffered during the strike".

"We're giving the SABC breathing space in the interest of staffers and viewers, particularly those watching CCV programmes. Should the board meeting not honour the agreement, Mwasa will campaign in Barcelona for a blackout of the Olympic Games coverage," said Mr Khala.

- An SABC radio report yesterday quoted its chairman, Professor Christo Viljoen, as saying the future independence of the corporation could be guaranteed only by inserting suitable clauses into the constitution of the proposed independent broadcasting authority

General strike to go ahead

Saccoola and

Cosatu fail to

BIPM 23/1/92

Sign accord

SACCOLA and Cosatu failed to reach agreement last night on their planned charter and programme for peace, democracy and economic restructuring.

The ANC/Cosatu/SACP alliance said it would go ahead with its plans for a general strike from August 3.

Cosatu said last night the failure of Saccoola to get a mandate for the charter came "as a shock and disappointment to all South Africans determined to resolve the crisis facing the country".

Cosatu general secretary Jay Naidoo said employers had thrown away a historic opportunity. This was echoed by the ANC, which said the business committee had missed the chance to join millions of fellow South Africans in concrete actions for democracy.

CHARLIE PRETZLIK reports that Saccoola said in a statement after the meeting that the failure to agree on an accord stemmed from an inability to reach agreement on a total shutdown of all sectors of the economy, including the public sector. Saccoola said the deal did not fail because of a political impasse, but because of economic problems associated with the mass action.

"Saccoola remains of the view that it and Cosatu have established a basis for future dialogue on these issues and certainly does not regret the time and effort that was put into an attempt to reach this agreement," the statement said.

Naidoo said Cosatu had tried to act jointly with business to ensure a speedy and effective political transition. He said al-

though employers supported democracy in the referendum, they "are in fact supporting the government's attempts to cling on to power".

Cosatu was still committed to the draft charter, and called on employers to publicly commit themselves to the charter and to actively demonstrate their support for it during the week of action.

The general strike will take the form of a national stayaway on August 3 and 4 with the occupation of city centres and strategic points on August 5. This effectively means that a three-day general strike is on the cards.

On August 6 and 7, workplace-based protests are planned. And on August 8 — a Saturday — big rallies will be held.

Saccoola and Cosatu were aiming to reach agreement on a document which included plans for "organising and calling on all South Africans to observe August 3" as a day of peace and democracy.

It was understood by both parties during the talks that this involved some form of voluntary shutdown to enable workers and employers to observe the day — in exchange for Cosatu calling off its general strike programme.

But by the time Cosatu and Saccoola went into the talks last night, with fresh mandates from their respective constituencies, significant differences were apparent in the detail of the understanding that carried the negotiations so far.

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Saccoola BIPM 23/1/92

Cosatu wanted August 3 to be a voluntary nationwide closure including all enterprises and the public sector, with workers being paid for the day.

Saccoola wanted employers and unions to decide together at local and regional level how to mark the day. It also ruled out the possibility that employers outside its ranks — including the public sector — could be asked to support the day.

And it felt the decision by its own members should be voluntary and could range from shutting down and paying workers to a "no work, no pay, no discipline" approach where there was no shutdown.

Saccoola felt there was no chance of a total shutdown. It also wanted guarantees from Cosatu it would undertake not to damage the economy in any mass actions and to abide by guidelines on demonstrations laid down by the international panel reporting to the Goldstone commission.

Saccoola was also concerned that no parity political speeches be made at any rallies convened on August 3 — including all speakers refraining from attacking the government.

ALAN FINE reports that employer sources said last night Saccoola's consultations with constituents had demonstrated there was strong resistance in many areas to a 24-hour shutdown of industry.

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This was due to several factors. Some employers opposed the deal in principle. Others operated in industries where round-the-clock operations were the norm and necessary for technical reasons. For some businesses, including many marginal mines, the cost of a shutdown could have endangered the business's survival.

It was pointed out, further, that Cosatu was by no means representative throughout the economy. There was no reason at all for firms whose employees were not part of Cosatu, and who might oppose the proposed action, to participate.

In this light Saccoola was able to meet the proposal in a limited sense. At most, it could offer recognition of August 3 only in symbolic terms with no undertaking of a shutdown.

Sapa reports from Ujundi that Inkatha president Mangosuthu Buthelezi said yesterday business should not become involved in Cosatu's stayaway action.

"Appeasement is not going to assist. If there must be show-downs, let there be show-downs because they will come anyway," Buthelezi told a group of businessmen, including Chamber of Mines president Bobby Godsell and Saisa executive director Brian Angus.

Buthelezi said the businessmen had requested a meeting with him.

New initiative aims at local level

Companies in bid to head off stayaway

BIDAY 24/7/92.

ALAN FINE and
ADRIAN HADLAND

SEVERAL prominent companies are set to begin local-level talks with trade unions on ways of implementing the charter and programme which Saccola and Cosatu deadlocked over on Wednesday.

The talks will include attempts to head off the threatened work stayaway

Both Cosatu and Saccola yesterday reaffirmed their support for the principles contained in the accord Agreement could not be reached because of differences over the proposed joint action on August 3

Saccola chairman Bokkie Botha told a news conference yesterday there had been substantial agreement on the draft charter, but the rift had become too wide when Cosatu insisted on a national 24-hour shutdown, including the public service

He said some businesses supported the shutdown while others, including some concerned about essential services, did not Saccola had been willing to call for a "no work, no pay, no discipline" approach by businesses which did not support the shutdown.

But Saccola did not believe strikes would help to bring political parties back to negotiations

Vice-chairman Johann Liebenberg said employers would continue to support and promote the principles laid down in the charter and would continue trying to minimise damage to the economy.

Therefore individual company managements would be communicating with their employees to see if it was possible to reach arrangements at local level in line with

those discussed between Cosatu and Saccola This could include the 24-hour shutdown which some companies favoured

Cosatu general secretary Jay Naidoo said Cosatu's central executive had decided on a programme of national action for the week starting August 3 and that such action should be uniform

However, he accepted there would be local discussions between unions and managements and Cosatu could not pre-empt these "The real issue is whether employers will stand up and back the principles contained in the charter If they do we will welcome it," he said

Earlier Naidoo told a separate news conference the accord contained important goals that "needed to be picked up some time in the future" He said Cosatu leaders had spent "enormous energy" in trying to sell the accord to their members

Naidoo said some Cabinet members had discouraged businessmen from signing the charter and he accused the reticent Saccola constituents of acting on a purely party political basis

He said Cosatu would respond to mass dismissals during the planned stayaway by staging another general strike He was supported in this by ANC secretary-general Cyril Ramaphosa

The draft charter contains proposals on curbing violence, combating poverty through a variety of programmes, conflict intervention and the political transition

□ To Page 2

Stayaway

Business Day canvassed a number of companies on their intentions regarding implementing the charter and averting the planned two-day stayaway.

Anglo American spokesman Michael Spicer said the corporation, its operating divisions and subsidiaries would be exploring at local level arrangements which sought to implement the broad areas of agreement in the charter which Anglo saw as an "affirmation of common values in a non-partisan way"

He said the process would operate at local level as did arrangements on the day of the Boipatong funeral On that day meetings and rallies took place at times that did not disrupt production

Spokesmen for Shell and the SAB beer division said they had favoured the 24-hour shutdown However, SAB's Adrian Botha said the company would not seek to implement such a plan now as this might put

employees in a difficult position if other members of their communities stayed away from work on additional days

Pick 'n Pay industrial relations GM Frans van der Walt said management was discussing the issues and would meet shop stewards early next week

Barlow Rand spokesman Ken Ironside said each of the group's subsidiaries would take its own decision after talks

Volkswagen's Johan Breytenbach said management would hold talks with shop stewards next week on policies to adopt

Most of these companies said that in the event of a stayaway they would adopt a "no work, no pay, no penalty" policy

Sacob director Raymond Parsons said the organisation would be sending guidelines to members within days on how to deal with the stayaway

● Picture: Page 3
● See Page 8

From toenadering to angry

SCOWLS across no-man's-land

By **MONDJI MAKHANYA**
 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12)

BY MONDJI MAKHANYA
 INSTEAD of uniting under the banner of peace, democracy and economic reconstruction, business and labour will confront each other across no-man's-land on August 3.

The inability of organised business to convince its members to shut down on that day and lend support to a speedy political transition scuppered what may have been the key to breaking South Africa's political logjam.

The Congress of South African Trade Unions (Cosatu) announced at a media conference yesterday that it is to embark on a two-day general strike, followed by five days of marches and the occupation of buildings and city centres.

The collapse of talks aimed at averting the week of mass action from August 3 to August 8 dealt a fatal blow to the *toenadering* between the two interest groups since the Botopong funeral, when employers allowed workers time off to attend commemoration services.

Over the past two weeks, employer body Saccola and Cosatu staged a series of meetings to thrash out a charter for peace, democracy and economic reconstruction. This would have committed them to jointly pushing for an elected constituent assembly based on "universal norms of democracy", and "a time frame for the accomplishment of these goals within six to nine months".

It would also have committed them to structuring a programme aimed at alleviating poverty and joblessness.

Unprecedented joint action on these issues appeared on the cards as businesses offered to shut down for one day in return for a Cosatu undertaking

to suspend the rest of the week's mass action for two months. Joint services would also have been held at various locations countrywide.

For Cosatu and its African National Congress and South African Communist Party allies, this would have meant bringing business on board and isolating the government.

But the talks collapsed late on Wednesday night as it became apparent that rank-and-file industrialists would not buy the one-day shutdown negotiated by Saccola.

The South African Agricultural Union had pulled out on Monday, saying the political overtones of the charter would cause a split in its ranks. Stipulating certain conditions, the

Afrikanse Handelssentrum rejected the shutdown and elements in the charter which seemed to align it with the leftwing against the government.

And on Tuesday, the South African Chamber of Business (Sacob) battled to get a mandate from its members, who were apparently concerned about the political implications of signing the charter and wanted greater clarity on the proposed poverty programme.

Some businessmen said Cosatu was not fully representative of workers in industry and that they should not impose Cosatu decisions on non-members. "There are Inkatha Freedom Party and Afrikaner Weerstandsbeweging workers who may well want to work on that day," one com-

mented.

Some businessmen were also peeved at Cosatu's "unreasonable" demand that Saccola put pressure on the government to close down government offices on August 3, particularly as the public sector is not represented in Saccola.

"There is no section of the business community which has that kind of influence on the government," said Cape Chamber of Industries president Robert McCarthy.

The practicalities of the one-day shutdown also played a part in the failure of the talks. Industrialists argued that some factories, particularly those in the steel sector, worked on a continuous-shift system and could not be switched off for a day.

At yesterday's media conference, Cosatu secretary general Jay Naidoo said labour viewed business' failure to sign the charter as signifying that businessmen "supported the government's attempts to cling to power".

Cosatu affiliates are meanwhile stepping up their mobilisation campaigns. Transport and General Workers' Union secretary general Nkosi-nathi Nhleko said its members, already angered by the stalemate of talks between the government and the union about transport policy, were planning to blockade roads with trucks and other vehicles during that week in August.

Sacob's executive director, Raymond Parsons, said the chamber would send guidelines to its members on how to deal with the strike and that the standard policy of "no work, no pay" would be adopted.

The possibility of post-strike discipline holds out the threat of further conflict. Business sources say disciplinary action against people participating in the strike is likely, but the ANC has warned it will take a harsh line against firms which fire strikers.

Contact between local structures of the two groups has, however, been maintained. Cosatu's western Cape branch will meet the regional chamber of commerce to discuss ways of handling the strike. A similar initiative is afoot in the eastern Cape, while Saccola vice-chairman Johann Lebhenberg said companies would be negotiating deals with their own employees



Peaceful protest but A policeman panics and whips out his gun

Photos GUY ADAMS and KEVIN CARTER

Call for general strike

Sowetan 24/7/92
■ **WHEELS OF ACTION** ANC alliance

will launch a "week of action for peace and democracy" following abortive talks with Saccola:

By Abbey Makoe and Sowetan Correspondent

THE COLLAPSE OF negotiations between Cosatu and employers on Wednesday night has led the ANC alliance to reaffirm its call for a two-day general strike starting on August 3

The talks were aimed at averting a general strike and getting the stalled constitutional negotiations back on track

At a Press conference in Johannesburg yesterday, the ANC, Cosatu and the SA Communist Party said they would now step up preparations for "a week of unprecedented action for peace and democracy"

This had been planned before the launch of the abortive initiative between Cosatu and the employer body, the SA Employers Consultative Committee on Labour Affairs (Saccola) two weeks ago

ANC secretary-general Mr Cyril Ramaphosa said the alliance "deeply regretted the inability of employer organisations to transcend longstanding prejudice and to cross the democratic threshold and a lack of commitment and resolve to address the crisis facing South Africa"

Ramaphosa also said the action would end with the installation of ANC president Mr Nelson Mandela as the new head of state

He said this would take place after the "coming elections by our people" The alliance "feels satisfied that our people are angered" by the Government's intransigence and the people would "rise up to the challenge"

Flanked by Cosatu general-secretary Mr Jay Naidoo and the SACP's Mr Chris Hanu, Ramaphosa warned companies which might take disciplinary action against their workers for staying away from work during the seven days of the mass action campaign

The ANC would not allow such a move to go unchallenged and such companies would be

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faced with mass action taken against them, he said

Ramaphosa said the week of action would comprise

- A stayaway from work on August 3 and 4, accompanied by rallies, marches and pickets,

- City and town occupations and demonstrations on August 5,

- Protest actions by workers and other groups on August 6 and 7 to be determined locally, and

- Report-back meetings on August 8 followed by Women's Day celebrations and prayers for "peace and democracy" on August 9

"We reiterate our call to all our people that our marches, rallies, occupations and other activities are to be peaceful and disciplined," said Ramaphosa

The Saccola-Cosatu meeting failed because of insufficient consensus among employers to sign the charter and to secure public sector participation in a proposed one-day shutdown on August 3

Apart from limiting the proposed strike to a day, the charter sought to commit signatories to seek ways to curb violence, fight poverty, extend labour rights to farm and domestic workers and to facilitate a speedy transition to democracy

Meanwhile, the SA Council of Churches and other groups yesterday expressed disappointment at the failure of the Cosatu-Saccola initiative

BENCHMARKS

CARMEL RICKARD'S weekly look at
the law, the lawyers and the courts



Mediate - but not just yet

AFTER 10 months in the United States, we came back to find our house afflicted by that common travellers' disease, tenant damage. Weeks of unsatisfactory correspondence and phone calls followed before we decided to try mediation, theoretically a good idea but difficult in practice.

Community and privatised mediation centres flourish throughout the US, providing an essential, affordable service for every member of society. A vast network of ordinary people, including schoolchildren, train as mediators and offer their skills to the community as volunteers or full-time. This service helps individuals in disputes and the community, when conflicts are defused before becoming violent. A culture of conciliation can emerge if people experience how mediated discussions can resolve disputes.

The Illinois law setting up community mediation centres underscores this potential: "Unresolved disputes which individually may be of small social or economic magnitude are collectively of enormous social and economic consequence. Many seemingly minor conflicts between individuals may escalate into major social problems unless resolved early in an atmosphere in which disputants can discuss their differences."

Suppose our problem had arisen in the US. What would we have done? First, called the local community mediation centre to explain the dispute in general terms and ask that they try to arrange mediation. If we had not yet suggested mediation to the other side, officials at the centre would. They would outline how mediation worked, explain it was voluntary and ask the other party if he or she was willing to try this method. Given the go-ahead, they would arrange a time, a neutral venue and a mediator.

In South Africa it takes far more effort, unless you can pay the rates for the skills of professional mediators (usually lawyers with special training) through an agency like the Independent Mediation Service of South Africa or the Alternative Dispute Resolution Association of South Africa.

If you live in Johannesburg's Alexandra township it might be easier. The Community Dispute Resolution Trust has helped the local community establish the Alex Justice Centre, which has many features of the typical US community mediation centre. The mediators come from the community. They have training in skills and ethics to deal with a wide range of problems, and to decide whether a dispute is suitable for resolution through mediation. A similar project will start soon in Hillbrow, and CDT officials hope a pilot centre in the Cape and Natal will follow.

Several other schemes sound promising but are inappropriate to small community disputes. The Short Process Courts and Mediation in Certain Civil Cases Act, which came into effect last weekend, could play an important role in the whole legal scene, but is far from what is needed to bring mediation to every community.

Everyone seriously trying to end the conflict and create a more tolerant society in South Africa would agree on the urgent need for thousands of well-trained "grassroots" mediators throughout the country. But although hundreds of such mediation centres are desperately needed, it would be fatal for the government to rush through enabling legislation. Until a widely accepted new constitution and Bill of Rights is in place, the legal system had best keep its hands off.

Lawyers can contribute by helping train mediators and setting up mediation centres through, for example, the Community Dispute Resolution Trust. And imagine how it would help restore confidence in the legal profession if, once centres are established, members of the community who happened to be lawyers joined their neighbours in volunteering for training and then offered their services (for the same nominal fee paid any other community mediator) to help resolve disputes in their neighbourhood.

BUSINESS AND LABOUR

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Not all that easy

FM 24/7/92

The proposed accord between employers and trade unions, being negotiated between Saccola and Cosatu, this week threatened to come unstuck. Business representatives, at best ambivalent about such a pact, had clearly had second thoughts by the time they met on Tuesday — ostensibly to initial the deal.

In the event, the SA Agricultural Union and the Afrikaanse Handelsinstituut decided to withdraw because the mooted pact was too political.

While Saccola's talks with Cosatu remain on track, a deal is far from being achieved.

From the employers' viewpoint, what appears to have scuppered the accord — or at least the unmandated, draft version of it leaked to the press last week (*Current Affairs* July 17) — was the perception created that business was throwing its weight behind the ANC-Cosatu mass action camp. This angered many employers, who felt they were being mugged into a party political agenda — instead of merely affirming the common values of peace and democracy.

The view that now seems to have emerged is that there is no chance of employers as a whole acquiescing in a one-day, total shutdown of industry on August 3.

This had seemed to be on the cards as a compromise in place of Cosatu's ambitious seven-day strike — aimed at pressurising government to meet ANC demands to end the violence and accede to majority democ-

racy with an elected constituent assembly which would write a new constitution. All this was evidently more than some businessmen — perhaps keener on a power-sharing, federal arrangement — could stomach. There are also practical problems involved in a total shutdown which would, for example, affect continuous production operations.

Employers obviously do not comprise a single coherent entity. While some would choose to cut their losses and go along with the idea of a one-day shutdown, others favour different forms of pro-democracy observance — perhaps along the more flexible lines agreed on for marking the Boipatong massacre last month. Still others could be persuaded to adopt a policy of no work, no pay, no penalty. And in certain parts of the country it is thought that employees might wish to go to work.

Though employers generally believe in efforts to end the violence and re-start negotiations, they tend to look to other forms of symbolic protest which exclude mass action, especially given the present harsh economic climate.

It seems employers are now set to demand more flexibility from Cosatu. This could include insistence on a non-party political platform for August 3, drawing in other parties such as Inkatha.

Business could well also demand a clear commitment from Cosatu to sign the code of



conduct on peaceful demonstrations drawn up by the Goldstone Commission's international panel.

In any event, many will have suspected that Cosatu itself has grave doubts about its ability to sustain a week-long general strike. Why not, therefore, call the union's bluff? It might not be a bad thing, some argue, to see Cosatu break itself on the rocks. This might give it a better appreciation of its power — much as the 1987 miners' strike ended in a constructive delineation of each side's power potential, leading to a more mature and productive relationship between the NUM and mining employers.

Employers have told Cosatu that they do not envisage an accord between them being a one-way street. They were due to meet government, as the *FM* went to press, to canvass its views on next month's planned action. ■

Vance gets to hear it all... again

By Phillip Van Niekerk

UNITED NATIONS special representative Cyrus Vance this week faced the unenviable task of having to listen to South Africa's political parties restate the cases they made to the United Nations Security Council last week.

The seasoned diplomat and United States secretary of state in the Carter administration met leaders of the Inkatha Freedom Party, the African National Congress, the Pan Africanist Congress and the Azanian People's Organization yesterday to hear their proposals on how the UN can help control the township violence and advance the peace process. He met President FW de Klerk on Wednesday.

If he allows himself the luxury of a whiskey after the briefings, it will have to be a stiff one to help him start figuring out what recommendations he will make to the UN on the role it can play. He could reflect that since his arrival the state-mate has, if anything, grown staler.

With mass action looming and the cabinet heading for the bush for a think-tank, special envoy Cyrus Vance faces a formidable task to figure out what role the UN can play in South Africa.

Africa By PHILLIP VAN NIEKERK

The collapse of the Congress of South African Trade Unions-Sacocsa pact has closed an avenue that was starting to open up for talks to be restarted. One ANC official conceded this week that if the pact had succeeded, negotiations would have been back on the rails within three weeks.

The private sector having failed to find the path for the political parties, the onus for an initiative goes back to De Klerk who has taken his cabinet back into the bush this week for yet another group think-tank. They have a lot to put their minds to

De Klerk's people have let it be known that concessions on the core issue of democracy are coming. But with a two-day general strike looming, the very last thing that De Klerk will want is to appear weak.

The fog that usually accompanies new moves on the constitutional front might help disguise a significant concession, offset by thundering rhetoric about mass action and signalled in Morse code to the ANC, but this does not ease the drum. The ANC will have to take a visible gain back to its constituency if it is to explain why it is willing to accept De Klerk's bona fides and go back to the table. The general strike, now restricted to two days, is to go ahead anyway.

De Klerk has already taken the first real strides towards meeting the ANC's 14 demands that are linked to the resumption of talks. Last week, he announced the disbanding of Koevoet and 31 and 32 Battalions, moves towards guarding and upgrading the hostels and tougher measures

against the carrying of dangerous weapons in public. Couched as responses to the Goldstone Commission recommendations, it was no coincidence that they were simultaneously designed to meet demands on the ANC shopping list.

The ANC kneejerk public rejection of De Klerk's moves, on the basis that counter-insurgents would be accommodated elsewhere in the security forces, is not necessarily the private reaction. In their submissions to Vance yesterday, the key ANC request was for a UN monitoring force in the townships. But there was also a request that military personnel be included in the UN team, with one of their tasks being to monitor former combatants of 31 and 32 Battalions and Koevoet. None of this adds up to a breaking of the deadlock. But it does give Vance something to swallow, after two days of listening to South African politicians, that could provide the basis for a marginally more hopeful deal than his last diplomatic foray, in Yugoslavia.





Nowhere to go . IFP hostel dwellers demonstrate and chant outside the soon-to-be-closed kwaMadala Hostel this week

Photo GUY ADAMS

'DOWN with Mandela!" "Numsa job thieves!" yelled the hostel dwellers — it looked as if we were about to witness another bloody episode in South Africa's unending political war

Bristling tensions initially marked the encounter between inmates of the kwaMadala hostel in Vanderbijlpark — the alleged launching-pad of the Boipatong massacre and numerous other attacks on surrounding townships — and a team from the National Union of Metalworkers and the African National Congress this week. But "a quiet word turneth away anger" subsequent negotiations defused the violent emotions and may have built a tenuous bridge between the two profoundly alienated groups

The hostel, an Inkatha stronghold, had become a virtual no-go area, sealed off from Boipatong since the massacre almost a month ago. The visitors from Numsa and the ANC were checking on the progress made in evacuating the hostel, after Iscor's announcement that it is to close by September 12

As they stood outside the building, waiting for representatives of the hostel to arrive, the Numsa team was surrounded by more than 200 angry, slogan-shouting hostel inmates. Others — including a large number of women and children — carried placards saying "Keep away from our hostel" and "You may not destroy kwaMadala but you will not destroy the mighty Zulu"

The leader of the Numsa delegation, Alfred Woodington, found himself being backed against his car while a group of men, all carrying knobkerries, stamped around him

Violence was averted when each side allowed the other to state its case — to the hostellers' complaint that Numsa had no members at kwaMadala, Woodington replied that the visit had been arranged with Inkatha Freedom Party officials.

After a 15-minute discussion, the two sides agreed that the Numsa/ANC delegation be allowed into a section of kwaMadala facing Boipa-

First the rage, then a shaky peace at hostel

W/Mail 24/7-30/7/92

Iscor's decision to close the controversial kwaMadala Hostel could have been a spark for conflict. But cool heads and negotiations saved the day, reports

BEATHUR BAKER

tong which has been sealed off by a steel wall. This has been constructed by Iscor in response to township residents' pleas. An Iscor worker cut a man-sized hole in the steel curtain to give the delegation access

Closing the hostel is only the beginning of an enormously difficult and delicate process. Iscor has announced that the kwaMadala inmates are to be reintegrated with the 4 500 residents of nearby kwaMasiza, its main hostel and an ANC stronghold

In the aftermath of the massacre, Numsa officials indicated the kwaMadala men would not be welcome. And the IFP members are convinced that a return to kwaMasiza, which they fled in late 1990, will be suicide.

This week IFP, ANC/Numsa and Iscor set the wheels in motion at a meeting to decide how to evacuate the hostel and where to move the residents. Walking around the empty part of the hostel, senior Numsa official Berate Fanaroff asked accompanying IFP members

what they suggested be done about the move to kwaMasiza. One man answered "We must just sit around the table and talk about this thing. We can't go back to the other hostel, we will be killed"

IFP central committee member and urban organiser Vitus Mvelase added emphatically "kwaMadala is the only place our people can flee to, we believe our people must stay together"

The hostel dwellers faced huge and daily problems, he added. "Because they are known IFP supporters, they say they are not safe from township residents, which adds to their isolation"

Afterwards Fanaroff summed up the problem from Numsa's side. "The reality is that kwaMasiza people do not want them. They are very suspicious because they feel the kwaMadala people have been involved in massacres." Although the community of Boipatong initially wanted kwaMadala destroyed, Fanaroff said "We felt that we cannot put kwaMadala residents in the veld"

During the tour of the hostel, some of the inmates described how they had to walk around in groups of six or more for protection. "We cannot even catch taxis, because the drivers are stopped from picking us up," said one man

Despite these fears, Iscor is adamant that the move must go ahead. Said Iscor spokesman Ernest Webstock "The main aim still remains to integrate kwaMadala people into kwaMasiza"

Iscor is also insisting that only its workers will be housed, and has excluded non-employees from kwaMadala. This has created a mini-crisis — these men have nowhere to go — but has ironically placed Numsa and the IFP in the same camp. Both agree that temporary accommodation must be found

This week's encounter may have taken another small step towards reconciliation. At the end of the three-hour visit representatives shook hands, nodded in agreement over the agenda and set the date of the next meeting — July 22

LABOUR

By MONDLI MAKHANYA

THE prospect of an Olympics blackout and membership impatience this week propelled the SABC and the Media Workers' Association of South Africa (Mwasa) into resolving the two-month old strike at the corporation.

SABC workers today end the strike which crippled the SABC's black radio stations and the mainly black CCV television channel. The strike is estimated to have cost the SABC R15-million in advertising revenue and workers R5-million in wages.

The SABC and Mwasa this week provisionally agreed on a 15 percent across the board increase instead of Mwasa's demand of 20 percent and the 11 percent offered by the SABC

Olympics blackout threat

Spurs SABC to settlement

The SABC's minimum wage offer of R1 300 stands, and a commission has been appointed to look into "discriminatory" employment practices.

Pay increases will be backdated to October. But since management has no authority over the determination of wages, the agreement has to be ratified by the board and the chief executive on July 28.

Last week officials from Mwasa's mother body, the National Council of Trade Unions, flew to Europe and

secured the support of various unions there, including the International Federation of Journalists, which undertook to press their employers not to cooperate with the SABC in covering the Barcelona games.

Mwasa was also under pressure from workers to settle. Picket lines were thinning and there were suggestions that professional staff who live in bonded houses were increasingly unhappy about falling behind payments. Furthermore, the strike fund

was drying up

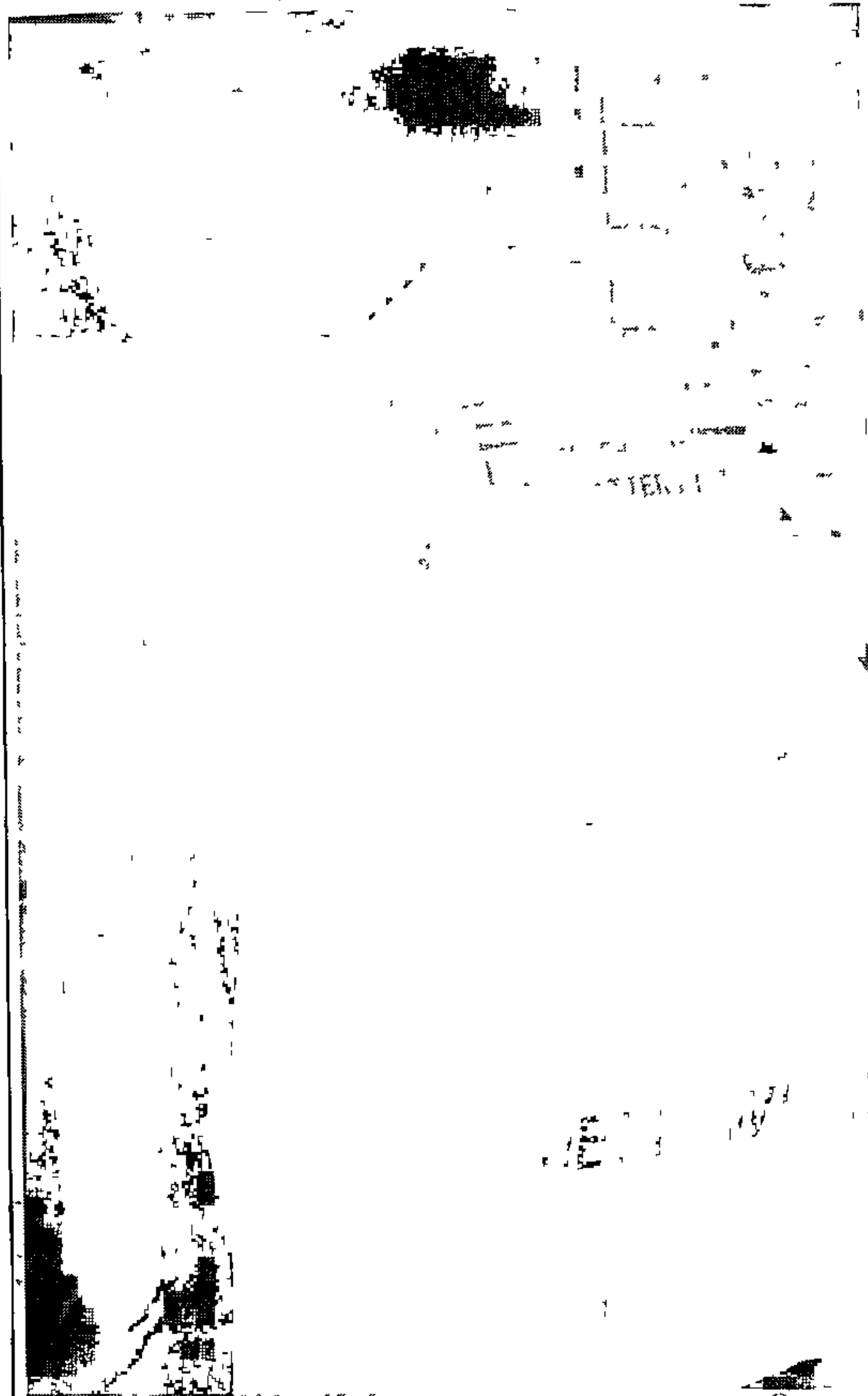
The strike was a lesson in labour rations for the two antagonists. It was Mwasa's biggest and most protracted strike at a media institution — most of the union's members are in the forestry and paper industry — and it was the first major strike to hit the SABC.

Mwasa assistant general secretary Themba Hlatshwayo says the corporation will take the union seriously in the next negotiating round.

But the lesson may have been learnt a little late. Mwasa may not be facing the same enemy next year — if constitutional negotiations get back on track, the corporation may under the control of an interim government.

**A sip-boy-sip g
Well-farmen**





BROADCAST TO BEAM AGAIN: Mwasa strikers ended their protest this week when they won a 15 percent increase from the SABC

Photo Yunus Mohamed

TV, radio back on the air if no waves from SABC

By Edwina Booysen

STRIKING SABC workers will soon return to work after the Media Workers Association of South Africa (Mwasa) accepted an interim wage agreement

The agreement, signed this week by Mwasa officials, is yet to be ratified by SABC management

The SABC is expected to respond to the agreement by early next week. While the corporation won't disclose the terms, Mwasa shopsteward Mr Duma Madikizela, said that the package accepted by the union entails.

- a 15 percent across the board wage increase, back-dated to June
- a R1 300 per month salary back-

SOUTH 2917-2917192
dated to October 1 last year, to workers who qualify

- a 25 percent advance from end-of year-bonuses for members in need of money.

Although the SABC proposal offers strikers five percent less than their union demand, members have decided to accept it.

"My recommendation to our members is that they accept the offer, as it is a fair one," Madikizela said

"The agreement was signed on condition that workers receive full pay at the end of this month."

The interim package came after the SABC had been pressured by political organisations and trade unions to end the strike

Boardroom battles: Call for a joint code

SOUTH 2517-2917192

In the run-up to a Cape Town Chamber of Commerce symposium on affirmative action next month, SOUTH financial journalist **Lynda Loxton** starts a three-part series on the great debate:

ACE and gender discrimination in the workplace has become so deeply ingrained that it is widely recognised that some form of affirmative action will be needed in a new South Africa.

But should affirmative action be legislated or should racial and gender equality be enshrined in a Bill of Rights and left up to individuals, companies and trade unions to ensure that these rights are upheld?

The director of the University of Cape Town's Labour Law Unit, Professor Clive Thompson, who will be one of the speakers at the Cape Town Chamber of Commerce symposium on affirmative action, believes action is needed sooner rather than later.

Even if Codesa is resuscitated soon, it is unlikely to lead to the drafting or finalisation of a new constitution, including a Bill of Rights, until at least the mid-nineties, Thompson says.

Until then racial and gender discrimination will continue and there will be major shocks awaiting employers when they suddenly have to adapt to new legislation outlawing discrimination.

According to Thompson, the major players — the employers and trade unions — need to come together in a consultative process to thrash out a common approach that is acceptable to both parties.

This could be put forward as a model to guide the new constitution's provisions on workplace discrimination.

It would ensure direct input by those most closely involved — and their practical, hands-on experience could be an invaluable guide to the law-makers who are often out of touch with realities at the workplace.



MANAGEMENT FOCUS: Blacks and women are demanding greater representation in decision-making positions in industry and commerce

Photo Yunus Mohamed

The consultations should aim to develop a non-statutory "employment equity code" which could possibly be backed up by an Employment Equity Commission.

Thompson prefers the phrase "employment equity" to "affirmative action" and "black advancement", which have become loaded terms that in some circles arouse negative reactions.

He suggests that the code could be binding as a common law contract in the case of parties covered

by the Labour Relations Act, to unfair labour practice clause could be used against any party that breaches the terms of the agreement.

It could also be possible for parties to industrial councils or conciliation boards to have the terms of the code incorporated into statutory industry agreements, which may then be extended to non-parties in particular industry.

A supporting agency would be required to help implement the code. It would gather data of the racial and gender composition of the workforce, study the experience of other countries, educate and inform employers and workers about the need for employment equity and monitor the implementation of the code.

This approach would help to sensitize employers and the government to the need for affirmative action before any legislation is introduced through the constitution or labour laws.

Whether the private sector and unions will take up the suggestion remains to be seen, but Thompson believes a vast learning curve lies ahead for all South Africans about their rights as individuals.

The authoritarian nature of society under apartheid has meant that South Africans are not attuned to fighting for their legal rights — it was not something many people had in any case.

This is borne out by the fact that although current unfair labour practice legislation does allow workers to take legal action against their employers if they are discriminated against, very few have done so.

And once South Africa has a Bill of Rights enshrined in the constitution, lawyers will have to re-educate themselves in constitutional law as a new class of litigation will become possible.

Strike accord lies in tatters

THE draft charter of Saccola and Cosatu, which contains a proposal for a voluntary one-day shutdown of business to avert a seven-day general strike, is in tatters

Cosatu and Saccola, a body representing 10 major employers, failed to reach agreement when they met on Wednesday night in Johannesburg in a last-ditch effort to save the "Charter for Peace, Democracy and Economic Reconstruction"

SOUTH 2517 - 29/7/92

The charter, which was supposed to be approved by affiliates of the union federation and of the employer organisation, proposes a one-day voluntary shutdown of business on August 3 instead of Cosatu's seven-day general strike.

The general strike forms part of the rolling mass action campaign of the ANC/Cosatu/SACP alliance

Sources on both sides confirmed that the one-day voluntary shutdown proposal was unacceptable to some sectors of business

ISI

Business leaders opposed to the proposal argued that the draft accord would draw them closer to the giant trade union federation and its alliance partners.

Saccola spokesperson Friede Dowie said the fact that the two sides were still talking was a positive sign, and "we need to be positive in these times".

Sapa reliably learnt that at a hurriedly convened meeting of the smaller drafting committee on Tuesday night, Cosatu called for changes

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to the draft accord. "There will have to be some changes if the accord is to be accepted by the tripartite alliance," a source close to the ANC-Cosatu-SACP alliance said on Wednesday

Both sides were locked in separate talks for most of Wednesday — Saccola and its affiliates at a Johannesburg hotel, while elsewhere in the city the tripartite alliance held a "summit".

— Sapa and SOUTH reporter

van

Public servants at heart of matter

Politics spikes anti-strike bid

SITWES (Buss) 26/7/92

ATTEMPTS by business to broker peace and protect the economy from mass action failed this week because the Government was not keen to allow public-sector workers to take part in a planned shutdown next Monday.

Cosatu raised with employer federation Saccola the possibility that government workers be involved in plans for the day to be declared one of reconciliation.

But after a central committee meeting, Cosatu indicated on Tuesday that it considered public-sector participation an important issue.

Saccola kept members of the Cabinet informed on progress in the talks and found them divided into hawks and doves.

Details

It is believed that although members of the Cabinet were prepared to consider special arrangements, such as protests during longer lunch breaks, they would not support a general shutdown.

Barlow Rand chief executive Warren Clewlow discussed the proposed accord with President De Klerk. Mr Clewlow says he talked to Mr De Klerk in his capacity as chairman of the Economic Advisory Council. He stresses that he was not part of the Saccola-Cosatu negotiations.

Mr Clewlow says the conversation was privileged. He declines to give details.

The Saccola-Cosatu breakdown has led to charges by Cosatu's Jay Naidoo that the Government "scuppered" the accord. Cosatu was

prepared to deliver the ANC and the SACP, but business was unable to deliver the Government as part of a wider deal.

Many businessmen were not prepared to accept a full shutdown, preferring longer lunch breaks for marches and related activities. Others were ready to shut down, but many were concerned about essential services.

There was also business concern that the Saccola-Cosatu deliberations should not be used as a political forum. Business doubted Cosatu's ability to bring non-Cosatu members into the accord.

Another key factor which left Saccola unable to conclude the deal with Cosatu was the question of trade unions' ability to ensure that proposed mass action after August 3 did not disrupt the economy.

"We wanted the general strike and associated mass action to be called off," says Saccola chairman Bokkie Botha.

"Saccola made it clear from the outset that it would do nothing to exacerbate violence or further damage the economy. It could not side with any political party but would encourage the parties to negotiate."

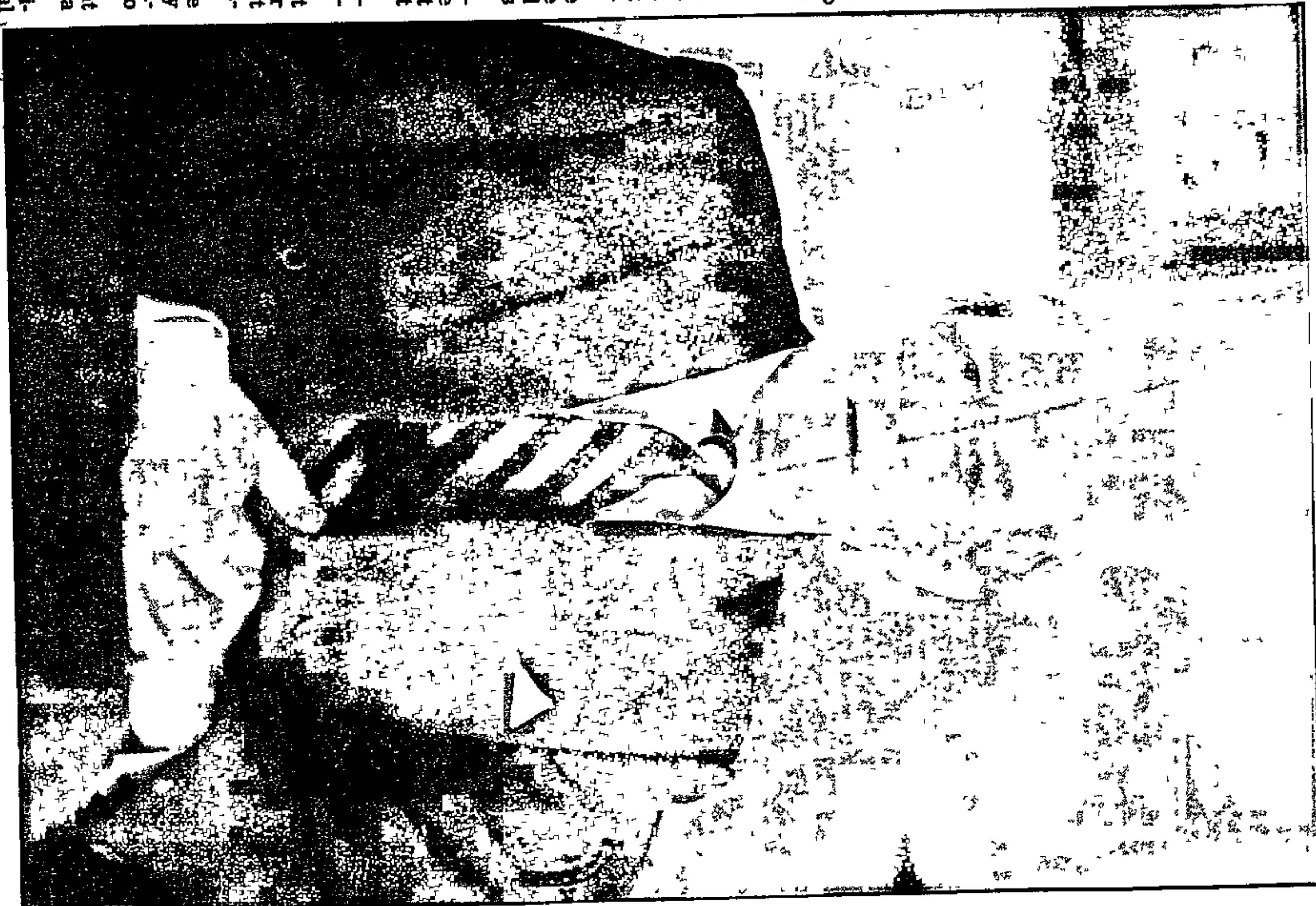
Mr Naidoo says the accord could have "been an important stepping stone on the way to breaking the political logjam and compelling the political parties across the board into a solution-finding mode."

"The Government's objection was that business was entering into a political arena and was doing so on an ANC agenda."

"Government could not accept that business and labour could enter into a political agreement which could unlock the political logjam in SA."

By KEVIN DAVIE

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WARREN CLEWLOW Spoke to President De Klerk as chairman of the Economic Advisory Council

By SEKOLA SELLO

'De Klerk torpedoed shop-floor pact'

COSATU this week accused the government of torpedoing what would have been an historic agreement which could have averted a general strike by the labour movement.

Cosatu secretary general Jay Naidoo said they have "concrete proof" that State President F.W. de Klerk told businessmen not to endorse the agreement which was hammered out between Cosatu and the employer body, the SA Consultative Committee on Labour Affairs (Saccola).

laid the blame on the collapse of the talks squarely on the shoulders of Cosatu because of its inability to temporarily ceasing all action which could foster violence or harm the economy.

Naidoo said representatives of big business were prepared to go along with the agreement "until the government intervened" and told them not to sign it.

The two groups were expected to sign a charter and programme for peace, democracy and economic restructuring aimed at breaking the current impasse in the constitutional talks between the government and the ANC.

Had the two signed the charter, Cosatu would have suspended the general strike it has called for August 3-5, although it would still continue with other aspects of mass action.

However, Sapa reports that Saccola chairman Bokkie Botha

locked over Cosatu's proposal that big business should voluntarily shut down industries on August 3.

Talks between the two deadlocked over Cosatu's proposal that big business should voluntarily shut down industries on August 3.

After the collapse of the talks, a Saccola statement said: "... the deal did not fail as a result of insurmountable differences on the principles in the draft charter dealing with the urgency of a resumption of national negotiations for a new political dispensation, joint employer and employee actions to reduce the unacceptable levels of violence and measures to combat poverty."

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CIP News 26/7/92

Saccola remains of the view that it and Cosatu have established a basis for future dialogue on these issues and certainly does not regret the time and effort that was put into an attempt to reach this agreement."

However, subsequent to this statement, Botha laid the blame for the collapse of the talks at Cosatu's doorstep. Naidoo said they were open to suggestions from Anglican archbishop Desmond Tutu on ways of

At the time of going to press, comment from government and Saccola about Naidoo's allegations was not available.

Sacob issues guidelines on how to handle strike

SACOB at the weekend issued guidelines to chambers of commerce, industry and business planning disciplinary action against workers during next week's planned general strike.

The business organisation advised employers to inform workers that they faced disciplinary action, including dismissal, if they participated in the general strike

In the guidelines Sacob recommended companies wishing to take disciplinary action

Warn employees in advance in writing they were considering disciplinary action, and

Dismiss or give final written warnings to employees where there had been advance notice and employees had a bad disciplinary record

Cosatu spokesman Neil Coleman described the guidelines as "foolhardy in the extreme"

"They will create a cycle of conflict between business and workers which can only spark off further strike action," he said

The Sacob guidelines said the Labour Appeal Court had recognised that participation in stayaways was

essentially illegal

Employers should adopt a policy of "no work, no pay" during the strike, the guidelines said

The guidelines suggested members use the dispute resolution structures of the national peace accord to defuse possible violence associated with mass action, Sacob said

Meanwhile Cosatu general secretary Jay Naidoo claimed at the weekend government officials had called leading businessmen and persuaded them not to support the Saccola/Cosatu accord

Naidoo said government wanted to keep labour and business out of political negotiations because it was trying to prolong the talks, and unions would insist on time frames and binding agreements

Saccola deputy chairman Johan Liebenberg yesterday denied there had been secret government intervention in the talks, but confirmed Saccola held two discussions with Constitutional Affairs Minister Roelf Meyer and a third with his deputy

Tertius Deipert

Liebenberg said although there were no immediate plans to restart talks around the charter, he hinted this might be attempted as there was "a long week ahead" before the August 3 strike

Meyer yesterday denied government had been prescriptive in talks with Saccola, but confirmed the government was opposed to public sector involvement in a nationwide shutdown

A senior business source said media reports had exaggerated the extent of agreement between Cosatu and Saccola, creating expectations which could not be fulfilled

The source said that government and the ANC had been kept well informed of the negotiations, but no contact beyond this had taken place

Anglican Archbishop Desmond Tutu said at the weekend he was hopeful the stalled talks could be restarted, Sapa reports

"I hope the collapse of the Cosatu-Saccola talks is temporary because the talks in themselves brought hope for an early restart to negotiations," he said

RAY HARTLEY

NEWS Warning over mass action ● Aged may be left in the cold

General strike 'is illegal'

By Themba Molefe
Political Reporter

THE South African Chamber of Commerce and Business has warned that the planned general strike on August 3 and 4 is illegal and would be treated as a stayaway

This is contained in a document of Sacob guidelines to its members on Cosatu's mass action campaign which reaches a climax next week

Released on Saturday, the warning followed Anglican Archbishop Desmond Tutu's statement on Friday that mass action could plunge the country into anarchy after talks between big business and Cosatu failed to avert the planned strike

Tutu told journalists in Johannesburg that he had hoped August 3 would be a day of reconciliation had the talks with the South African Consultative Committee on Labour Affairs succeeded

The document also followed an agreement reached last week by church leaders to seek urgent meetings with the Government, business and labour with "the aim of breaking the negotiations deadlock and averting the strike"

Sacob said: "While we recognise the right to express political views and support peaceful and

Sowetan 27/7/92.
BUSINESS WARNING Workers may be acting

unlawfully by participating in the work boycott, claims South African Chamber of Commerce:

non-disruptive initiatives aimed at expressing dissent, we are opposed to any action which would lead to an escalation in levels of violence, risk to life and property and further disruptions to the economy

"Sacob suggests that prior to the general strike, management should discuss the matter with its workforce, making it clear that participation in the strike would constitute unlawful action and a material breach of the contract of employment."

Management should give written notice to workers stating its position, the document said

It said it should be pointed out to workers that the country was in its longest recession in 50 years, more than 250 000 jobs were lost during the recession of which 160 000 were retrenchments, and between two and three million economically active people were unemployed

Sacob said management should oppose any form of demonstrations during working hours

unless it was by arrangement

"It is suggested that management obtain a written undertaking from employees not to occupy factory or office buildings

Employers will observe the no-work-no-pay rule and disciplinary action should be consistent with the company's disciplinary code, if there is one

Sacob also advises its members to use National Peace Accord structures as, among other things, "mass action has the potential to increase violence"

Also at the weekend President FW de Klerk and his Cabinet emerged from a two-day "bush retreat" expected to make major announcements to break the logjam

Nactu general secretary Mr Cunningham Ngcukana also announced that the federation was rescinding its decision to join the Cosatu mass action because Cosatu had held talks with Saccola which intended to revive Codesa.

Govt 'not to blame for talks failure'

By Peter Fabricius
Political Correspondent

The Government has confirmed that it met the SA Consultative Conference on Labour Affairs last week and expressed its objection to key aspects of the draft Saccola-Cosatu agreements designed to avert an extended general strike.

But the Government was not responsible for the failure of Saccola and Cosatu to reach agreement on the proposed accord, Constitutional Development Minister Roelf Meyer said at the weekend.

He disclosed that the Government met Saccola twice during the course of the negotiations over the last few weeks.

It is understood the meetings took place on July 14 and a week later on July 21. The second meeting occurred a day before Saccola decided it could not back the accord and the negotiations broke down.

Mr Meyer said the Government had two main objections to the draft agreement; one was that Cosatu was demanding that civil-service workers take part in the proposed voluntary shutdown on August 3; the second was that the draft agreements proposed elections for a constituent assembly within too short a period.

The Government could not agree to its workers taking part in the shutdown when it had not been consulted by unions.

The draft agreement originally proposed that elections for a constituent assembly should be held within six months.

The Government pointed out to Saccola that this was not possible as it would take about 12 months to arrange the logistics for an election once it had been agreed upon in negotiations.

Saccola then changed this to nine months, which the Government also found unacceptable.

Mr Meyer said he did not believe the Government's intervention had been decisive as Saccola had indicated that it had problems with the Cosatu demand for a total shutdown of SA businesses on August 3.

Mr Meyer stressed that Saccola had requested the meetings. He said his own remarks about the negotiations last week had been distorted.

**SABC wage
deal decision**

DIRK HARTFORD

THE SABC's board will decide today whether to approve the deal struck between SABC management and the Media Workers' Association of SA (Mwasa) last week to end the nine week strike (51) (50)

Mwasa said it was sure the board would ratify the settlement. But a spokesman warned it had "contingency plans" which would be put into effect immediately if the agreement was not approved. B/DAY

He said the SABC had stood to lose between R16m and R25m in advertising if the Barcelona Olympics had been blacked out. Mwasa had undertaken to prevent any interference in TV coverage. 28/7/92

In terms of the settlement workers will be paid a full salary this month and for the period on strike in July will be deducted over six months.

Business, unions^(S) draw up STAR 18/7/92 charter

**BRENDAN
TEMPLETON**

ORGANISED labour and business took a step towards minimising the damage of next month's planned mass strike when they drew up a draft charter for "peace, democracy and economic reconstruction". The charter will be referred to their constituencies and a final draft is expected early next week.

It is hoped that the document — which is expected to propose practical steps to combat violence and poverty — will speed up the stalled political process. An earlier draft released to The Star this week committed the signatories to mobilising support for a transition to interim government and an elected constitution-making body by the end of this year.

The South African Coordinating Committee on Labour Affairs and the Congress of South African Trade Unions are the key players in the negotiations.

Sources said last night the sides could not come to an exact agreement and instead added various proposals which their constituents would now have to ratify.

A final draft will emerge at further talks next week.

An agreement would enable business to avoid a week-long strike, while labour would gain support in its efforts to put pressure on the Government.

STAR 287192

Marches called off



Planned countrywide marches by the Construction and Allied Workers Union (Cawu) scheduled for today have been called off following successful talks between the union and various employer bodies in the industry.

Hospital strike was avoidable - Masa

By Paula Fray

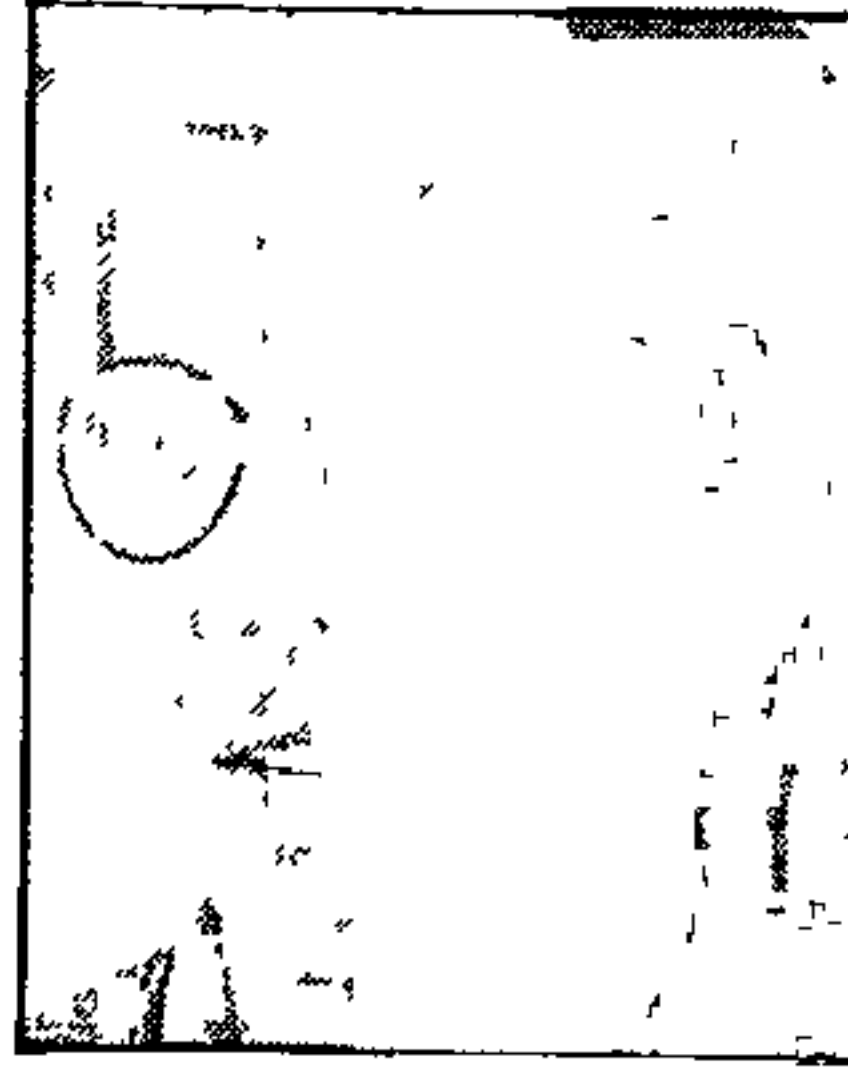
The tragic consequences of the ongoing labour disruptions at hospitals could have been prevented if adequate dispute resolution mechanisms existed, Medical Association of SA (Masa) federal council chairman Dr Bernard Mandell said yesterday

Masa called for the urgent establishment of a negotiation structure in accordance with accepted international labour relations practice

The call came as the Transvaal Provincial Administration (TPA) said in a statement that all dismissals of strikers were final

National Education, Health and Allied Workers' Union (Nehawu) general-secretary Phillip Dexter said the union was "obviously disturbed, but not surprised" at the TPA action "It just means we will have to intensify our actions," he said, adding that Nehawu's programme of occupation of hospitals would continue

The TPA yesterday reported several violent strike-related events in the Transvaal at the weekend It said dismissed Ga-Rankuwa Hospital



Phillip Dexter . . d'sturbed, but not surprised

workers threatened to burn down the houses of several hospital employees

Two hospital workers were treated for burns on Saturday after their houses had been petrol-bombed, the TPA said

● A 44-year-old Johannesburg man underwent an emergency heart transplant operation at Cape Town's Groote Schuur Hospital at the weekend, despite pressure on resources due to the strike

● About 600 members of the health workers' union were still on strike at eight Cape Peninsula hospitals yesterday

Clergy has met Cosatu and Saccola, will see Govt, ANNC

New bid to avoid strike

STAR 28/7/92

By Esther Vaughn and Peter Fabricius

Church leaders, in an eleventh-hour bid, are attempting to revive the failed pact between big business and unions to help break the negotiations deadlock.

The revival of the draft Charter for Peace, Democracy and Economic Reconstruction would also avert the two-day general strike scheduled for Monday.

A delegation of church leaders, led by SA Council of Churches past president the Bishop Peter Storey, met officials from the SA Consultative Conference on Labour Affairs (Saccola) and the Congress of SA Trade Unions (Cosatu) yesterday and will meet President de Klerk and the ANC today.

Saccola chairman Bokkie Botha today remained tight-lipped about the organisation's meeting with the church delegation, except to say that the two sides "explored some ideas".

SACC head of communications, the Rev Bernard Spang, last night told The Star the brokering role by church leaders was the result of concern about those caught up in the violence.

The church leaders believed the draft charter had a good basis to break the political logjam, he said. Their surprise move came as business spokesmen yesterday warned that next week's proposed strike and mass action could seriously damage the economy and prolong the recession.

Cosatu assistant general secretary Sam Shilowa yesterday said Cosatu and Saccola had failed to reach agreement last Tuesday after Saccola said it could only "call on, prevail and persuade" its members to agree to the charter, but could not ensure the participation of the public sector in a 24-hour shut-down on Monday and it could not ensure that all its members would agree to the shut-down.

Asked if the strike could still be averted, Mr Shilowa said "Yes, but it is unlikely. It can be averted if the Government hefters on the 14-point outline by the ANC, particularly on the issues of democracy and violence."

Reacting to guidelines issued by the SA Chamber of Business on how to handle the strike, he said that in the event of the dismissal of workers, Cosatu would declare formal disputes and call its members to ballot.

Yesterday the Johannesburg Chamber of Commerce and Industry endorsed a policy of "no work, no pay" for workers joining next week's stayaway. "The business community's endorsement of a positive outcome to the referendum was a mandate for all politicians to negotiate," said the JCCI

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Mwasa, SABC board meet today

BIDAY 29/7/92
THE Media Workers' Association of SA and the SABC board of directors will today to discuss the board's alternatives to Mwasa's settlement proposals

The provisional acceptance of the proposals reportedly ended the eight-week strike last week

Mwasa general secretary Sithembale Khala last night denied reports the union had already met the SABC directors, saying Mwasa still had no knowledge of the corporation's counter proposals

He urged the board to "act wisely" and said Mwasa was prepared to resume the strike if its demands were not met. The board's decision to pr

sent Mwasa with counter proposals followed a meeting yesterday.

Khala said reports on Mwasa's participation in the two-day general strike had also been misleading

Reports that Mwasa had "distanced itself" from the mass action were untrue

Nactu was to meet the "groups concerned" today and the decision arrived at would be binding on all member unions

However, Mwasa wished to warn employers not to believe it condoned worker victimisation. Mwasa stood firmly behind all workers, Khala said. — Sapa.

Talks with (SI) Nehawu

THE Transvaal Provincial Administration yesterday announced that it wished to open talks with the National Education and Health and Allied Workers Union. (N.E.H.A.) (U.D.A.)

Mr Fanie Ferreira, MEC for Health Services, said yesterday the TPA agreed that the temporary status of hospital workers and the amendment of the Labour Relations Act deserved attention and that it would hold further negotiations "to bring about a permanent solution".

The move is expected to provide mechanisms to settle future labour disputes in the public sector.

Sowetan : 29/7/92

Sowetan 30/7/92

Code of conduct

CHURCH leaders are drawing up a code of conduct after agreement was reached in meetings with labour and business this week that the Church should intervene in the mass action campaign (ISI) (S2)

The leaders said in a joint statement yesterday the code of conduct, which had been discussed with interested parties, was at an advanced stage and final agreement should be reached "very soon"

They said they had discussed concerns with the ANC that mass action could lead to violence and asked for clarity from the organisation on the constitutional issues involved in the political deadlock - Sapa

NEWS Alfred Nzo accuses big business of pursuing a short-sighted policy

Nafcoc conference honours Mandela

BLACK EMPOWERMENT ANC'S NZO

accepts award on behalf of Mandela and praises Nafcoc for its commitment:

Sowetan

30/7/92

By Joshua Raboroko

THE NATIONAL African Federated Chamber of Commerce's 28th conference, held at Sun City, yesterday gave a merit award to ANC president Mr Nelson Mandela

ANC executive member Mr Alfred Nzo received it on behalf of Mandela who could not make it to the conference
In receiving the award, Nzo said

their organisation was pleased to be associated with Nafcoc in its attempts to empower black businesses

However, they were also concerned about the violence that is gripping South Africa This violence must have affected black business

Nzo said the deadlock at Codesa was because of the Government of State President FW de Klerk's inability to stop the violence

The ANC could not allow the present Government to exist. The Government would have to provide houses, decent wages and equality for everybody

He said Nafcoc was part of the Patriotic Front which had fired the shots that saw the Codesa process in motion "We have no doubt that Nafcoc will not relent until the declaration of intent which the Codesa participants committed themselves to," said Nzo

However, it was regrettable that the business organisation, Saccola, after lengthy discussions with trade union federation Cosatu, could not come to a suitable conclusion

"The shortsighted policy pursued by Saccola has meant that they have placed profits ahead of the interests of our people They should have learnt by now that they cannot hope to triumph in an atmosphere of violence and chaos which is the most treasured bedfellow of the apartheid system

"The mass activity by the people throughout South Africa will go ahead regardless of the decision by Saccola. We shall not allow our march to democracy and peace to be delayed."

Crisis plan for Vaal

By Stan Hlophe

Emergency plans would be made to address the health crisis caused by the collapse of services in the Vaal Triangle, the Vaal Negotiating Forum (VNF) announced at a Sebokeng meeting yesterday

The VNF — which has representatives of the TPA, the Vaal Civic Association, Consultative Business Movement and township administrators — agreed work would begin to repair sewage pipes, a task force would escort municipal workers, and security forces would be asked to withdraw.

A mediator would be appointed to settle disputes and a multiparty forum would look at long-term solutions to security and political issues

Pay dispute:
STAR (151)
workers
30/9/92
locked out

About 150 workers at Aerial King Sales, the country's largest manufacturer of television aerials and related products, have been locked out of the company premises since Monday after a conciliation board failed to resolve a wage dispute between the company and the National Union of Metalworkers of South Africa.

151

Strike called off

The two-month strike at the SABC by 1 200 members of the Media Workers Association of South Africa (Mwasa), which was suspended last week, has finally been called off. During a meeting between Mwasa officials and members of the SABC labour negotiation team on Wednesday night, the parties confirmed an agreement which led to the suspension of the strike

STAR 3117192

COSATU general secretary Jay Naidoo says only a miracle will save off next week's general strike and mass action programme. Despite sustained interventions by a host of potential miracle-makers, it seems certain the action will go ahead. But what will happen?

Nobody knows for sure. And the situation is extremely fluid. But through the fog of endless meetings, statements and new initiatives, the outlines are becoming clearer.

There will be a "general strike" on Monday and Tuesday. Judging by past stayaways, most workers in the manufacturing and service sectors will stay at home. Their children will miss school and stay at home too. But the vast majority of domestic, public sector, farm and mine workers will work as usual.

In the western Cape, only a minority of the workforce will stay away, in Natal and the Free State a significant minority of workers will show up, while the eastern Cape and the PWV area will be most affected.

The fact that Inkatha, the PAC, Azapo and Nactu will not support the strike is unlikely to affect it dramatically. People will stay at home or go to work according to the dominant mood in their communities, rather than union or political affiliation.

Cosatu will have done the lion's share of the organisational work for the strike — with its affiliates in the metal automotive, paper, transport, retail, textile and chemical sectors carrying the action. And although these workers are reeling under the effects of the recession and violence, many will support the action in the hope that it will help bring an end to these things.

This is not to say that all participants in the stayaway will be acting voluntarily. A long history of coercive enforcement of stayaways by the "comrades" means that, even if they obey the instructions of the ANC/Cosatu leadership to desist from such actions, the threats of the past weigh heavily on many township inhabitants to this day.

Mass action gives way to negotiation, not insurrection

BIDA 31/7/92

DIRK HARTFORD



Employer organisations like Saco and the Johannesburg Chamber of Commerce and Industry have issued guidelines on how to apply disciplinary action, without taking a stand on whether such action is advisable. But most large employers approached have indicated their intention to apply the "no work, no pay, no discipline" rule.

Despite a hardening of attitudes to political protests which affect the bottom-line, employers are beginning to accept the inevitability of a rough ride in the transition period. For, although Saco and Cosatu were unable to clinch a deal, the process of negotiation with the unions has continued and some common ground is starting to emerge.

For example, new views are emerging around the post-stayaway mass action programme on August 5, 6 and 7. The ANC alliance's plan is to "occupy city centres and strategic points" on Wednesday. But there is no clarity on what this means. For some, it is the "Leipzig option" where hundreds of thousands of people would flock into the cities and stay there for the day, jamming up the works. Supporters of this view have been developing plans to back up the occupations with vehicle

blockades of the major routes into the cities. On this understanding, there would be no production on Wednesday — effectively stretching the general strike to three days.

But following discussions, it now appears likely that — at least in some areas — the occupations will be more symbolic than real. For example, in parts of Natal, the western Cape and Border, regional representatives of business and Cosatu are currently discussing what action should be taken on the day.

At company level, a substantial number of agreements have been reached to enable production to continue while allowing some workers — usually the shop stewards — a few hours off to join demonstrations in city centres. And on Thursday and Friday, earlier union talk of factory occupations and all-day demonstrations is now being replaced by agreements with employers to allow lunch-time demonstrations, and marches at the workplace.

This is a far cry from original suggestions within Cosatu to stage an indefinite general strike. And although "rolling mass action" is set to continue after next week, the fourth phase of the mass action programme — "exitgate" — does not look likely

and unionists are now grappling with the issues it raises, chances are good there will be further movement in this direction after next week.

At the end of the day, if there is not going to be a revolution, there is going to be a deal. The insurrectionists in the alliance once hoped that mass action would provide fertile ground for a revolutionary agenda to proceed. But the very form of the mass action is, instead, now being moulded in talks between labour and employers. Behind all the rhetoric and threats from both sides, leaders are moving closer together in the search for solutions.

As the breakdown in Saco and Cosatu talks demonstrated, both have to be careful they do not outstrip their constituencies in their efforts to reach agreement. The social, cultural, and political milieus of workers and employers are still a million miles apart.

There is hardly a trade union meeting that does not observe another comrade's silence because yet that does not get another report about more retrenchments or dismissals or high prices or low wages or victimisations. All of these sufferings are heaped at the feet of the "bosses and their government".

— and not only because the numbers involved in demonstrations have not met organisers' expectations.

Exitgate was meant to transfer power from the "minority regime" to a "people's government", presumably on the basis of the government capitulating to the pressure of the mass action campaign. Instead, the whole process of negotiation and discussion unleashed by the mass action campaign has — despite the breakdown in talks between Cosatu and Saco — succeeded in blunting the campaign's insurrectionary edge.

The possibility of a broad consensus emerging around ways to tackle violence, poverty and the deadlock in political negotiations is now more real than ever before.

Both Cosatu and Saco have been at pains to point out they still stand by the essential thrust of their draft charter. And while there may be some disagreements, all the major players in political and civil society also back the sentiments expressed in the charter.

Although recent talks between unions and employers have focused on next week's action, the draft charter — and ways of making it succeed — has underpinned these discussions. And because employers

On the employer side the balance sheets, bottom lines and cutting costs predominate. And more often than not, when the bottom line is being squeezed as now, it is the workers' and their unions who are to blame with their low productivity, unreasonable demands, strikes and support for sanctions.

An employer summed it up at a recent Saco meeting when he said: "The unions say an injury to one is an injury to all, but bosses say that, if a trade union hits you with a strike that's an opportunity for me because my competitor is in trouble."

Events in the past few weeks have seen both employers and unions starting to break out of this mould. They are each starting to take on board some of the issues the other side is raising. The draft charter is a first expression of this

and unionists are now grappling with the issues it raises, chances are good there will be further movement in this direction after next week.

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Talks could limit mass action losses

BIDAY 31/7/92

(151) ALAN FINE and DIRK HARTFORD

TALKS between NUM and various mining houses show "some promise" of delivering agreements which could ensure next week's scheduled political protests keep productivity losses to a minimum, an industry source says.

It is understood the union and some managements are discussing the possibility of joint meetings and rallies facilitated by adjustments to the timing of shifts or the taking of leave — similar to arrangements on the day of the Boipatong funeral. The source cautioned, however, that discussions were still in progress and no agreements had been reached.

Earlier this week NUM wrote to employers in the industry saying its members would be participating in the planned week of action, and seeking talks to ensure events went off peacefully.

NUM was not available for comment last night.

Although there have been a spate of ongoing discussions at company, regional and even industry level about next week's mass action, employer and union sources expect the strike to go ahead as planned next week.

But some progress has been made in regard to the three days after the general strike. In the western Cape, for example, shop stewards will be released at midday to attend protest meetings in the city centre, but production will continue.

In Natal, employers and unionists are expected to sign a declaration pledging peaceful, disciplined and orderly conduct and the right of individuals not to participate in the mass action.

RAY HARTLEY reports employers who dismissed workers for participating in next week's general strike would be blacklisted and targeted in further mass action. Cosatu general secretary Jay Naidoo said at a news conference yesterday.

"To take disciplinary action will be seen as endorsing the agenda of the De Klerk government," he said.

"We will launch a campaign both internally and internationally to effect actions

such as a blacking action, or a boycott of products or delivery of raw materials to those factories, as one part of that programme of action."

Naidoo said Cosatu was considering declaring a dispute with Saccola because of its role in the failure of recent negotiations around a charter.

"There are various other actions being contemplated at grassroots level, but certainly we are not going to stand by and watch employers take a stand which places them in the government camp."

ANC secretary-general Cyril Ramaphosa told the news conference threats of dismissals and written warnings by business were "acts of blatant intimidation infringing on the right of all South Africans to engage in peaceful protest."

Ramaphosa confirmed ANC president Nelson Mandela would lead a march on the Union Buildings next Wednesday.

Five left-wing organisations, however, said yesterday they would not support the stayaway, Sapa reports.

Nactu, the PAC, Azapo, the New Unity Movement and Independent Trade Unions jointly decided not to take part. Inkatha has also urged its supporters to work.

The 43 000 members of the all-white Mineworkers' Union have been asked to "keep the economy going" during the mass action, MWU general secretary Hein Ungerer said yesterday.

GERALD REILLY reports a Sabta spokesman said the strike would mean losses of up to R40m for the industry.

Johannesburg Chamber of Commerce and Industry executive director Marius de Jager said the loss of earnings among several million black workers would dramatically reduce total incomes.

Several ANC-aligned organisations yesterday said a school stayaway would be supported.

INDUSTRIAL REL. DISPUTES

1992

MAY — DEC

New target in hospital dispute

By Justin Pearce

1/10/92
151
1/8-5/8/92
SOUTH

STRIKING hospital workers have launched a campaign to make whites aware of the predicament faced by state health sector workers.

The National Health Education and Allied Workers' Union (Nehawu) on Wednesday started to occupy private hospitals.

The new tactic was adopted after the union decided that the strike in the state health sector had affected black patients more than whites, and that taking the strike into the white community would force the government to notice workers' demands.

Cosatu regional secretary Mr Jonathan Arendse announced Cosatu's endorsement of the strike.

At City Park Hospital on Wednesday, six Nehawu members staged a sit-in at the office of the manager, Mr Allan Matthews.

Nehawu regional secretary Mr Wilfred Alcock said later Matthews had undertaken to contact the owners of City Park and request that the hospital's directors make representation to the government in support of resolving the dispute.

The Nehawu delegation then proceeded to the Vincent Pallotti Hospital in Pmelands where they spent an hour in consultation with management.

Nehawu emphasised however that the campaign was not intended to victimise patients.

Accords aim to limit damage to production

THE impact on production of this week's mass action — particularly from Wednesday to Friday — will be limited by several agreements which have been reached between employers and unions.

In the mining industry NUM members will work extra shifts to compensate for loss of production during the general strike today and tomorrow.

NUM assistant general secretary Marcel Golding said at the weekend individual agreements had been reached with various mines in the Anglo American and Rand Mines groups.

B/DAY 3/8/92
The agreements were aimed particularly at marginal mines.

In the motor industry, Samcor will close its plant for the whole week following discussion with shop stewards

Numsa members in the industry begin a national strike in support of wage and job security demands today.

In the Natal region, various employer organisations and Cosatu have signed a declaration to "ensure that the risk of violence and intimidation is minimised during the stayaway"

A joint initiative has been set up to moni-

DIRK HARTFORD

tor the stayaway and liaise with affected parties should there be any breakdown in the agreement

In the eastern Cape it is likely that workers will work on Thursday and Friday and hold lunchtime demonstrations

It has been proposed that workers come to work on Wednesday morning, but be given off from lunchtime to participate in marches and demonstrations in city centres.

In the western Cape employers are ex-

caused by mass action

pecting workers to turn up from Wednesday to Friday. But it is possible shop stewards will be allowed to take part in city-centre demonstrations on Wednesday

Similar arrangements have been made in the retail and manufacturing sectors

Meanwhile, labour consultant Andrew Levy points out that 650 000 man days have been lost in the first six months of this year due to strikes. The strikes at Toyota, the hospitals and the SABC have compounded the situation since then.

Only 19% of strikes so far this year were triggered by wage demands, Levy says

Last year, 52% of strikes were over wages. In 1987, 9-million man days were lost due to strikes — the highest to date.

Sapa reports the PAC says it has received "numerous reports of massive intimidation".

PAC secretary for publicity and information Barney Desai said yesterday the organisation's national working committee, meeting over the weekend, had received reports "that massive intimidation against the community is rampant."

The PAC said the intimidation was aimed at enforcing the stayaway

Metal sector strike case delayed

CAPE TOWN — Court action to have a threatened strike in the metal industry declared illegal had been delayed until tomorrow, Seifsa spokesman Hendrik van der Heever said yesterday. ~~Seifsa~~ Seifsa, representing more than 3 200 companies, launched the application against the National Union of Metalworkers of SA in Pretoria on Monday. ~~(ISA)~~ (ISA) "We are seeking to have the strike declared illegal. There appears to have been major irregularities in balloting. We were not informed of the ballot outcome and we have good reason to believe that the ballot was unsuccessful," said Van der Heever. Numsa, which represents more than 170 000 workers in an industry of 320 000 employees, was fighting the matter on "technicalities". According to Seifsa, the strike in the metal sector was supposed to have started on Monday. Van der Heever said it was up to individual companies whether or not to enforce a lockout today — Sapa

5/10/92

Business's role in transition must still be defined

Star 6/18/92

151
KCPA

THE failure of labour and capital to reach agreement on a charter for peace, democracy and economic reconstruction must have been met with relief by its opponents in the business world and elsewhere.

But any gloating will be short-lived. For non-agreement on the accord has merely postponed the vexed and increasingly pressing question of business's role during the political transition.

The participation of the SA Employers' Consultative Committee on Labour Affairs (Saccola) in the talks in itself laid to rest any doubts about the need for business to become involved in the nation's political life.

What must be resolved is the extent of that involvement. Trying to apportion blame for the talks' failure on either Cosatu or Saccola will not be productive. But what is now certain is that Government did its best to ensure

the business community, already highly sensitive to charges of siding with the Cosatu-ANC alliance, did not enter into an agreement with Cosatu which might have politically isolated Pretoria.

Disagreement over the participation of the public service in the charter's proposed shutdown, as well as the Saccola negotiators' inability to sell the charter to their principals, contributed immensely to the failure of the talks — as did Cosatu's unwillingness to commit itself to a moratorium on political strike action at least until November at the earliest.

But even after this week's protests, the problems identified by Cosatu and Saccola in their abortive negotiations will remain, and the urgency to solve them will become more rather than less.

Both Saccola and Cosatu recognise this. After the talks fell through Saccola pointed out that

"the deal did not fall as a result of insurmountable differences on the principles in the draft charter dealing with the urgency of a resumption of national negotiations for a new political dispensation, joint employer and employee actions to reduce the unacceptable level of violence and measures to combat poverty".

Cosatu secretary-general Jay Naidoo, acknowledging that Saccola representatives "negotiated in good faith", said as far as his organisation was concerned, "the (draft) charter remains an important document", and that Cosatu would still urge employers and, among others, the churches, to endorse it.

Despite the setback in talks with Saccola, Cosatu's door would remain open to look anew at the contents of the charter.

An examination of the accord's contents reveals that it would be a mistake to dismiss it as merely

part of an elaborate Cosatu ploy to "co-opt" capital, with no benefits whatsoever for business.

For a start, its call for effective measures to curb the violence would find support among most, if not all, business people. After all, it is becoming clear that, apart from scaring off potential investors, the violence is increasingly having a direct impact on normal business in the form of shopfloor-related killings, which have claimed 20 lives since the beginning of the year. And many of those being killed in the townships and on trains are employees of Saccola's affiliates.

In urging co-operation between the Government, business and the unions to draw up a national economic strategy to eliminate poverty through job-creation and improving the standards of living of most South Africans, the charter would merely give impetus to ongoing efforts to form a national

economic negotiation forum, to which business has already committed itself.

The call for the extension of labour rights to domestic, farm and public sector workers is not new, and should not cause problems for anyone committed to democratising all of South African society. Extending such rights to these workers is a question of when, rather than whether, it should happen.

Above all the charter is about ensuring a speedy transition to democracy, which both Cosatu and Saccola have recognised as a *sine qua non* for economic progress.

Capital for its part, will have to deal with Saccola's apparent inability to speak for all of business and industry. Saccola director-general and Saccola leading light Raymond Parsons has rightly pointed out that, with neither structure being "Stalinist" in approach, they could only make recommendations

on matters such as the last negotiations.

Thus raises the question, from Cosatu's point of view, of whether Saccola, in its present role as a mere consultative body, is a suitable vehicle to negotiate and conclude agreements which would be binding on business and industry. In this context, labour would rather be dealing with an employers' organisation, along the lines of the one being mooted in employer circles, with a clear mandate to bargain and to conclude binding accords.

No matter how these questions are ultimately addressed, the events of the last few weeks point to the fact that if capital wants a socio-political/environment friendly to normal business it will have to, together with the unions, make constant interventions in the political arena, which will have to continue long after apartheid is buried. □

w/mca 7/8 - 13/6/72.
Jo'burg goes to mediation
■ THE Johannesburg City Council and municipal unions' joint committee went into mediation this week to avert a strike in the city. While the council has offered no increases at all, the unions are demanding 12 percent.

(151) ~~266~~ ~~324~~

Rebels reject ceasefire in Mozambique

STAR 7/8/92

ROME — Mozambique's government and rebels were today expected to sign an agreement fixing a precise calendar for peace, but hopes of an immediate end to the fighting were dimming fast.

President Joaquim Chissano said yesterday that rebel leader Afonso Dhlakama had refused his offer to sign an armistice that would go into effect at once and last until a full peace settlement had been worked out.

This is what the international community had been hoping for after 16 years of civil war that has cost over a million lives. The horrors of the conflict have now been compounded by a devastating drought this year.

Mr Chissano said it had been unfair to expect three days of talks in Rome to produce a complete ceasefire agreement, but did not conceal his disappointment that he would be leaving Rome without news of an immediate truce for his war-weary people.

Instead, negotiators are drawing up a joint declaration that should map the exact path to peace — Sapa-Reuter.

Hope for wage settlement with striking metalworkers

STAR 7/8/92

By Thabo Leshilo
Labour Reporter

(151)

A settlement appears imminent between striking National Union of Metalworkers of SA members and car manufacturers following wage talks.

Numsa spokesman Dr Berne Fanaroff yesterday said more than 115 000 workers had been on strike since Monday. A meeting would be held on Monday following "good progress" in talks this week. Dr Fanaroff said a strike ballot would be held for the motor industry — including filling station employees and panelbeaters —

later this month after negotiations deadlocked last week.

Numsa and the employer body, the Steel and Engineering Industries' Federation of SA (Seifsa), seemed to be heading for a bitter battle after companies locked out workers on Wednesday.

Dr Fanaroff said the employers' action was based on "incorrect advice" from Seifsa that the strike action was illegal. Seifsa executive director Brian Angus has denied that Seifsa advised companies to lock out workers. Seifsa has applied for an interdict to declare the Numsa strike illegal.

'Integrate MK and SADF'

By Michael Sparks

The sooner the armed wing of the ANC can be integrated into the SA Defence Force and together makes an apolitical force loyal only to the government of the day, the sooner distrust between them will be overcome.

This is the view of Britain's retired director of Military Assistance Overseas, General Andrew Dennis, who was speaking

at a conference in Pretoria yesterday arranged by the Institute for Defence Politics.

The Midrand-based institute is a non-profit trust seeking to assist the SA Defence Force become accountable, and legitimate. *STAR 7/8/92*

One way of reducing distrust in South Africa would be for the defence force to stop playing a role in internal security, General Dennis said.

— typically to provide deferred compensation or keyman protection — are not affected by the proposals

ECONOMIC OUTLOOK

Signs of sanity

FM 7/18/92
(51)

Since the breakdown in political negotiations, attention has been focused on renewed violence, threats of mass action, a nationwide stayaway — and the deepening recession as investor and consumer confidence slumped further. In the gloom, a number of positive developments have passed almost unnoticed

There is a spirit of increasing realism abroad. This was evident in an agreement reached, in principle, between the Chamber of Mines gold mining members and the

continued →
FINANCIAL MAIL • AUGUST • 7 • 1992 • 29

ECONOMY & FINANCE

National Union of Mineworkers (NUM) last month. It provided for a 5% increase in workers' wages, plus the proceeds of profit-sharing schemes which are being negotiated

If the deal is struck, it will build on progress made last year when the level of increases to mineworkers was linked in part to productivity and the gold price. By establishing an important link between profit and pay, this type of agreement ensures workers can share in the good times and it allows wages to fall, in real terms, in the bad times — an important antidote to inflation

In that environment, restrictive monetary policy can operate more effectively. Over the past few years, the Reserve Bank has been obliged to apply what many believed was undue force to rein in inflation. This was because structural flaws were drawing out the usual cyclical lags — and important among these was that upward pressure was coming from wages when output was falling. So stringent monetary policy was effective in cutting back money supply growth but far less so in reducing inflation

At last, in past months, inflation has been subsiding — though reluctantly and not consistently. And there is evidence that immediate pressure will not be coming from wages. Says Pat Stone of Andrew Levy & Associates: "The trend of recent settlements has been below 15% and, by the end of the year, the national average may be about 12%" — levels which are below the present and expected inflation rate

If inflationary pressures are being contained, there is more room for real growth in the economy — and, therefore, in incomes

So progress has been made on a number of fronts, despite the recent political upheavals. And even these have had their good points

The attempts of Saccola and Cosatu to reach an agreement on the stayaway may have foundered but they were not fruitless. Though talks broke down on a number of issues, they generated agreement on many others. Says Anglo's Michael Spicer: "There is a determination to take forward new initiatives, to press on with concrete programmes for upliftment and to get politicians back to the negotiating table"

Also encouraging were the attempts made to minimise the damage caused by the stayaway. Says labour analyst Duncan Innes: "I know of companies where managements, shop stewards and union officials worked out arrangements to allow the stayaway to occur with minimum disruption to the production process"

He points out that, on the gold and platinum mines, "workers did not participate significantly in the stayaway because of the critical situation faced by those industries. This starkly highlighted that both workers and employers have a joint interest in keeping those industries alive and avoiding further closures"

11/0/12

Clothing is another troubled industry — the size of the labour force in the four major urban areas has shrunk from 120 000 last July to 100 000 — where special arrangements were made to minimise damage

Says Seardel's group industrial relations executive Johann Baard: "In the two major areas, though there was no agreement on

factory closures, employers undertook no work, no pay and no discipline and the union was prepared to be flexible in special circumstances, as, for instance, when there were pressing delivery deadlines and a late delivery could result in cancellation of an order. In the western Cape, the biggest region, attendance on both days exceeded 75%"

The signs are that, in seeking a solution to the political impasse, people are gaining valuable

insights into underlying economic realities. This allows the protagonists to evaluate their own interests more accurately and plan their strategies more effectively. After all, there is no point in painting an opponent into a corner if you have to share it with him



Spicer

EMPLLOYERS in three metal sectors this week took the National Union of Metalworkers (Numsa) to court to challenge the legality of its industry-wide strike which began on Monday.

As about 170 000 metalworkers began their strike on the same day as the start of the national general strike, Numsa's legal representatives were engaged in different battle in the Rand Supreme Court as employers tried to halt the strike in the engineering, iron and steel and metallurgical industry.

The Steel and Engineering Federation of South Africa (Seifsa) is arguing that Numsa's ballot was riddled with irregularities and that the union did not get a mandate from its members to embark on the strike. It has also lodged a formal complaint with Department of Manpower's Industrial Registrar requesting an inquiry into the "irregularities".

In the motor assembly and in the tyre and rubber industries, however, where 15 000 workers are out on strike, employers are satisfied the action is

Employers go to

Court on strikes

W/Med 7/8-13 | 8 | 92

Employers in the giant metal

industries have taken to

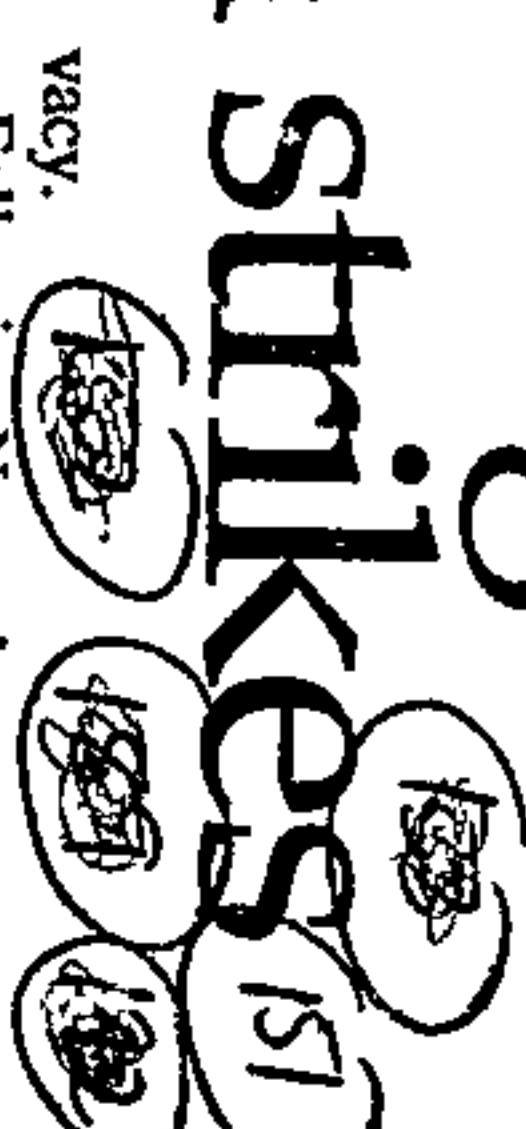
the courts to stop pay strikes,

reports

MONDLI MAKHANYA

legal and negotiations are continuing.

At the heart of the legal battle in the iron and steel, engineering and metallurgical sectors is Seifsa's contention that there were 856 irregularities at 272 companies. The employer body claims that non-union members voted in Numsa's ballot, that some ballots were unsealed or inadequately sealed and that workers were unable to vote in pri-



vacy.

Following Numsa's announcement of the strike last Thursday, Seifsa immediately said it would contest the ballot and interdict the union from striking. Papers were served on Numsa on Sunday morning but at the Monday hearing the union's request for more time to study the papers and formulate a response was granted. Judge R Joffe also declined to force Numsa to suspend the strike for the duration of the case. Since actual arguing will only begin today, the ruling will only be known next Monday. And by then the strike will be in full swing.

However, Seifsa does seem to have sufficient ground for doubting the result of the ballot. Numsa did not pro-

vide information about the outcome of the ballot and it appears the union doesn't yet have comprehensive reports on the percentage of the poll.

"We are working that out but we are sufficiently satisfied that the majority of workers voted in favour of strike action," Numsa legal representative Amanda Armstrong said.

In recent years the ballot has been marred by low voter turnout and this year's has also been a very problematic one for Numsa. The outcome was delayed by two weeks due to slow voting, which Numsa attributed to intimidation. The union claimed that the Inkatha-aligned United Workers Union of South Africa was harassing members who lived in hostels and that almost 20 people had been killed in clashes related to the ballot.

The dispute in the motor assembly industry may be resolved next week and is unlikely to last as long as last year's damaging strike. Numsa and the National Association of Motor Manufacturers of South Africa (Naamsa) have virtually agreed on an 11 percent wage increase, but the smaller components companies' are unable to give that much.

Numsa discuss Naamsa's offer today and the two sides will be negotiating again on Monday.

"I'm confident the dispute will be resolved then," says Naamsa vice-chairman and chief negotiator Charles Strydom.

But at Toyota's Durban plant, workers are tied by an agreement reached with management two weeks ago that they would not strike until November 1 in return for their being reinstated following a seven-week strike.

In tyre and rubber about 3 400 workers also came out on strike as employers rejected Numsa's demand of a 20 percent or R1,50 an hour increase and are offering 12 percent or R1,13.

Sactwu bids for recognition in Bop

W/Mant 7/8/92 - 13/8/92

By MONDLI MAKHANYA

IN an agreement describe by the South African Clothing and Textile Workers Union (Sactwu) as a first, a joint union-employer delegation is to meet the Bophuthatswana government to lobby for the union's recognition in the homeland.

Representations will also be made to South African Foreign Minister Pik Botha to lean on Bophuthatswana.

The agreement formed part of this year's settlements in the clothing industry which agreed on wage increases ranging from 14 to 15 per cent.

South African unions are outlawed in the homeland but Sactwu is intent on spreading its wings beyond its existent bases of the western Cape, Natal and the Transvaal. Bophuthatswana has a significant clothing industry, in which Sactwu organisers have been heavily organising in recent years.

Within South Africa, Sactwu already controls 94 percent of the industry, mainly due to closed shop agreements in most factories. Sactwu's attempts to get recognition in Bop will be closely watched by the National Union of Mineworkers, which has a majority representation

at the Impala Platinum mine but is not recognised by the Bop authorities.

There were other "firsts" in the agreement which were varied according to regional industrial councils. Employers who are not members of employer associations will now also be covered by the closed shop agreement in the Transvaal and the western Cape and union rights provisions will be extended to non-employer associations members in all three regions. Also significant in the agreement is that highly paid work categories will now be covered by the industrial council in the Transvaal.

**Strike talks
'on track'**

CHARLIE PRETZLIK

TALKS to resolve the nine-week health workers' strike were back on track, SA Health and Social Services Organisation (Sahsso) spokesman Dr Aslam Dasoo said at the weekend.

He said Health Minister Rina Venter met the Peace Accord's Wits/Vaal regional dispute resolution committee last Tuesday.

Dasoo also said staff from the Medical University of SA (Medunsa) and workers from GaRankuwa Hospital had met Venter and the Transvaal Provincial Administration (TPA). The outcome of neither meeting is known. Dasoo said the strike and mass action had led to a "new climate of reconciliation".

There were indications the TPA might discuss the status of the 7 000 dismissed workers.

Talks last week involving "a number of parties" were held "out of the public eye" to help break the deadlock between the TPA and the National Education Health and Allied Workers' Union and prevent anyone losing face, a source close to the negotiations said.

TPA spokesman Piet Wilken denied any knowledge of mediation.

**ANC 'frustrating'
govt council plans**

BIDAY 10/8/92

ADRIAN HADLAND

GOVERNMENT plans to amalgamate white and black local authorities into a "one city, one tax base" system by July next year had been frustrated by political differences between the ANC and the SA National Civics' Organisation (Sanco), Local Government Minister Leon Wessels said at the weekend.

During a Council for the Co-ordination of Local Government Affairs meeting in Bloemfontein on Friday, Wessels said the ANC had "excluded itself from negotiations at local level in an effort to hide its fundamental differences with Sanco".

Hampered

Local Government Ministry spokesman Johan Smit said Wessels believed "specific differences" existed between the ANC and the civic associations which had precluded the ANC's participation in future plans for local government.

Recent ANC criticism of Sanco's bond boycott initiative was given as an example of the differences of opinion which had hampered local government negotiations.

Wessels said the ANC had walked away from the negotiating process after consensus had already been reached on the formation of a transitional subcommittee for regional and local government affairs — a body intended to restructure local government — and he accused the ANC of "run-

ning away from the burning issues confronting local government".

Wessels' comments followed an ANC statement last week rejecting the deliberations of the council as a continuation of government attempts to unilaterally restructure local government.

The ANC statement said recent meetings of the council had produced initiatives such as the Interim Measures for Local Government Act of 1991 and the Local Authority Affairs Amendment Act of this year. "Both pieces of legislation have seriously and negatively affected local government negotiations throughout the country," the statement said.

"It is clear to the ANC that the results of the current trends of unilateral restructuring will be a priority for an interim government to deal with and remove."

In his reply, Wessels said restructuring initiatives had not been unilateral as all parties at a local level had been invited to participate. He said the ANC's critical statement bore "witness to their envy of not being part of the important debate concerning the establishment of amalgamated local authorities".

Wessels said negotiations on amalgamated councils or joint administrations, which were expected to be completed by July next year, were in progress in 207 regions around the country.

Sactwu censured for march call

By GAYE DAVIS: Cape Town
HUNDREDS of clothing workers sacked after marching for higher wages under the banner of the South African Clothing and Textile Workers' Union (Sactwu) have got their jobs back — but the union has been rapped over the knuckles for "unacceptable" conduct in the affair and will have to forfeit union dues to employers for six months.

Arbitrator Sarah Christie found that children's wear manufacturer Dermal and swimwear maker Cygnet, both Seardel companies, had no right to dismiss 348 workers for taking part in the march without managerial permission. At the same time, she criticised Sactwu for trying to capitalise on the fact that Cape Town's city council and chief magistrate had granted permission for the march, to persuade workers that they could march because it was "legal".

This "raised confusion in the minds of the workers".

Plagued by stoppages prior to the march, both companies acted reasonably in forbidding workers to march on pain of dismissal, Christie found.

But the "crux of the issue" was that the march was sparked by a

dispute which arose during industry-wide negotiations on wages and working conditions — and not out of any specific dispute between either company and its employees.

Workers were faced with the difficult choice of either submitting to management or heeding their union's call for industrial action. "The single most telling point in favour of the workers at both plants is that they answered a union call to march," Christie found.

However, while the employers were not entitled to dismiss the workers, Sactwu's conduct in relation to the events leading up to the march was "unacceptable", Christie found. Sactwu was determined to go ahead with the march "irrespective of the wishes, the negotiations or any other circumstances which obtained" and the seriousness of this "cavalier attitude" was exacerbated by unprocedural action at both plants prior to the march.

Ordering the sacked workers' reinstatement without loss of service or benefits, Christie also ruled that Cygnet and Dermal would be entitled to dues which would have been paid by the workers to Sactwu for a period of six months, a sum

estimated by Sactwu and employer representatives to be about R9 000.

Sactwu assistant general secretary Ebrahim Patel said the award vindicated the union's position that employers had no right to dismiss workers for taking part in a march organised by a trade union — which should be seen in a different light to illegal stoppages not sanctioned by the union.

The union had also won out against employers' wishes to reinstate selectively workers with whom new employment contracts would be negotiated.

He said criticism of the union's conduct was "regrettable", and "not based on any argued facts".

Patel pointed out that Sactwu was not asked during arbitration to defend itself against the charge that it exploited the civil legality of the march.

Cygnet and Dermal have meanwhile voiced concern "that the award could be read to mean that employees can act in breach of their service contracts and put up as a defence that they acted on a call from their union — and that such a defence will hold", according to Johan Baard, Seardel's group industrial relations executive

Toyota strike talks break down

Cipres 12/7/92
TALKS between Toyota and the National Union of Metalworkers of SA to end a strike at the company's Prospecton, Durban, plant broke down again on Friday afternoon and the company will now start employing replacement workers. (SI)

Toyota dismissed 6000 workers on Monday when they failed to meet an ultimatum to return to work. (102)

Disputes (151) conference

WILSON ZWANE

A CONFERENCE on alternative dispute resolution will be held next month at Wits University

It will be hosted by the Law Students Society, Investec Bank and Metboard

Speakers will include Independent Mediation Services of SA chairman Charles Nupen and SA Association of Mediators chairman Charles Cohen

The Law Students' council said yesterday the conference was aimed at providing "an influential forum from which to assess this new and dynamic field".

8 DAY 12/8/92
"Unaffordably high costs, long delays and the emotional anguish that accompany courtroom litigation are just some of the reasons for welcoming and investigating alternative methods of settling disputes," the council said

Car workers back on job as deal sealed

By Thabo Leshilo and Sapa

About 20 000 car assembly workers will return to work today following a draft agreement between employers and the National Union of Metalworkers of South Africa (Numsa)

An agreement "in principle" was reached at talks in Port Elizabeth on Monday, said Fred Ferreira, chairman of the auto assembly industry National Bargaining Forum (NBF) and Numsa senior spokesman Dr Bernie Fanaroff.

Mr Ferreira said "Several minor issues are yet to be resolved, but the key elements of an industry agreement are in place
"As a consequence, em-

ployees currently on strike will return to work today," he said

A full statement, detailing the content of the new NBF agreement, would be released on Friday, pending resolution of the outstanding issues.

Full production

Dr Fanaroff confirmed that workers would return to work today

In another development, about 5 000 tyre and rubber workers returned to work on Monday after the parties agreed on a 12 percent wage increase for skilled workers, a R1,13-an-hour across-the-board increase as well as a moratorium on retrenchments until June 1993

The strike had affected pro-

duction at Gentyre, Firestone and other major tyre companies

Production at the Mercedes-Benz of SA (MBSA) plant in East London returned to normal on Monday following the Numsa strike last week

MBSA public relations manager Wendy Hoffman confirmed that production had resumed

At least two car manufacturers — Volkswagen SA and Samsung — reported full production yesterday

MBSA's East London plant was fully operational on Monday

Toyota was not affected by the national strike, while BMW and the Delta Motor Corporation were
Numsa Border secretary

Enoch Godongwana said the union would begin balloting workers in the engineering sector in Ciskei and Transkei today.

Meanwhile, the strike in the engineering industry continues
Numsa estimates the number of strikers involved in this sector at 115 000

However, Steel and Engineering Industries Federation of SA director Brian Angus yesterday put the number at between 60 000 and 80 000

The union was preparing to ballot its members in the motor industry in the next few weeks

This follows an impasse at industrial council negotiations and an agreement that the dispute would not be referred to mediation or arbitration

Cries of betrayal from five CP rebels

BIDA 12/8/97
BILLY PADDOCK

THE crisis in the CP deepened yesterday with cries of betrayal coming from the "rebel five" following leader Andries Treurnicht's statements on Monday.

One of the rebels who last week threatened to leave the party said Treurnicht had taken "two steps backwards from his agreement with us on Friday"

The five had walked the extra mile to ensure party loyalty by agreeing to an acceptable compromise — and then Treurnicht had

simply reverted back to the old CP position. They also said it was important not to cause a split just before the Florida by-election which takes place today.

Bethal MP Chris de Jager would give the leader the benefit of the doubt for the time being. The leader may have just been restating party policy as it stood until the executive (hoofbestuur) made a formal decision tomorrow, he said.

On Monday Treurnicht said that the CP would accept a smaller white homeland and would negotiate this with its neighbours. He ruled out talks with the ANC and its partners.

The rebel five — Free State leader Cehill Pienaar, Moolman Mentz (Ermelo), Rosier de Ville (Stander-ton), Andries Beyers (Potchefstroom) and De Jager — wanted an Afrikaner homeland (not whites only) to be negotiated with all parties.

Govt and PAC set date for next meeting

BIDA 12/8/92
PATRICK BULGER

GOVERNMENT and the PAC would meet again in Pretoria on August 18 in preparation for the PAC's inclusion in forthcoming constitutional talks, the two parties said last night.

After a three-hour meeting in Johannesburg, which ended at midnight, Constitutional Development Minister Roelf Meyer said government and the PAC had "agreed that a democratic process must be followed in SA".

Meyer said the two parties, meeting for the first time since April, had found that there was "more common ground than disagreement".

He said the meetings were aimed at involving the PAC fully in the negotiations process, and added that a meeting was being planned at presidential level.

He said the issue of at-

tacks on policemen had been raised, and that it would be discussed at the next meeting.

PAC foreign affairs secretary Gora Ebrahim said the PAC had emphasised that only an elected constituent assembly could bring about a nonracial SA.

Meyer said last night's meeting was one of several bilateral contacts taking place between government and various parties.

Azapo publicity secretary Strim Moodley said earlier that government had approached Azapo two weeks ago through a third party, requesting similar talks. Azapo would not agree to meet government until it had been asked in writing and "until government is clear about what it expects from such a meeting", Moodley said.

Disputes conference

WILSON ZWANE

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"Unaffordably high costs, long delays and the emotional anguish that accompany courtroom litigation are just some of the reasons for welcoming and investigating alternative methods of settling disputes," the council said.

Seifsa considers revised Numsa demand

DIRK HARTFORD

SEIFSA is to respond to Numsa's lowered wage demand today for metal and engineering workers

However, the strike, which Numsa estimates involves 100 000 workers and Seifsa says 70 000, looks set to drag on as there is still a large gap separating the parties.

Although Numsa has dropped its wage demand to 16%, it is insisting on a moratorium on jobs which Seifsa has rejected. Seifsa's final offer during negotiations was an 8% increase.

Numsa says at least 550 plants are out on strike, mostly in the PWV area. Workers have been dismissed at nine small plants and more than 100 plants have locked workers out. Three interdicts, brought by indi-

vidual companies, have been granted against Numsa and several more are being dealt with.

Seifsa executive director Brian Angus said Seifsa's appeal to have the Numsa strike ballot declared unlawful would be heard by a full bench of the Transvaal Supreme Court next Friday, Sapa reports.

The union intends balloting members in the motor industry next week. Angus said some companies were shutting workers out, rather than locking them out, largely because of intimidation.

Angus said several Numsa-orga-

nised plants were still working, but that there were also non-Numsa members who had joined the strike.

The Metal and Electrical Workers' Union of SA, also in dispute with Seifsa, announced yesterday that 95,3% of its members in the industry supported strike action.

But it said a burglary at its Athlone offices on Tuesday — the second in two weeks — had disrupted union work, "suggesting some sinister force is intent on destabilising our union".

Meanwhile, full production resumed at vehicle assembly plants yesterday following an interim agreement after a nine-day strike, Seifsa spokesman Dave Kirby said.

Bosses respond

EMPLOYERS in the metal industry are expected to respond today to revised union proposals aimed at settling the 10-day-old national strike

(151)
Steel and Engineering Industries Federation of South Africa executive director Mr Brian Angus said yesterday said the National Union of Metalworkers of South Africa had tabled a set of modified demands at talks on

Tuesday.

Sowetan 13/8/92

Gonwe inquiry shifts to Pretoria

PATRICK BULGER

THE focus of the investigation into the murder of Craddock political campaigner Matthew Gonwe has moved to Pretoria.

Eastern Cape attorney-general Michael Hodgson said yesterday he was in Pretoria in connection with the Gonwe investigation. He would not name those he had questioned.

He said only that he was following various leads. **BIDAY 14/8/92**

Hodgen confirmed that he had received a file from the SADF on the disappearance of a signal document linking the State Security Council to Gonwe.

He said the police had also been given copies of certain documents.

Hodgen said he had yet to come to a decision on whether charges would be pressed in the case of the missing signal document.

He could not comment on the Gonwe investigation itself.

Meanwhile, the SADF said yesterday an investigation report on the disappearance of the document had been given to Hodgson.

SADF spokesman Col John Rolt said the SADF was not looking for former Military Intelligence official Col Gert Hugo.

According to an affidavit from a former police agent Jennifer du Plessis, Transkei's military ruler Maj-Gen Bantu Holomisa had acquired the documents from Hugo.

Rolt said that as the SADF had completed its investigation, it had no need to question Hugo now.

Holomisa, who was not available for comment yesterday, has said previously that the document arrived at his office in a plain envelope.

Boipatong policeman threatened by captain

KATHRYN STRACHAN

A POLICEMAN who claimed he saw police in Boipatong during the June 17 massacre in the township told the Goldstone commission yesterday he was intimidated by police who tried to make him change his statement.

Special constable Ntletsa Xaba, who is also a Boipatong resident, said a captain from the Vanderbijlpark police station had tried to make him change some facts on his statement, including the time at which he saw the police Casspirs.

Xaba said the captain became angry when he refused to change the facts, and threatened to assault him.

Counsel for the SAP, Flip Hattingh, put it to Xaba that he feared for his safety in the township and made the allegations to gain the approval of the ANC.

A dispute arose in the inquiry yesterday over Hattingh's cross-examination of the witness, which lasted seven hours.

Commission chairman Judge Richard Gold-

stone said he was concerned about the length of cross-examination, but added Xaba was one of the inquiry's most critical witnesses, and counsel should be given time to test his credibility.

Counsel for the ANC, Arthur Chaskalson, said the tedious cross-examination was ultimately "bludgeoning the witness into a state of confusion and exhaustion", and asked for a time constraint to be placed on questioning.

The first session of the inquiry, which focuses on allegations of security force involvement in the attack on the night of June 17, was expected to end today. But the inquiry has not been able to hear evidence from all the witnesses put forward, and the session is expected to continue in November.

Commission members visited Boipatong late last night to examine the visibility in the area during full moon. Witnesses have claimed they could see events more clearly on the night of the attack because it was full moon.

Talks stall on reinstatement of hospital workers

CHARLIE PRETZLIK

NEGOTIATIONS were stalled yesterday between the Transvaal Provincial Administration (TPA) and the Soweto Action Committee, which includes the National Education, Health and Allied Workers' Union (Nehawu).

The parties failed to agree on the reinstatement of fired Transvaal hospital workers.

Nehawu assistant secretary-general Neal Thobejane said Nehawu had offered to impose

a temporary moratorium on strike action even though demands on wages and service conditions had still not been addressed by the Commission for Administration.

TPA MEC for Health Services Fanie Ferreira said last night the dismissed workers "cannot be reinstated since vacancies have already been filled by new employees."



Key SABC, PAC meeting today

3/Day 14/7/92
THE outcome of today's meeting between the SABC management and the PAC would determine whether the campaign to force companies to withdraw advertisements from the corporation would go on, the PAC said yesterday.

But the Durban-based Mwasa Support Committee, headed by former National Soccer League (NSL) GM Roger Sishi, has started writing to companies calling on them to withdraw advertisements from the SABC. The PAC last week announced the launch of a campaign against the SABC, in solidarity with the Mwasa strikers, warning companies to withdraw advertisements or face mass action.

The ANC/Cosatu alliance also announced plans to embark on such action "probably next month".

(151) THEO RAWANA (2/3)

PAC national campaigns committee chairman Ntsudeni Madzunya said the campaign had been postponed pending the outcome of today's meeting. The PAC had a list of targeted companies, but that would be released after the meeting.

The Mwasa Support Committee, which comprises 20 Natal-based political, civic, labour, cultural and journalists' organisations, says in its letter the cancellation of advertising contracts with the SABC would force management to resolve the dispute.

"For the sake of peace within the black community, you are asked to consider the possibility of terminating an advertising contract with the SABC," reads one letter to Lion Match in Durban.

Talks go on and so does hospital strike

w/m ail 14/8 - 20/8/92



By MONDLI MAKHANYA

IT may have moved off your television screens but the hospital strike drags on.

The three-month strike by Transvaal hospital workers is now being waged not only by National Education, Health and Allied Workers Union members, but also by township communities and political movements. Strike support groups have been established by civic associations and political structures in the strike hotspots of Ga-Rankuwa and Soweto. It is these structures, together with Nehawu, that are now negotiating with the Transvaal Provincial Administration and central government.

Whether this pressure will win the reinstatement of 8 000 fired strikers is a moot point. Insisting that the strike is over, the TPA has already hired about 4 000 new employees. It has told dismissed workers they can individually re-apply for their jobs.

Negotiations have, however, been continuing, at the behest of the Vaal/Witwatersrand Dispute Resolution Committee, alarmed by the high levels of violence associated with the strike.

The Independent Mediation Service of South Africa has been refereeing the talks since last Friday and both sides say a solution may be found. Nehawu is also seeking legal advice with a view to challenging the dismissals in court.

While Nehawu has joined the Soweto negotiations with the TPA over the sacking of the strikers at Baragwanath and other southern Transvaal hospitals, it has not taken part in the Ga-Rankuwa talks.

"Health Minister Rina Venter refuses to talk to the union. She ... has problems with the present leadership," Nehawu's Neal Thobejane explained.

Venter also said this week she would expedite legislation aimed at outlawing strikes in the public service and institute "a dispute resolution mechanism to ensure a similar strike never occurs again". The meaning of her threat is unclear — the Public Service Act, which governs labour relations in the sector, does not provide for lawful strike action.

Agreement may stabilise ailing clothing sector

S/Times [Cape] Metro 16/8/92

By EVE VOSLOO

AN HISTORIC agreement signed in Cape Town this week after three months of "extremely tough" negotiations between clothing manufacturers and a trade union, is expected to bring stability to the hard-pressed industry

Spokesmen for both sides said after signing that the agreement, the first country-wide industrial agreement in South Africa, was fair

It was signed by the South African Clothing and Textile Workers' Union (Sactwu), The Cape, Natal, Transvaal and Eastern Province Clothing Manufactur-

ers' Associations, the Cape Knitting Industry Association and the Garment Manufacturers' Association under the aegis of the Clothing Industrial Council, which gives it sanction and force of law by publication

Some of its terms are

● Wage increases of R22 per week and R23 in Natal

● Cover for dependents of members through medical aid facilities

● New protection for workers against dismissals which do not comply with

the Labour Relations Act

The agreement also contains peace clauses and provision for the parties to meet again in October to discuss key issues for the long-term future of the industry

Among these are national centralised bargaining, a national productivity council, wage parity, a multi-skill wage incentive, a national grievance procedure, discipline and retrenchment and job grading

The union's assistant general secretary, Mr Ebrahim Patel, said at the signing that the bargaining had been done against the background of a "very harsh" economic climate

The union had sought maximum improvements in its members' working conditions and had tried to help create a viable industry with the capacity to employ people and provide long-term stability

Exciting

He said the union had changed in the past five years — it no longer existed only to bargain with employers on pay and conditions

"We have a vision," Mr Patel said — which included the view that organised labour had a right to influence society and could and should strive for democracy

Mr Patel said it was "very exciting" that employer associations were beginning to develop the same vision

If business and labour could progress to this point in South Africa it could happen in other spheres, including the political sphere

The chairman of the Cape Clothing Manufacturers' Association, Mr Simon Jorum, said a fair agreement had been reached but the industry was not yet out of the woods

"Work stoppages, stayaways and mass demonstrations added tremendously to costs which have had to be absorbed and nearly brought our industry to its knees," he said

Retrench

The industry now had to consolidate and control costs and both employers and employees had to get on with the job to make good quality clothing at the right prices and deliver on time

"Hopefully the coming year will see the unions and ourselves engaged in creating job opportunities and increasing productivity through co-operation and consultation"

Mr Patrick Boers, chairman of the Garment Manufacturers' Association, said the industry faced the worst recession in 20 years. In six months 6 000 workers had been retrenched

"The writing is on wall unless all parties play a positive role," he said

Manufacturers were being squeezed, retailers wanted unreasonable mark-ups and the high expectations of the workforce could not always be met

Sactwu had to play a role in addressing the issue of higher productivity

"South Africa desperately needs to create employment," Mr Boers said

DISMISSAL cases in the Industrial Court and Labour Appeal Court have increased sharply, writes ADRIAN HERSCH.

Statistics compiled by Van Zyl, Rudd & Associates show that challenges to dismissal in the first six months of this year more than doubled compared with the same time last year.

Continuing recession means that employees are becoming more determined to keep their jobs

Sackings contested

But most cases relate to industrial court powers and functions — which could result in a move to arbitration.

Brian van Zyl says the Labour Relations Act (LRA) — as it now stands — presents problems about the jurisdiction of the industrial court.

Mr Van Zyl says the restructuring of the LRA is expected to deal with these prob-

lems. He predicts that until there is a new LRA the parties will make greater use of arbitration because they are able to agree on its jurisdiction.

In the first six months of 1992 the National Union of Metalworkers of SA (Numsa) and the SA Commercial Catering and Allied Workers Union (Saccawu) were involved in most of the labour court cases.

...nor Chris Stals

...gramme (SAP) which has

each check

Nehawu to decide on 'all-out' strike

THE National Education Health and Allied Workers' Union (Nehawu) said at the weekend it would conduct a strike ballot among its 80 000 members on whether to call an "all-out" strike **BIDA 17/8/92**

This would extend the strike to private hospitals. Only the union's public sector health workers have so far been involved.

Last week negotiations between Nehawu and the Transvaal Provincial Administration (TPA) deadlocked when the TPA refused to give in to the union's demand of reinstatement for 7 000 members who were fired from hospitals in the Transvaal for striking illegally.

A ballot would now be held to decide whether or not to involve all the union's members, including private sector health

CHARLIE PRETZLIK

workers and workers in education

Sapa reports that Nehawu would call on the ANC, Cosatu and the SACP to involve themselves in the hospitals dispute and would withdraw from the Public Sector Caucus — a grouping of 11 public sector unions — if organisations in the forum did not also involve themselves in resolving the strike ~~(151)~~ ~~(151)~~

Nehawu assistant secretary-general Neal Thobejane described this as "a critical stage for the union" **(151)**

"We have to show we can resolve the dispute or we may as well pack up shop. The future of the union hangs on the result

To Page 2

Nehawu **BIDA 17/8/92**

of this," he said

The 10-week long dispute had taken its toll on the union, Thobejane said. "It began just as our newly elected leadership set about a programme for restructuring and professionalising a weak administration."

However, he believed that in the long term the strike had "raised the profile of the union and educated many future shop stewards."

The strike had been "expensive" he said, but the union had obtained about R100 000 from other mainly public sector unions in the UK and US. Fund-raising had also been undertaken by members inside SA.

The union was in a healthy financial state, he said, adding that 40 000 of its members continued to pay the monthly R5 fee regularly while the other members contributed on a more ad hoc basis.

Cosatu said in a statement yesterday

~~(151)~~ **(151)** From Page 1

that it seemed as if a political decision had been taken "at the highest level" to block any settlement of the hospital dispute.

It said that in the past few weeks Cosatu had been involved in low-key initiatives at national level to try to facilitate a solution to the strike. Progress had been made during the past week "until it became apparent that orders were being received from higher up to block a settlement, resulting in the collapse of talks."

It said Cosatu's executive also received alarming reports of large-scale intimidation and violence against strikers and Nehawu leadership.

The executive had now decided that the strike would be treated as a Cosatu strike. It had agreed on a five-point programme of action which would include a day of solidarity with striking hospital workers on August 31.

We'll intensify our strike, Numsa says

Sowetan 18/8/92

1500 18/8/92 151

■ **STRIKE BACK** Transkei, Ciskei union

members to join two-week-old action:

THE TWO-WEEK STRIKE in the engineering industry will be intensified after employers rejected union proposals for a settlement, the National Union of Metalworkers of SA (Numsa) warned yesterday

The decision to step up industrial action over wages, job security and union rights followed a weekend meeting by the Numsa national executive committee

Union members in Transkei and Ciskei would join an estimated 10 000 striking co-workers tomorrow after balloting for industrial action, according to a statement from Numsa head office.

Meanwhile, the auto industry confirmed that talks with Numsa last Friday failed to finalise an

agreement on job security, and another meeting would be held this Friday

Numsa repeated its appeal to the Steel and Engineering Industries' Federation of SA (Seifsa) to comment on the "murder of numerous shop stewards and members in the run-up to strike", which started on August 3.

It also demanded that Seifsa state how it obtained internal Numsa reports about the strike before the union itself announced the industrial action

The union reported that workers at 720 metal and engineering plants were on strike

Numsa's NEC met at the weekend after Seifsa rejected a four percent drop in the union's pay demand to 16 percent

Seifsa, which represents over 3 200 companies in the metal and engineering sectors, stuck to its final offer of 8,6 percent.

The union said its renewed drive for a strike settlement would include marches and pickets in industrial areas - Sapa

Union and TPA discuss impasse

KATHRYN STRACHAN

NEGOTIATIONS between the TPA and the National Education, Health and Allied Workers' Union (Nehawu) resumed on Sunday at a high-level meeting convened by the national peace committee.

A statement by the Wits/Vaal regional dispute resolution committee yesterday on behalf of the TPA, Nehawu and Cosatu, said the meeting was held in an attempt to find a way out of the impasse between the parties.

The parties agreed to continue discussions later this week.

It was also agreed that future talks on the resolution of the hospital strike would be held exclusively in the new forum, and to give the discussions every chance of success, no "confrontational positions" would be adopted.

The meeting focused on the fate of 7 000 dismissed striking workers, and the future relationship between the parties. A working group was established to develop a proposed code of conduct.

● Comment: Page 8

Soweto's essential services 'are heading to a standstill'

ADRIAN HADLAND

ESSENTIAL services to Soweto's 3-million residents would grind to a halt within the next three weeks unless additional funding could be found, Soweto City Council spokesman Mojalefa Moseke said yesterday.

Moseke said if an extra R3m a month could not be found to make up the council's monthly shortfall, "everything will come to a standstill in Soweto"

Details of the likely breakdown emerged yesterday after TPA MEC Olaus van Zyl said last week that a total collapse of services in Soweto was likely. He said less than 20% of Sowetan residents paid services tariffs

Moseke said that while water supplies to Soweto from the Rand Water Board were unlikely to be halted, some areas would experience cuts due to a lack of maintenance and repairs staff

"One way or the other there will be no water in some areas of Soweto," he said.

Refuse collection in the township would end at the beginning of September as available funds would be used to pay for contractual fees in arrears, Moseke said.

With a bankrupt council unable to pay its workers, sewage services were also

likely to be disrupted, he said

Addressing the Central Witwatersrand Metropolitan Chamber last week, Van Zyl said the TPA and other government agencies provided 77% of Soweto's expenditure and had limited funds available. He appealed to white local authorities to help Soweto in the provision of services

Johannesburg City Council utilities committee chairman Paul Asherson said Johannesburg would not provide Soweto with funds or expertise until a political and financial solution had been found

"Johannesburg will not be seen as an occupying force, propping up the regime in Soweto," Asherson said

He said a precondition for Johannesburg's help was the dismantling of the black local authority system and the implementation of new local government structures.

"Until there is a political solution, we cannot guarantee the safety of our staff and that is paramount," he said

He said a collapse of Soweto's services would force the TPA to speed up the local government restructuring process

Corporation Limited

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Holdings Limited

capital reductions

Masses drifting to anarchy — De Beer

Political Staff

CAPE TOWN — The mood among the unemployed, poverty-stricken, starving masses in South Africa was moving closer and closer to anarchy, DP leader Zach de Beer said last night.

He told the Institute of Architects he saw President F W de Klerk's "brave new SA" seemingly disintegrating in a cacophony of recriminations between those who were to have been partners in creating it

"I see blood everywhere. I see the investors unwilling to commit their resources in a land which threatens to become a morass of conflict"

However, De Beer said he believed that the leaders of both the ANC and the NP had

been "quite badly frightened by the consequences of their own errors"

The new SA would however arrive "after a year or two or three"

"Even if the businessmen and the churchmen and the academics and others must shame the politicians into working for the nation instead of themselves and their friends, we must and shall find reconciliation and agreement."

The three priorities facing the country were health, education and housing, he said

Impala workers get representation

RUSTENBURG — Impala Platinum Mines yesterday signed bilateral agreements giving recognition to full-time shaft stewards and representative structures for workers at its Bophuthatswana mines.

The central council of workers co-signed the agreements at the Bafo-keng training centre. The NUM said it had advised the council.

This follows the recent finalising of

a wage agreement at the mine.

The agreement lays down the principles and procedures for governing the recognition, rights and duties of shaft stewards, branch committees and the central council of workers.

Part-time shaft stewards will represent 150 workers in each section, while shafts and processing sections will have full-time stewards and a committee each. Every mine will have a branch committee — Sapa

31/04/1981

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STAR 2/18/92

New bid to end strike in steel industry

Labour Reporter
and Sapa (ISI)

Metal industry employers and workers will meet tomorrow to re-explore a possible settlement to a strike which has cost the industry an estimated R600 million.

Employer body Seifsa confirmed the meeting after more than 6 000 National Union of Metalworkers of SA (Numsa) strikers marched on Seifsa's Johannesburg offices yesterday.

The protesters' demands included an end to dismissals and the use of scab labour, acceptance of their wage demand and an end to disciplinary action against strikers.

The union is demanding a 16 percent wage increase while Seifsa's final offer to workers is 8,6 percent.

MOTOR INDUSTRY WAGES (151)

Waiting on Toyota

Nervous vehicle manufacturers hope Toyota will fall into line this weekend when employers and unions try to hammer out a final agreement on wages and job security. If not, they fear further conflict if negotiations drag on into a fifth month. The dispute has already resulted in a week-long industry strike.

Agreement is nearly two months overdue. Discussions, which began in April, were due to provide a new package to take effect from July 1. But differences, particularly on union demands for an extension of the year-old moratorium on lay-offs, delayed matters.

With the exception of Toyota, there now appears to be virtual consensus between employers and the National Union of Metalworkers (Numsa) on the form of the new agreement. *FM 21/8/92*

Toyota, which did not attend national bargaining forum meetings during the recent two-month strike at its Durban plant, has agreed to honour minimum-wage agreements reached in its absence. As part of the written agreement ending the Toyota strike, the company bound itself to abide by the forum's wage conditions. But the agreement with Numsa also decreed that job security should be a matter for the company and union to decide.

In other words, at the same time as it was seeking an industry-wide agreement, Numsa

FINANCIAL MAIL • AUGUST • 21 • 1992 • 45

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CURRENT AFFAIRS

FM 21/8/92 (151)

helped to create a loophole allowing Toyota to negotiate on its own behalf. Nevertheless, Toyota CE Bert Wessels says the company is prepared to sign the full industry agreement once it receives "clarity" on certain aspects of job security.

As it stands, the package agreed between Numsa and other vehicle manufacturers has abandoned the retrenchment moratorium. In its place is a fund to which employers would contribute 10c per worker per hour. This fund would be used to support and retrain laid-off motor industry workers.

As envisaged, the fund will support and compensate laid-off workers for three weeks while they are counselled and assessed, and then a further 12 weeks while they undergo training. After that, they are on their own.

Employers alone will provide money for the fund in its first year. Thereafter, they hope it will be a 50/50 effort between themselves and employees.

Wessels says the company will be represented at forum discussions starting today. "We have certain problems with the job-security agreement as it stands, but if there is flexibility, we will become a signatory. If we can't resolve it, we have the option to negotiate on our own behalf." He declines to reveal Toyota's specific complaints about the current agreement.

Other companies, notably specialist truck-makers like MAN and AAD, have also expressed concern at the job-security issue. In view of their small size, it is likely they will be granted concessions.

But it is Toyota that is causing most concern. Says the chief negotiator for another major manufacturer: "We assumed once the Toyota strike was over, they would rejoin the forum and resume negotiations there. But it's not like that. They have the right to negotiate between themselves and Numsa and this is causing concern. The whole idea of one company being allowed to negotiate major issues is totally foreign to the notion of the forum. The rest of us find it very worrying."

Metal unions hope to preserve Seifsa's status

NUMSA and Seifsa are concerned that Seifsa's position as the national collective bargaining representative of employers in the metal and engineering industry should not be undermined (151)

Seifsa, Numsa and two other metal unions in dispute with Seifsa will be meeting informally at the weekend to hold exploratory talks.

Seifsa's executive director Brian Angus said the federation would have to think seriously about how it was going to operate in the future if its appeal today failed. Seifsa is appealing against a Supreme Court judgment that it was not entitled to represent metal employers.

Industry sources said several major

DIRK HARTFORD

employers were opposed to collective bargaining. A judgment against Seifsa would strengthen their hand. (189)

NUMSA's Bernie Fanaroff said the union "would not like to see Seifsa fall to pieces." NUMSA had been inundated with pleas from employers for exemption from the strike. Some major employers had approached NUMSA with offers to negotiate a better deal at plant level.

This put NUMSA in a difficult situation as it wanted to preserve centralised bargaining and improve on Seifsa's offer.

Meanwhile, anything from 10 000, according to the police, and 35 000, accord-

ing to NUMSA, striking metalworkers marched on Seifsa's offices yesterday.

Union leaders handed Angus a letter demanding an end to dismissals, scabbing and intimidation and asking for a positive response to wage demands.

Thousands of workers were expected to march in Springs today.

The strike, now three weeks old, is starting to have an impact elsewhere. Most of Cape Town's docks have shut down because of the strike, Fanaroff said.

And a motor manufacturing source said the shortage of supplies was affecting production. "We are handling things as best we can day by day," he said.

Union takes shopping list to retail employers

Weekly Mail Reporter

ALTHOUGH the retail sector has been relatively quiet this year, industrial action is still likely at some of the big companies. Under particular threat are the OK Bazaars and Checkers/Shoprite, with which the South African Commercial, Catering and Allied Workers' Union (Saccawu) is presently in dispute.

While the wage deal of an R110 across-the-board increase has been clinched with Checkers, the two parties remain in dispute over the issue of retrenchments, with the retail chain insistent on shutting down a number of its outlets.

A similar situation applies at the OK, which is also undergoing a period of rationalisation. The chain is offering R130 a month across the board as opposed to the union's R150. The OK has also proposed to

close up to 80 outlets this year, which could cost about 1 000 jobs.

Checkers, which merged with Shoprite early this year after being taken over by Pepkor, faces strike action after management proposed a 10 percent wage cut. Management however quickly altered its tune after factory demonstrations. Checkers stores then settled on the R110 raise.

However, this is only valid for eight months, as the company agreed to the increases being applicable only from August rather than April, when it should have been implemented.

But now the two parties remain in dispute over the retrenchments. Pepkor — which is regarded in union circles as conservative — wants to shut down a number of Checkers outlets and keep the less-unionised Shoprite outlets running.

Although Shoprite is poorly organised Saccawu has been making inroads here since the merger.

The union suspects Pepkor wants to rid the group of unionised employees as part of its rationalisation programme. Pepkor has apparently proposed to take give the union three days notice about store closures, which would give it a short cut on the retrenchment path. The dispute is currently at the Conciliation Board but resolution does not seem very close.

"We may have settled the wage issue with Checkers. But there's even a bigger battle against the company, that of preserving jobs," says national bargaining committee chairman Motsumi Mokhele.

At the OK, which has been a regular target of strike action over the past five years, further shopfloor

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Southern Sun's wage agreement with Saccawu may also not be enough to preclude strike action. After initially demanding a R250 rise, Saccawu agreed to the hotel chain's R200 offer. However, it has rejected Southern Sun's assertion that this should only apply from August rather than from April.

Toyota signs

(ISI)
TOYOTA SA signed the 1992-93 wage agreement for the motor-making industry after its representatives attended a National Bargaining Forum (NBF) on Friday.

The strike at its Durban operations had previously prevented Toyota from taking part in NBF negotiations. *S/ Times 23/8/92*

Toyota has expressed concern about some parts of the agreement, particularly the administration of the job-security fund. *(BYS)*

It believes that some practical issues, such as job security, productivity and the removal of discrimination, would be best dealt with at company level

Don't stop, the door's ajar

SI Times 23/8/92

LEON COHEN calls for revival of talks between business and labour on the Charter for Peace and Democracy

SI Times 23/8/92

IN the end, the opportunity to build a new relationship between business and labour in the first week of August became just another stayaway. Now management and the Cosatu trade unions have retreated to their traditional roles as antagonists.

This familiar comfort zone allows both sides to avoid hard questions about the kind of future we want for our country. And we are ignoring a significant opportunity waiting to be seized in the aftermath of mass action.

The effort that went into the negotiations for a Charter for Peace and Democracy will only have failed if we refuse to walk through the door that was partially opened. Do we simply wait for the next stayaway? Or can we act now?

Now that the stayaway has passed, with the usual heavy costs for both sides, we should revive negotiations on the charter with our eyes on the contents, not the horsetrading. Divorced from the emotional factors of mass action, the charter's potential appears even more significant.

With hindsight, the mistake was to link the charter to bar-

gaining over mass action — a one-day shutdown instead of several days of disruption. Business was able to justify taking a stand on political principles by viewing this as an act of self-interest, labour was willing to stomach a deal with the bosses only because it put further pressure on the government.

From businesses' perspective, the question is: Do we have a responsibility to push the political players toward a settlement and, if so, how?

Most companies acknowledge that we do bear such a responsibility. The reasoning is straightforward. Our job is to create wealth. A negotiated transition to democracy is the only hope for stability and peace which, in turn, are prerequisites for economic growth. The draft charter is a well-reasoned, non-partisan expression of that commitment.

The process of approving the charter would, in itself, foster widespread discussion on ways in which all of us can contribute to creating a climate of peace, democracy and growth. Each business could conduct a virtual referendum among employees on whether the charter merits

support. All signatories could commit themselves to finding ways to give practical effect to the charter in their community. Rather than limiting the charter to Cosatu and Saccola, more business and labour organisations could be included, such as Nafcoc, Uwusa and Nactu.

Remember the major provisions — and the opportunities they create.

● **Ending the violence:** every business could establish a management-labour task force to identify ways to contribute to the peace process. Methods might include joining or forming local conflict-resolution bodies, helping to monitor violations or providing funds and logistical support for local peace initiatives.

● **Combatting poverty:** joint management-labour task teams could find ways to address the problems cited in the charter in their own community, using the company's expertise and resources — What contributions could be made in the form of job creation programmes? Training in the use of the company's products? Hostel upgrading projects?

● **Achieving a political transition to democracy:** each business could hold small-group discussions on what democracy means, what rights and responsibilities are involved and how the transition would affect everyone in the business.

One objective of this exercise would be to begin to establish the mutual interest, shared by both management and labour, in achieving peace and prosperity — and restore ownership of the word "democracy" to civil society, where it belongs.

It would be silly to suggest that the traditional labour-management conflict over dividing the wealth creation pie will vanish through such a joint campaign. But it is not naive to believe that civil society can agree on the basic principles needed to create a climate in which the wealth pie can grow.

The Charter for Peace and Democracy offers a chance for us to contribute directly and practically to that growth.

● **LEON COHEN** is Chief Executive of PG Bison Ltd, a group of manufacturing and distribution companies in the board industry.

Metal unions, Seifsa to resume talks today

SEIFSA, Numsa and two other metal unions will meet this morning to continue their informal talks focusing on issues such as job security, wages and workers' rights.

The talks, which have been described as exploratory, began on Saturday.

Numsa spokesman Bernie Fanaroff said Saturday's talks were useful but failed to produce anything worth taking back to the constituencies. Today's meeting would, therefore, attempt to develop areas which the parties could put to their constituencies.

Fanaroff said the union was "not unhappy" about Friday's Supreme Court ruling that Seifsa was entitled to represent metal employers.

Industry sources have said a judgment against Seifsa would have strengthened the hand of several major employers who were

WILSON ZWANE

opposed to collective bargaining.

Fanaroff also expressed concern about tomorrow's hearing of Seifsa's application for an urgent interdict to stop Numsa's three-week-old strike by declaring its strike ballot invalid.

He said Seifsa's attempt to break the strike by resorting to the law was bad for collective bargaining.

Seifsa has said it was seeking the interdict on the grounds that Numsa's strike balloting procedures were irregular and that Numsa refused to release details of the ballot results to Seifsa before embarking on strike action.

Hundreds of workers have been dismissed as a result of the strike.

Sapa reports that Anglo spokesman Glenn Finnegan

confirmed that Boart Hardmetals had dismissed 600 workers. But the company had offered to reinstate them, he said.

Cosatu has threatened industrial action unless demands of health and steel sector strikers are met.

It also threatened a general strike unless employers reinstated workers they had dismissed in the wake of this month's two-day mass action strike.

Cosatu said if Seifsa failed to resolve the strike, it would have no choice but to "declare this strike a Cosatu strike".

In another development, Numsa and car manufacturers signed a wage and job security agreement in Port Elizabeth on Friday.

The agreement was signed by Numsa, the Yster-en Staalwerkers Unie and six car manufacturers

ani ● Unions needed for workers

A must for unionists

■ Book rejects notion of participative management:

Title: Conflict and co-operation

Author: Judy Maller

Reviewer: Mokgadi Pela

LABOUR activists will agree that this book comes at a time when enterprises are trying to promote co-operation

(151) rather than conflict between management and workers

However, the study presents compelling evidence that strong independent trade unions are needed to defend members' interests and democratise the workplace

Sowetan 25/8/92

Eskom plans on hold pending union talks

610A
25/8/92 PETER DELMAR

ESKOM has put restructuring plans affecting thousands of workers on hold pending talks with its unions

An Eskom spokesman said yesterday proposed restructuring would affect all nine business groups and functions

Eskom and the unions — which include Numsa and the NUM — were developing new "participative mechanisms" for handling issues affecting workers

Media reports on the proposed restructuring had pre-empted talks with the unions and Eskom had agreed not to proceed with new restructuring plans until the new processes were initiated

"Recommendations arising from studies conducted since the beginning of this year have indicated the need for changes in departmental structures and skills distribution. These include the establishment of an on-site engineering department at each power station in the generation group and the retention of a small core of specialists to act as consultants to the power station teams. This particular aspect . . . will now also not be proceeded with until further discussions with the trade unions

"The work being done on consultative processes launches a new era of working relations between Eskom and organised labour," the spokesman said.

The restructuring of the generation group was expected to affect hundreds of staff members, either through staff reduction or transfers

Judge rules Numsa strike was illegal

■ Provisions of Labour Relations Act
were contravened during strike ballot:

Sowetan Correspondent

Sowetan 27/8/92

THE countrywide strike involving workers in the iron, steel and metallurgical industry - affecting some 800 major companies - is illegal, the Pretoria Supreme Court has ruled.

Mr Justice Myburgh said on Tuesday that he was "satisfied it had been proved that a number of material irregularities occurred during the strike ballot" called by the National Union of Metalworkers of South Africa.

He also found certain provisions of the Labour Relations Act were contravened during the ballot held in May.

The judgment followed an application by the Steel and Engineering Industries Federation of South Africa and 16 affiliated employer organisations to obtain an interim interdict against Numsa to prevent its members from continuing the strike.

The strike, considered the biggest industrial action since the 1987 mineworkers' dispute, began on August 3 after a strike ballot was called when negotiations on wages, working conditions and a moratorium on retrenchments reached deadlock.

The employers had subsequently considered the union's revised demand for a 16 percent wage increase, found it unacceptable and urged Numsa to accept their final offer of 8,6 percent.

The judge granted a temporary interdict prohibiting Numsa and members to continue with the strike, pending the finalisation of the application.

Argument by Mr JJ Gauntlett, SC, acting for Seifsa, that a final order be granted by the court was opposed by Mr M Wallis, SC, for Numsa.

The judge found that as Seifsa initially launched the application asking for interim relief, and in view of the fact that Numsa compiled its court papers to contend with such an order, he could not grant a final interdict.

Numsa was ordered to file further papers on October 6 and Seifsa to reply by October 27.

The judge accepted argument by Gauntlett that participation in the ballot by non-Numsa members had caused more votes to be passed than the number of members entitled to vote.

He also said "unfortunately Numsa is unable to give an exact number of its members" although it was required by law for a union to keep a register of such members.

He found prima facie evidence that further irregularities had also occurred - there was no proper control over unused ballots, in a number of cases ballots were not secret and ballot boxes were not properly sealed.

The union puts the number of workers out on strike at about 100 000 while Seifsa estimates that only 60 000 are involved.

Numsa senior spokesman Dr Bernie Fanaroff said the union would report back to members and evaluate the strike at a meeting to be held today.

Mass dismissals loom as court torpedoes strike

THE National Union of Metalworkers (Numsa) was dealt a deadly blow by this week's Transvaal Supreme Court judgment declaring the three-week engineering strike illegal.

The judgment potentially opens the floodgates for mass dismissals on a scale not seen since the 1986 mine strike. Already 1 500 strikers have been fired, while others have been issued with return-to-work deadlines.

The collective bargaining process in the industry may have also suffered a severe setback. Unionists are enraged by the judgment, which upheld the Steel and Engineering Federation of South Africa's (Seifsa) contention that Numsa did not comply with requirements for a free and fair ballot. The court's finding that Numsa's balloting procedures were peppered with irregularities rested on

allegations that there had been insignificant secrecy at the polls, that non-union members had been able to vote and that there was inadequate control over ballot papers, enabling some people to vote more than once.

"They were effectively arguing that the ballots were inadequate because they were paper boxes sealed with sticking-tape rather than padlocked metal boxes," said Numsa organising secretary Bernie Fanaroff.

Fanaroff said Seifsa's recourse to legal technicalities to break the strike "makes absolute nonsense" of the collective bargaining process. "We spend five months bargaining with Seifsa and in the end they set out to crush us with technicalities. What then is the point of collective bargaining?" he asked.

The union has also poured scorn on Mr Justice Myburgh's ruling that unions

28 | 8 - 3 | 9 | 92 .
While thousands of

metalworkers stand to

lose their jobs, the failure of

the engineering strike has

dealt a severe blow to the

collective bargaining process.

By **MONDLI MAKHANYA**

should provide registers of balloting workers — complete with identity numbers

But the finding has significant implications beyond this dispute. In future strike ballots, unions will have to prove beyond doubt the validity of the strike votes.

The country's largest union may now have to find ways of retreating from the strike, involving close to 100 000 work-

ers, without much to show for it. Numsa has already revised its demand for a retrenchment moratorium and is now proposing a "retraining fund" for retrenched workers and is likely to moderate its 16 percent pay claim.

Seifsa has placed adverts in newspapers notifying workers that the strike is illegal, and posters to the same effect have been posted at factory gates.

If the dispute is not settled by the weekend, employers may begin dismissing. The key restraining factor will be a threat of solidarity action by other Cosatu affiliates.

The past three weeks have been bitter ones, costing several lives in addition to jobs. Employers are estimated to have lost close to R800-million in production, while workers have sacrificed an average of R1 000 each in pay.

"If workers return to work next week,

they will have lost nine percent of their annual wages, and in such a case the 8.6 percent increase (offered by employers) will be meaningless," said Seifsa economist Michael Macdonald.

The likely next step is a return to the negotiating table, where Numsa may trade the low wage offer for concessions on working conditions and the reinstatement of fired strikers. Seifsa is understood to be in favour of such a compromise.

But the worst fallout of the strike will come in the form of retrenchments in the months to come. Companies in the sector have been hard hit by recession, with about 2 000 jobs lost every month.

"I expect the retrenchment rates to be quite high in September, but the October figures will be very high as the effects of the strike start being felt," McDonald said.



Union suspends strike and tables new demands

■ Elements in Nactu accused of destabilisation

By Ike Motsapi

THE Metal and Electrical Workers Union of South Africa yesterday suspended strike action and wants to meet employers with an amended wage demand

Mr Tommy Oliphant, general secretary of Mewusa, said the decision to suspend the strike was taken at the union's national executive committee meeting on August 15

Oliphant said "Mewusa representatives met with officials of the Steel and Engineering Industries Federation of South Africa on August 17 to discuss a 12 percent salary increase on actual wage rates, job security, overtime and holiday bonus

"It is our view that our amended wage offer from 20 percent to 12 percent is very reasonable and we believe the employers should consider it very seriously"

The Food Beverage Workers Union of South Africa has accused "certain elements" in the leadership of the National Council of Trade Unions of subjecting it to unwarranted, unjust and politically motivated strain

In a statement signed by Mr Goba

Ndhlovu, deputy general secretary, FBWU asked this question "Why is this being done? Just Why?"

Ndhlovu said FBWU was in possession of proof that the Nactu secretariat was applying pressure on the Department of Manpower to have the union dealt with under Section 12 of the Labour Relations Act of 1956, as amended

Ndhlovu said "A whole trade union secretariat is seeking to destabilise and therefore destroy its affiliate

"Instead of seeking to build bigger and stronger affiliates, this arm of Nactu is all out to destroy it," Ndhlovu added

Mr Cunningham Ngcukana, general secretary of Nactu, promised to reply to the allegations

In another development, the Hotel, Liquor, Catering, Commercial and Allied Worker's Union of South Africa has blamed Ngcukana as the person responsible for encouraging the split in the union

Mr Welcome Mbalo, general secretary of Hotelicca, said in a statement that other Nactu affiliates are also experiencing a similar destabilisation by Nactu's secretariat

(151)

Warning as metal industry strike ends

STAR 1/9/92
By Thabo Leshilo and Sapa

Metalworkers returned to work yesterday after a three-week strike costing the industry an estimated R880 million in lost production and workers R110 million in wages.

However, the National Union of Metalworkers (Numsa) warned that the dispute was far from over

By returning to work, workers did not imply that they now accepted the employers' 8,6 percent final wage increase offer, said Numsa spokesman Dr Bernie Fanaroff

The union called off the strike on Thursday after the Pretoria Supreme Court found prima facie evidence of irregularities in the Numsa strike ballot

The Steel and Engineering Industries Federation of SA (Seifsa) yesterday said most of the

60 000 strikers returned to work yesterday, although some employers had postponed the return to allow them to give notice to temporary workers

Numsa claimed that 100 000 workers supported the strike

Seifsa executive director Brian Angus said many affiliated companies had reported satisfactory attendance yesterday. He said Seifsa could not prescribe to its members on reinstatement of workers

"Where dismissals occurred these had been undertaken by companies as a last resort to protect their business operations"

Dr Fanaroff alleged that many employers had taken a "hard-line" position with workers and some had already been dismissed. In some instances, employers were compelling workers to sign new conditions of employment

He appealed to Seifsa to re-

open negotiations over the union's revised 16 percent wage demand and conditions of employment. He expected the parties to meet today

About 4 500 members of the Metal and Electrical Workers' Union of South Africa (Mewusa) continued with a 2½-week pay strike yesterday, general-secretary Zithulele Cindi said

The union would also meet Seifsa today to discuss a revised 12 percent wage demand, he said

Mr Cindi said the Mewusa strike was legal, making it difficult for employers to thwart the action over wages, shortened overtime and job grading

Mr Cindi said his union had modified its wage demands to be consistent with agreements in other industries.

"It's pointless trying to bang our heads at 20 percent, given the state of the economy"

Seifsa invites ~~to~~
NUMSA 21 91 92
Numsa to 'talks'

TRADE unions in dispute over metal industry pay talks have been urged to attend a joint national industry council meeting, Seifsa executive director Brian Angus said yesterday ~~(SAP)~~

He was commenting on Seifsa's response to attempts by the National Union of Metalworkers of SA (Numsa) to reopen deadlocked negotiations which sparked a recently-ended four-week strike (ISI)

Seifsa's proposal for a "meeting to discuss the current dispute" was communicated to Numsa and the Metal and Electrical Workers' Union of SA (Mewusa) yesterday ~~(SAP)~~

Numsa national secretary for collective bargaining Les Kettleidas said the union still had to study the Seifsa proposal. The union had indicated to Seifsa that dismissals resulting from the strike would have a serious impact on the industry's stability.

Angus said the latest proposal did not imply a resumption of negotiations with Numsa. "It would involve all trade union parties meeting under the auspices of the industrial council, rather than separate meetings."

Numsa recommended a return-to-work on Monday, without acceding to Seifsa's 8,6% pay offer. Numsa is demanding a 16% increase, a moratorium on retrenchments and improved workers' rights. — Sapa

Bid to settle metal dispute

STAR 219192

By Thabo Leshilo
Labour Reporter (151)

The Steel and Engineering Industries Federation of SA (Seifsa) yesterday invited unions in the metal industry to meet under the auspices of the industrial council in a bid to settle the dispute over pay and conditions of employment.

The move comes after Seifsa called off further negotiations during the four-week-old strike which cost employers R880 million in lost production and workers R110 million in wages.

Most of the strikers returned to work on Monday after the strike by National Union of Metalworkers of SA (Numsa) members was found to be unlawful by the Pretoria Supreme Court.

Numsa national secre-

tary Les Kettleidas said the union would consider the invitation, and that the Metal and Electrical Workers' Union of SA (Mewusa) had agreed to attend.

About 4 500 Mewusa workers are still out on a legal strike over pay, shortened overtime and job grading. The strike is now 2½ weeks old.

Numsa and Mewusa have dropped their wage increase demands of 20 and 25 percent respectively, to 12 and 16 percent.

Seifsa's final wage offer was 8,6 percent.

Annual wage negotiations between the parties began in March under the auspices of the National Industrial Council for the iron, steel, engineering and metallurgical industries.

The unions declared a dispute on May 15 and Numsa members started striking on July 1 at certain companies while the rest — estimated by Seifsa at between 60 000 and 80 000 — joined the action on August 3 to coincide with the ANC alliance's two-day strike.

● About 200 members of the Cosatu-affiliated Construction and Allied Workers' Union in Vereeniging have been on strike for two weeks demanding a R1,20-an-hour increase.

● The Congress of SA Trade Unions has welcomed the decision by the Department of Education and Training to recognise the SA Democratic Teachers' Union, saying the DET had accepted that teachers also had rights as workers.

Seifsa invites ~~NUMSA~~ Numsa to 'talks'

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He was commenting on Seifsa's response to attempts by the National Union of Metalworkers of SA (Numsa) to reopen deadlocked negotiations which sparked a recently-ended four-week strike.

Seifsa's proposal for a "meeting to discuss the current dispute" was communicated to Numsa and the Metal and Electrical Workers' Union of SA (Mewusa) yesterday.

Numsa national secretary for collective bargaining Les Kettledas said the union still had to study the Seifsa proposal. The union had indicated to Seifsa that dismissals resulting from the strike would have a serious impact on the industry's stability.

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NEWS Union drops wage demands to 12 percent ● 1 00

Mewusa strike likely to be called off

182 183 184
151
Sowetan 9/9/92

THE four-week-old strike by more than 15 000 members of the Metal and Electrical Workers Union of South Africa (Mewusa) could be called off today.

This was said yesterday by Mr Tommy Oliphant, general-secretary of Mewusa, who added the union was "expecting to make substantial progress" at a meeting to be held today with the employers in the metal industry.

Mewusa initially called for an urgent meeting between itself and the Steel Engineering Industries Federation of South Africa (Seifsa) to discuss the impasse in the metal industry.

■ RESOLVING IMPASSE Substantial

progress expected to be made at meeting with employers in the metal industry:

Seifsa, however, invited all parties in the metal industry to the talks that are aimed at resolving the dispute.

The National Union of Metalworkers of South Africa (Numsa) and the other unions in the metal industry will attend the meeting which starts at 10 30am at the Protea Gardens Hotel in Johannesburg.

Mewusa members went on an unofficial strike over wages on August 3.

The strike became legal on August 24, according to Mr Zithulele Cindi, education officer of Mewusa.

Mewusa demanded a 20 percent wage increase while Seifsa offered 8,06 percent. The union has dropped its demand to 12 percent.

Godsell finds hope in streets of despair

CAPE TOWN — There were significant avenues of hope in the streets of despair, Anglo American executive director Bobby Godsell told the annual MBA dinner of Cape Town University's Graduate School of Business last night

While crime was high, the recession deep and the political conflict ravaging, it was also true that racial desegregation had proceeded "at a bewildering pace and with stunning success" *BIDAY 11/9/92*

"Of even greater significance all over SA, individual South Africans are sharing power and responsibility

LINDA ENSOR

in highly constructive ways," he said. The workplace was the crucible of the new SA and labour relations was proof that power-sharing could work

(151) Collective bargaining had resulted in agreement — recently in highly responsible agreements, for instance in the gold mining industry where basic increases were under inflation.

Government had abandoned its mismanagement of the economy and Finance Minister Derek Keys had acted "courageously", he said

employer turnout. Those who did hours.

The giants prepare for battle

ANGLO AMERICAN is to become the target of a National Union of Metalworkers Union-led campaign aimed at forcing it to change its alleged strategy of trying to "smash" unions during disputes. This campaign — which Numsa will propose at the Congress of South African Trade Unions' campaigns conference this weekend — follows the recent industry strike in the steel and engineering sectors, in which several thousand strikers were dismissed

by Anglo subsidiaries. It will supplement Numsa's push to have the Labour Relations Act's provisions on balloting and legal strikes scrapped and a court battle later this year to overturn a supreme court interim finding that the strike was illegal. Numsa also insists it is still in dispute with the Steel and Engineering Industries Federation of South Africa (Selfsa) and has re-opened negotiations with the employer body. At a bargaining meeting this week, employers

Anglo's liberal stance goes no further than its pocket, claims Numsa. The country's biggest union is set to take on the country's biggest corporation, reports

MONDLI MAKHANYA

raised their pay offer to 9,1 percent, while the unions party to the industrial council dropped their demand to 12 percent.

Numsa claims that Anglo was behind Selfsa's hard-line approach in this year's negotiations and that the decision to attack the strike in court emanated from Anglo.

Anglo spokesman Glen Finnegan dismissed the claims, saying the response of subsidiaries varied depending on how the strike and trading conditions affected them.

"Against the background of a severe national economic downturn and soaring unemployment, the companies which dismissed striking workers

because their business operations were damaged did so only as a last resort," contends Finnegan.

On the dismissals, the union suggested Anglo had used the same strategy as in the 1987 National Union of Mineworkers' (NUM) strike, when 50 000 miners were dismissed — most at Anglo mines.

Characterising Anglo's attitude as "workers have the right to strike and Anglo has the right to dismiss", Numsa's Les Kettleidas said. "Anglo claims to be a major protagonist of liberal and democratic values. Yet since the 1987 NUM strike it has shown that its support for the right to strike goes no further than its pocket."

Other Cosatu affiliates are likely to sympathise with Numsa's campaign proposal. The NUM is currently locked in a wage dispute with the Anglo associate company De Beers, which recently de-recognised the union. Several other Anglo subsidiaries — including Amcoal — have given warnings to workers who missed work during the August national stayaway.

LABOUR BRIEFS

W/Mod 11/9-17/9/92 Cosatu queries on NMC

AFTER reserving welcoming the restructured National Manpower Commission two weeks ago, the Congress of South African Trade Unions is to meet Manpower Minister Leon Wessels about aspects of the body.

Cosatu wants to seek clarity on the role and voting status of "experts" on the commission. Only thereafter will it decide on whether to rejoin the body it pulled out of last year.

W/Mod 11/9-17/9/92 Workers threaten sit-in

DISMISSED Walter Chipkin workers have threatened to stage an indefinite sit-in on the food merchant company's premises to press management to re-instate them.

The 1 000-strong workforce was dismissed in June after going on strike demanding that the human resources manager should not take part in the negotiations with the union.



A stitch in ~~the~~ time to save ⁽¹⁵¹⁾ textile sector

w/m c/w 11/9-17/9/92
Weekly Mail Reporter

THE major players in the clothing and textile industries have established the first industry-based tripartite negotiating forum. The task of the Textile and Clothing Panel and Task Group — appointed by Trade and Industry director general Stef Naude this week — will be to advise the government on long-term strategy for the two industries.

The 30 panel members are drawn from government, the textile, clothing and furniture industries as well as raw material suppliers and distributors. Also represented are delegates of the South African Clothing and Textile Workers' Union (Sactwu) — the industries' biggest union. Richard Hatty — who chaired a commission into the industries — has been appointed as an additional member.

Because the panel was seen to be unwieldy for the formulation of policy, a smaller task group was also appointed, with four members each from labour, business and the government. Both the panel and the task group will be chaired by Board of Tariffs and Trade chairman Nic Swart.

Union and business participants have great expectations that the forum will provide a lifeline to the troubled industry as well as give flesh to job-creation strategies due to be discussed at the National Economic Negotiating Forum.

Naude warns, however, that in the process of creating a "viable and competitive" industry, some sectors may have to be axed. "It's not feasible to conserve all sections of the industries concerned," he told *The Weekly Mail*.

Textile and clothing have been earmarked as a future growth point and may well receive favourable treatment under a new political dispensation. The World Bank has singled out the textile sector as labour-intensive, with low overheads and with considerable job-creation potential.

Steel talks drag on

(151)

■ STEEL and engineering industry talks dragged on this week, with the parties moving closer to each other but still unable to resolve the four-month-old dispute.

✧ The National Union of Metalworkers of South Africa for the third time revised its wage demand down to 9.5 percent. Saisa, however, stuck to its 9.1 percent offer which was accepted by other unions, including the Nactu-affiliated Metal and Electrical Workers' of South Africa — which has moving in tandem with Num throughout the dispute.

Two sides to Lubners strike coin

By Thabo Leshlo
Labour Reporter (152) (9)

STAR 14/9/92

Prospects for a speedy end to the countrywide strike by 300 members of the SA Commercial, Catering and Allied Workers' Union (Saccawu) at Lubners Furnitures seem bleak, union negotiating secretary Hilton Thulo said at the weekend

The strike, affecting all 68 Lubners branches, started on July 10 after numerous meetings had failed to resolve the dispute

The union and the company have blamed each other for the prolonged dispute over wages, bonuses and education assis-

tance for workers

According to Mr Thulo, the company has adopted "an intransigent position"

The union, he said, was willing to further negotiate the dispute subject to the company agreeing that settlement be extended to all union members

Also, Lubners should not intimidate, harass, transfer or take disciplinary action against the strikers

"The company rejected both demands. It also indicated that it would make deductions from members' annual bonuses proportional to the days spent out on strike," Mr Thulo alleged

Lubners personnel director Johan van Niekerk disputed

Saccawu's version

He said Lubners had a problem with Saccawu's demand that no disciplinary action be taken against its members for "unfair and unlawful conduct"

The company, he noted, had obtained an interim court interdict restraining the strikers from intimidating customers and non-striking employees

"Members of Saccawu nevertheless continued to intimidate customers and other members of staff," said Mr van Niekerk

● A major strike is looming in the catering, retail and distribution industries after Saccawu, a powerful Cosatu affiliate, declared a dispute with employers last week

Parties deny health talks impasse

THE Transvaal Provincial Administration, Congress of South Africa Trade Unions and the National Education, Health and Allied Workers Union last night denied negotiations on the recent health workers strike had broken down.

Instead, they announced they had held another meeting under the chairmanship of Wits/Vaal Regional Peace Committee chairman Andre Lamprecht "in an effort to resolve the dispute".

"A further meeting is

16/9/92
Bloem
scheduled towards the end of the week when the parties will seek to finally resolve the dispute," they said in a joint statement issued through Lamprecht by the national peace committee.

An estimated 7 000 health workers in the province were dismissed and replaced in the wake of the weeks' long hospitals strike.

"There have been reports in the media to the effect that the negotiations have broken down," the statement added "Both parties

wish to stress that this is not so. The chairman confirms that the negotiations are continuing" (S)

Nehawu and the TPA noted with regret "that certain (unspecified) incidents have taken place and statements have been made which have bedevilled the sensitive process".

"Both parties call on everyone to desist from actions or statements that contribute to heighten conflict and undermine the negotiation process" — Sapa

Union irked by employer snub?

B/D 16/9/92

(151) (152) (153)
DIRK HARTFORD

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) threatened a "major showdown" with commercial employers after only 15 out of 200 employers arrived at a dispute meeting called by the union yesterday.

All major employers in the industry, with the exception of CNA-Gallo, ignored the union's request to attend the meeting to respond to the union's demand for a national industrial council.

Saccawu general secretary Papi Kganare said their absence was "clearly co-ordinated". He said it would be unfortunate if the only avenue that employers left the union was confrontation.

Saccawu wants a national industrial council for the industry, with sub-sectors for the liquor and catering trade, restaurants, smaller shops and the big retail stores.

The union feels issues like minimum wages and conditions of employment, job creation, flexibility of labour, casualisation, sub-contracting, food prices and industry training boards must be dealt with at industry level.

It has already held two meetings —

attended by about 80 employers, according to Saccawu — to try to get employers to accept the idea Saccawu declared a dispute when there was not a positive response.

Most employers feel Saccawu is trying to bludgeon them into an industrial council without taking account of the complexities of the industry, according to employer sources.

They said the fact that Saccawu was so hasty in declaring a dispute on the issue underlined employer fears that the union was working to its own agenda.

By declaring a dispute with all commercial employers, Saccawu was positioning itself for a national strike in the industry, they said.

But Kganare says Saccawu will be responding to every company who has taken a position on the issue to try and find ground for consensus.

In the meantime, the union will report back to its members to "consolidate them for any action which we might be forced to take".

Saccawu has about 90 000 members out of a potential 250 000 in the industry.

RIPAY 16/9/92
Numsa no

to new offer

DIRK HARTFORD

NUMSA has rejected a 9,1% wage offer linked to a proposed measure protecting employers from compulsory company-level bargaining.

This is the latest impasse in reaching a settlement to the four-month dispute between Numsa and the metal industry.

However, Sersa said in a statement unions affiliated to the Confederation of Metal and Building Union, the Mineworkers' Union and the Yster, Staal en Verwante Nywerhede Unie had accepted the revised employer offer of 9,1%.

The Metal and Electrical Workers Union of SA and the Steel, Engineering and Allied Workers Union of SA agreed to recommend acceptance of the offer to their members.

Numsa tabled a lowered demand of 9,5% or 60c on scheduled rates, depending which was higher — Sapa

Mykonos 'Club' sold sea plo

City tourism set to rocket

Staff Reporter

CAPE TOWN is set for a tourist bonanza this Christmas — an influx of 20% more November visitors than last year has been reported and city hotels and businessmen expect a bumper season

According to Captour, Cape Town is now the official No 1 tourist destination in South Africa.

Hotel managers say they are expecting a record season — and most hotels are already 85% full.

And mayor Mr Frank van der Velde echoed the optimism yesterday, saying "there are positive indications that we are going to have a bumper season".

Captour's official tourist welcoming campaign starts at D F Malan Airport today when nine mayors from the greater Cape Town area, including Mr Van der Velde, will welcome visitors from six incoming flights from Johannesburg.

Ms Lauren de Wet of Captour told the Cape Times Captour expects a 35% increase in tourism this year.

She said that with Transvaal schools closing today a big influx of visitors should arrive this weekend.

Bay Hotel manager Mr Roy Davies said "this looks to be a good season — despite the normal lull from the end of November till mid-December, when we fill up".

The manager of the Ritz Protea Hotel, Mr Shawn Ritchie, said he was 100% full for November and hopes to be fully booked again by mid-December.

Mr Ian Williams, manager of the Van Riebeeck Hotel in Gordon's Bay, said last night he is "looking to a good season" as his hotel is fully booked from next week to New Year.

Muizenberg's Green Hotel manager Mr Dale Spitz, said he is fully booked from December 18, and expects more bookings this week.

Tourists interviewed at the Waterfront



Sappi strike ballot on hold

3/04/92
17/9/92
DIRK HARTFORD

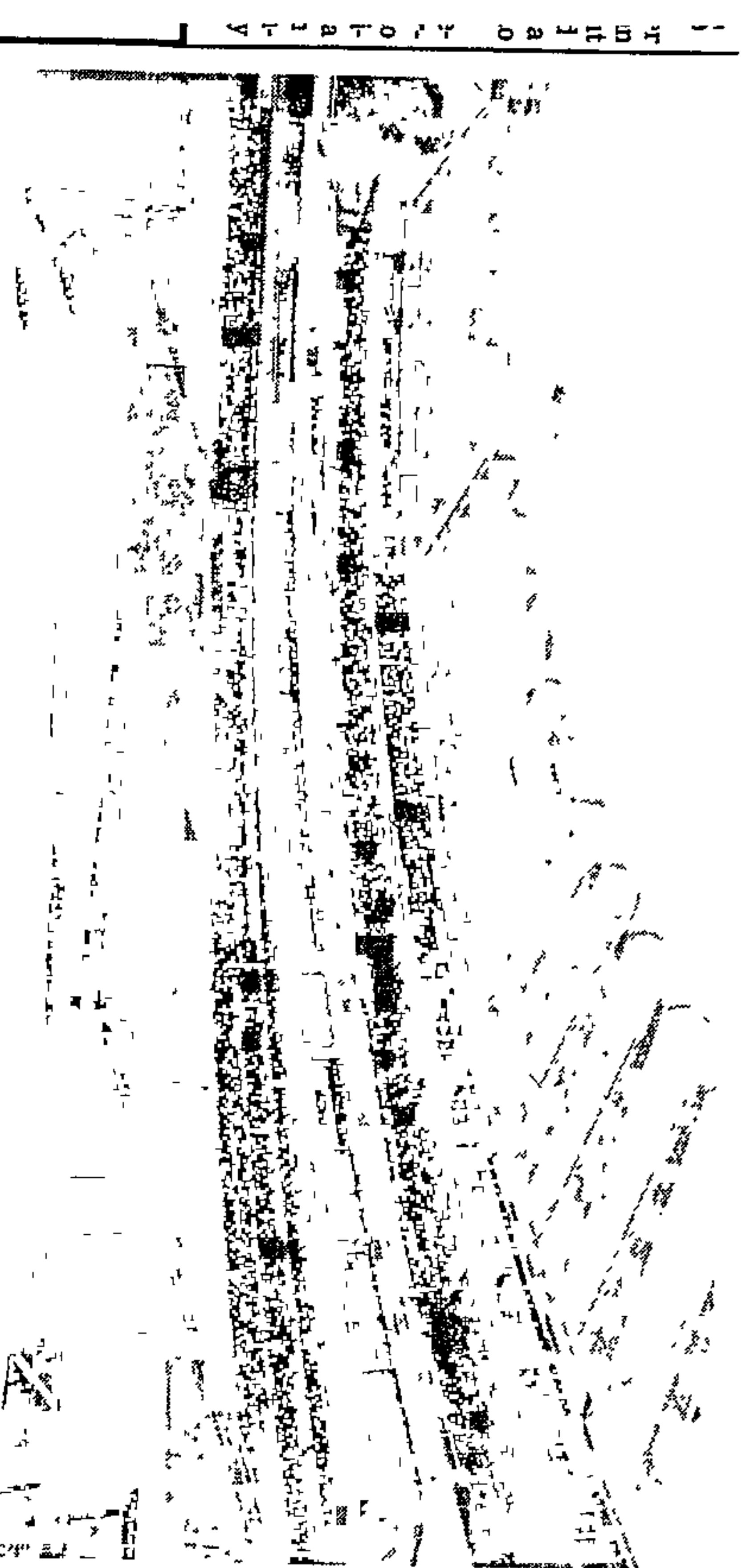
MOVES to ballot 6 000 union members at Sappi for a national strike have been put on hold after the company requested a new meeting with the Paper, Print and Allied Workers Union (Ppwawu).

A Sappi spokesman confirmed there would be a meeting with the union but said the company did not want to discuss the dispute in the media. (151)

Ppwawu national organiser Dixon Motha said the union had declared two disputes with Sappi. Workers would be balloted separately on the issues of retrenchments and provident fund contributions. 17/9/92

Ppwawu wants 2 000 workers who were retrenched earlier this year reinstated, and a year-long moratorium on further retrenchments. It also wants Sappi to pay 9,5% into its provident fund as opposed to Sappi's 9% offer.

The union has 6 000 members in Sappi out of a total workforce of about 19 000.



The new grandstand on the southern end of the Wanderers cricket ground will be ready by the time the first game takes place next month. The stand holds more than 11 000 people.
Picture: BRIAN HENDLER

Union fears hostel work

PRETORIA (ISI) **TIM COHEN**

A long-standing and escalating dispute between township councils and municipal workers is still preventing the provision of services to Reef hostels.

Regional representative of the SA Municipal Workers' Union Reginald Dubanzana said at the weekend that union members were refusing to provide services to some hostels because they feared for their safety.

More than 300 union members were fired recently because they refused to provide services at the Dobsonville Hostel following the deaths of a number of union members, allegedly at the hands of hostel residents, he said.

Workers then refused to report for work at municipal premises, which are attached to the hostel, where residents are mainly Inkatha supporters. The union regarded the action of the Dobsonville councils as an unfair labour practices and legal action was being considered.

Although the Dobsonville hostel was the current flashpoint, union members are also loath to provide services to the hostel controlled by the Diepsmeadow council.

This dispute arose last year, after municipal workers had refused to supply services because they feared for their safety. Services provided by municipal workers include plumbing and refuse removal, he said.

Flood warning plan probed

ADRIAN HADLAND

WITH more than 60 000 people in SA living on flood plains, the Department of Water Affairs is investigating the establishment of a flood advisory service for local authorities, says a department statement.

Hydrological and meteorological information provided by the service would enable local authorities to issue warnings earlier and with greater certainty, the statement said.

Of these people living on flood plains, a Water Affairs spokesman said, "Due to ignorance they are in danger of losing their lives and possessions if the rivers should overflow."

Numsa men and assassin jailed

THE Rand Supreme Court on Friday jailed five National Union Of Metalworkers (Numsa) members and a hired assassin following the murder of five non-strikers at Haggie Rand between 1989 and 1990.

All six were convicted on various counts of murder, attempted murder and arson, and received effective sentences ranging from 12 to 28 years' imprisonment.

The five Numsa members, two of whom were shop stewards, were all fired in October 1989 for taking part in an illegal strike.

Richard Ngobeni, 40, Jeffrey Mshali, 36, Malvert Ngubane, 42, Malan Khumalo, 45, and Samuel Malepo, 41, were also members of

a "Committee of 10" formed among strikers and which began a violent intimidation campaign aimed at forcing non-strikers to stop work.

The sixth man, Joseph Bhengu, 27, was hired to kill non-strikers during the industrial dispute.

All six pleaded not guilty to murdering five people and attempting to murder nine others during the intimidation campaign between October 1989 and May 1990. They also pleaded not guilty to two counts of arson and illegal possession of a firearm.

The State last week called for the death sentence.

Judge R du Plessis, sitting with

two assessors, found that despite the seriousness of the crimes, mitigating circumstances existed which did not make it imperative to impose the death sentence on any of them, and that they could all be rehabilitated.

All six were first offenders and, with the exception of Bhengu, had acted out of character by participating in the crimes.

He also accepted that against the background of the strike and what they regarded as unfair dismissals, the five Numsa members had been influenced by strong emotional factors. An aggravating factor was that the attacks on non-strikers had been premeditated and committed over a long period of time.

"Each of you is capable of being a useful member of society. Some of you have undoubted leadership qualities. The time that each of you is to spend in prison will not be easy. I trust you will ensure you make the best of that time," the judge said.

Hospital strike settlement imminent

By Mike Siluma

STWZ 22/9/92
(157), Negotiations were "at a critical stage"

A settlement in the four-month-long hospital strike may be announced today after protracted negotiations between the Transvaal Provincial Administration and the National Education, Health and Allied Workers' Union (Nehawu)

A union source said yesterday that a working committee comprising TPA and Nehawu representatives and their lawyers was likely to make public its decision today.

The talks are chaired by Witwatersrand-Vaal Dispute Resolution Committee chairman Andre Lamprecht

The proposed agreement centres on the reinstatement of the nearly 7 000 Nehawu members dismissed three months ago in a dispute over pay and working conditions at TPA-administered hospitals, including Baragwanath, Hillbrow and Natalspruit

Parties to the dispute were reluctant to divulge other de-

tails of the proposed agreement. But Mr Lamprecht confirmed that, after talks which continued at the weekend, everything was "on course"

So far, more than 12 people, including non-strikers and their family members, as well as union members, have been killed in strike-related violence. Several have been injured

At least five TPA clinics in Soweto have been fire-bombed and, in some cases, extensively damaged in attacks linked to the strike

End to hospital strike closer after agreement

BIDAY 23/9/92

151

WILSON ZWANE

THE TPA, Cosatu and the National Education, Health and Allied Workers' Union (Nehawu) have reached an agreement on resolving the 16-week hospital strike. Nehawu said in a statement details of the agreement would be released to the media at the end of the week, after the parties had discussed them with their respective constituencies.

TPA director-general André Cornelissen confirmed that an understanding had been reached, but would not elaborate.

André Lamprecht, chairman of the negotiations between the TPA, Cosatu and Nehawu, said that barring "unforeseen" occurrences, agreement would be reached this week.

Lamprecht cautioned against speculating about the nature of the agreement, saying "parties want nothing to jeopardise the settlement at this late stage".

But it is believed that the agreement will lead to the reinstatement of 7 000 hospital workers, which the TPA dismissed for striking.

Nehawu has repeatedly said it would call off the strike if all dismissed workers were reinstated.

The TPA has, until recently, been adamant it would not give in to the union's demands.

The protracted strike was sparked by the TPA's refusal to meet Nehawu's

demands which included better working conditions, permanent worker status and a minimum monthly wage of R725.

The strike has led to widespread intimidation, which has claimed more than 10 lives.

The latest victim was a Natspruit Hospital employee, who was gunned down last week as he was leaving the hospital.

Nehawu has distanced itself from acts of intimidation against non-striking workers, saying these were contrary to its policy.

In another development Nehawu said yesterday unilateral cutbacks in Cape Provincial Administration (CPA) health spending would be met by mass action.

Sapa reports from Cape Town that Nehawu regional chairman Wilfred Alcock appealed to the CPA to implement an immediate moratorium on unilateral restructuring and demanded consultation with the union and community-based organisations.

The CPA was reported to be considering drastic spending cuts to curb projected overspending of R100m to R200m.

If the CPA did not respond to Nehawu's demands, the union would rally support from political and community organisations and all Cosatu affiliates.

Hospital dispute nears end

STAL (151)
23/9/72
By Thabo Leshilo
Labour Reporter

The much-awaited agreement ending the bloody four-month dispute at Transvaal hospitals — brokered by the Wits/Vaal Dispute Resolution Committee — would only be published at the end of the week, the parties said yesterday.

National Education, Health and Allied Workers' Union (Nehawu) assistant general-secretary Neal Thobejane said "The parties have reached an agreement the finer details of which are not finalised."

He said the "in principle" understanding between Nehawu and the Transvaal Provincial Administration did not mean the parties were capitulating to the other's demands.

TPA director-general Andre Cornelissen said he was "in full agreement with the spirit and content" of Mr Thobejane's statement.

More than 12 people have been killed and scores injured in strike-related violence.

● Numsa's appeal to fight dismissals

Call for workers to fight Cobra dismissal

■ Management accuses union of double agenda for own gain:

By Ike Motsapi

THE National Union of Metalworkers of South Africa has appealed to workers employed by companies which have links with Cobra Watertech not to handle its products because it fired 800 employees last month.

In a statement to *Sowetan* Numsa claimed the affected workers were unfairly dismissed while negotiating for better wages with the company on August 21

"We appeal to workers .. not to handle Cobra Watertech products or to deliver raw material to Cobra. By refusing they can put pressure on their management not to place orders with that company," the statement said

The managing director of Cobra Watertech, Mr Tobbie Boynton-Lee, confirmed the dismissals. He said this was as a result of Numsa's intention not to settle during July when wage negotiations were in process.

Boynton-Lee said "We still believe that

our offer was far better than the one given by Seifsa. However, there was a second agenda from the union's side.

"They wanted to declare a dispute with my company so they could take us to the Industrial Court. The reason for this was that they wanted to link the strike to the national strike planned for August 3 and 4 by Cosatu

"We took them to court for unfair bargaining and this entitled us to a lock-out.

"When they balloted for the strike action we used our rights to lock them out.

"My company went to great lengths to make the union aware that it was playing with people's jobs by trying to link the strike with the national general strike.

"However, it was a case of individuals who played a political game for their own needs. I must say that we still want our workers back," Boynton-Lee said

Management told the union it was prepared to re-employ some workers on "a selective basis" but insisted they should reapply for new posts within the company

Employer clause on agenda at engineering wage talks

ENGINEERING industry pay talks have moved into a delicate phase, with all parties due to meet today to fine-tune a clause protecting employers against compulsory plant-level wage bargaining.

Seifsa executive director Brian Angus said yesterday he was "guardedly optimistic about a settlement".

He declined to disclose the results of a special industry council meeting held on Wednesday.

Seifsa has made its revised wage offer of a 9,1% increase on actual earnings conditional on union acceptance of a clause that protects employers against compulsory company-level bargaining.

Angus said Numsa would be at Friday's meeting which, according to Metal and Electrical Workers' Union of SA spokesman Zithulele Cindi, would finalise details of the clause on wage bargaining levels.

Numsa last week shunned talks on the clause, which aims to stop unions from forcing employers into paying higher rates

than agreed at national negotiations.

Cindi said his union accepted Seifsa's offer in principle, but had reservations about the rider limiting union rights on wage bargaining.

"Where workers already have the right to factory-level bargaining, this should remain. The clause must not be permanent."

Motivating Numsa's opposition to the clause, Numsa chief negotiator Les Kettle-das last week said it protected employers only, with no reciprocal security for workers against arbitrary changes to service conditions. He said the union also insisted that a settlement depended on the reinstatement of about 3 000 Numsa members fired during the August strike.

Angus earlier indicated the clause could be reviewed at a later stage.

Seifsa's final offer has been accepted by unions affiliated to the Confederation of Mining and Building Unions, the Mine Workers' Union and the Iron and Steel Workers' Union — Sapa.

Accord was sabotaged by the Govt'

■ Agreement between Cosatu and Saccola to limit the August 3 and 4 stayaway called by ANC alliance:

Sowetan 25/9/92
THE Government had deliberately set out to undermine attempts by Cosatu and Saccola to reach an accord which would have limited the August 3 and 4 stayaway, according to political scientist Professor Herbert Adam

The accord would have almost been an economic Codesa, laying the ground for economic co-operation in line with the move from an adversarial to a more social democratic direction in labour relations, Adam says.

The Government could not have allowed the proposed accord to succeed as this would have seen the political initiative passing from political organisations to trade unions and a loosely organised employer group, Adam is quoted as saying in the latest edition of SA Labour News.

Instead, Government strategists had argued that allowing the envisaged stayaway to go ahead would see the African National Congress overplay its hand and enhance a process of disillusionment with mass action.

Speaking at a seminar organised by the Industrial Relations Practitioners' Association of South Africa, Adam said it had been unrealistic of Cosatu (Congress of South African Trade Unions) and Saccola (SA Consultative Committee on Labour Affairs) to think the Government would allow the political initiative to pass out of its hands this way, which was one of the fallacies underlying the failure of the accord

An underlying problem, he said, was that the accord was opposed by a strong element within the Cosatu leadership, backed by a grassroots constituency which had militant positions well beyond the "hand-shaking" negotiators

Adam said it was also presumptuous of the parties to think that they could deliver the public sector as a participant in a symbolic action against the Government when the public sector was heavily representative of "the type of people who sang Die Stem and waved South African flags at rugby internationals".

The opposition to the accord within Cosatu stood on four legs:

- It would demobilise an already mobilised constituency and remove power from the grassroots,
- It was an elite deal between leaders of each group;
- It was silent on crucial issues such as retrenchment, farmworkers and the public sector; and
- It would have been a move towards social democracy which was seen as modifying capitalism to make it more acceptable, while the real task was to abolish capitalism altogether.

These elements argued that the task was to remove the De Klerk regime not to share power with it.

Adam said the accord had been conceived in a situation where threatened mass action had forced employers to enter the political arena again in a pro-active role and with Cosatu strategists hoping to drive a wedge between employers and Government, with business joining labour in expressing concern about the future of the country.

But this ignored a basic reality, which was that mass action was devised to force employers to intervene with the Government, rather as a threat which would induce their intervention.

At the same time, calling it off would have been viewed as a sell-out by grassroots elements. - *Sapa*

Eskom settlement

ISI ~~1991~~

ESKOM and the 10 unions operating in the company concluded their wage negotiations this week — agreeing on a 14 percent wage increase. Monthly paid workers will get a seven days' paid leave bonus while those in the lower grades will get a five days' leave bonus. To avoid a repeat of the somewhat unwieldy negotiating process next year, the National Union of Mineworkers, the National Union of Metalworkers of South Africa and the Independent Electrical Workers' Union are to enter into discussions on a possible merger at the company.

WIM 25/9 - 11/10/92

Scabs lose out in health pact

SCAB labourers who replaced fired hospital strikers were the losers in this week's agreement between workers and health authorities. Most of them will have to leave their new-found jobs to make way for the 5 000 strikers reinstated this week. About 2 700 other strikers will not be reinstated.

Wits/Vaal Local Dispute Resolution Committee chair-

BRENDAN TEMPLETON

man Andre Lamprecht said at the signing of the agreement yesterday that most of the scab workers would lose their jobs.

A six-month truce was agreed on to allow the delicate agreement time to mature. Negotiators yesterday took pains to stress the accord was still in

● TO PAGE 2.

Accord

● FROM PAGE 1.

its infancy, but expressed hope that it would last a long time.

National Education, Health and Allied Workers' Union (Nehawu) assistant general-secretary Neal Thobejane said members were committed to the agreement.

Nehawu agreed to a six-month moratorium on strike action.

A new code of conduct in the accord provided for compulsory arbitration between the Transvaal Provincial Adminis-

tration and Nehawu in the event of a deadlock — a major obstacle to agreement during the four-month strike which claimed at least 12 lives.

Strikers who would not be reinstated because they might have been guilty of violence or other misconduct associated with the strike could take their cases to arbitration.

● JOE LOUW reports that eight women and two men were seriously hurt yesterday when police set dogs on workers demonstrating at Garden City Clinic over a deadlock in negotiations with private hospital group Clinic Holdings.

Agreement ends costly strike

By **THEMBA KHUMALO**

(15)
THE reinstatement of 5 000 Transvaal hospital workers should end the massive destruction of property and lives which characterised the three-month strike.

More than 20 people died, dozens were injured and several houses were burnt during the strike.

Spearheaded by the National Education, Health and Allied Workers' Union, the strike ended on Friday morning after TPA and Nehawu officials signed an agreement.

The agreement, brokered by the PWV dispute resolution committee, was sealed at the offices of a multi-national company in Sandton.

However, the axe is hovering over the heads of about 2 000 strikers who are guilty of various of-

fences related to the strike. **(15)**
Their fate would be decided by arbitration, the agreement said.

Also in the danger zone are old workers who are due for pension.

Matters came to a head in August when the TPA fired about 7 500 strikers after they had defied an ultimatum to return to work.

The strike was marked by attacks on scabs and non-strikers.

GaRankuwa Hospital in Pretoria became particularly notorious for such attacks and several people are facing various charges in this regard.

The strike plunged Transvaal hospitals into serious crisis. Three weeks ago a group of doctors, radiographers and nurses came out in the open about declining health-care standards.

They said Baragwanath Hospi-

tal was hardest hit as critical patients were turned away because there was a manpower shortage.

At least five Soweto clinics and one in Daveyton on the East Rand were temporarily closed after they were set on fire two weeks ago.

Health services were disrupted sporadically with nurses and doctors mounting protest marches to demand the reinstatement of the dismissed workers.

The TPA/Nehawu agreement was welcomed by various trade unions, political bodies and health organisations. A Cosatu spokesman hailed the pact as a "victory for the workers".

The agreement also brings to an end the collection of donations from passing motorists by destitute Nehawu workers along Potchefstroom Road.

Unresolved issues (151) ~~1189~~

A METAL industry wage settlement hinged on the Natal employers' request for lower increases and union demands that dismissed strikers be reinstated, Steel and Engineering Industries Federation of South Africa executive director, Mr Brian Angus, said on Friday

A committee met Friday to finalise items which are preventing national negotiations, started in March

Two issues are unresolved. The Natal association wants a lower (7,3 percent) increase on actual wages. - Seifsa offered 9,1 percent; and new entrants to the industry be employable at 20 percent lower than scheduled rates - Sapa

Sowetan 28/9/92

Effort to end retail dispute

W/Ment 2/10-8/10/92
Weekly Mail Reporter

EMPLOYERS are to push the South African Catering, Commercial and Allied Workers' Union to withdraw its industry-wide dispute at a series of meetings this week, as a condition for discussing the union's demands.

Saccawu declared the dispute three weeks ago after its drive for centralised bargaining had been frustrated by employer lack of interest. (15)

There will now be three separate meetings in the commercial, catering and retail sectors where employers will relay their rejection of the Saccawu dispute which they regard as "premature". Several employers have said they want Saccawu to withdraw the dispute before they can begin discussing the union's demands.

Several industry conferences called by the union have been boycotted by employers, with only a few turning up and all the big players staying away. The last meeting called by Saccawu — shortly after the declaration of the dispute — was attended by just 15 companies of a potential 200.

Besides the union's main demand of an industry bargaining forum, a retrenchment moratorium and an end to flexible working hours and to the use of casual labourers are also at issue.

~~6/10/92~~ (151)
**Human chain
marks protest
against Sasol**

BIDA-1 6/10/92
KATHRYN STRACHAN

CHEMICAL Workers' Industrial Union (CWIU) members yesterday formed a human chain around Sasol's head office in Rosebank in protest against the oil giant's retrenchment programme.

The demonstration was part of the CWIU's "national day of protest" against the company. This included a march in Cape Town to Princes Candles, a Sasol subsidiary.

The union demanded that Sasol halt the "unilateral restructuring" which had led to job losses, withdraw all pending retrenchments and immediately reopen negotiations in "good faith", CWIU acting general secretary Muzi Buthelezi said. It also demanded that Sasol withdraw all warnings issued to workers who took part in demonstrations, that it ask the Goldstone commission to probe alleged CCB activities at its Secunda complex, and that it agree to the principle of centralised bargaining.

Union delegates, with SACP secretary-general Chris Ham and Cosatu general secretary Jay Naidoo, met Sasol management yesterday in Rosebank.

Sasol yesterday urged the union to re-enter negotiations in good faith, Sapa reports.

Sasol media manager Lee-Ann Goodman said the protest stemmed from unfounded union allegations.

She denied new Sasol projects were intended to restructure the chemical industry, saying they were to ensure long-term growth. While retrenchment was sometimes unavoidable, 1 600 employees had accepted a voluntary package. Only 220 had been retrenched compulsorily, Goodman said.

Wages, she said, were totally market-related. "Last year Sasol paid out R1,6bn to its employees and only about R440m to shareholders."

SAAU acts after Cosatu talks stall

PRETORIA — The SA Agricultural Union has sent its own proposals to government after talks with Cosatu on the issue of labour legislation for farmworkers became bogged down

SAAU deputy director, general affairs, Kobus Kleynhans said yesterday a document had been submitted to Manpower Minister Leon Wessels setting out provisions which should be included in a separate labour Act for the agricultural industry's 1-million workers *B/DAM 6/10/92*

Kleynhans said the document was aimed at facilitating the drawing up of legislation, which it was hoped would be submitted to Parliament during the 1993 session.

Discussions with Cosatu on the issue started in February this year but have remained deadlocked

Cosatu spokesman Lisa Seftel said discussions with the SAAU would be resumed once basic conditions for farmworkers had been legislated

Kleynhans said Cosatu was opposed to organised agriculture's view that farmworkers should be the subject of separate and specific legislation, and instead wanted them covered by the Labour Relations Act

GERALD REILLY

Efforts by the SAAU to persuade Cosatu to return to negotiations had failed so far

"So we decided, taking into account the urgency of the issue, to go it alone and make proposals to the Manpower Minister," Kleynhans said.

Seftel said that after five meetings over several months, the SAAU had not presented any concrete proposals to Cosatu and were more concerned with the principle than the content of future legislation.

Kleynhans said the aim of the recommendations made to Wessels was to incorporate in legislation maximum self-governance for farmers and their workers

"We want to keep disputes and negotiations to settle them inside the farm gate, and we believe the vast majority of disputes are and can be settled in this way."

Where a deadlock developed, mechanisms would be included in the legislation to resolve disputes outside the farm gate.

These mechanisms were still being formulated, Kleynhans said

Wessels was not available for comment last night.

Union plans boycott

Union will occupy company headquarters and stores throughout the country:

By Joe Mdhlela

A NATIONAL consumer boycott is being contemplated against Lubners/Melody Furnishers for failing to meet demands made by the SA Commercial, Catering, and Allied workers Union (Saccawu)

However, the union would call off the strike if the company met its demands, Saccawu official Mr Hilton Toolo said this week

The demands included a single bargaining unit in the company and the withdrawal of all dismissals

The union said workers had decided against an ultimatum to accept management's final offer by September 25 or be dismissed.

'The strikers have decided against this final offer,' said Toolo

He said it was clear management was not prepared to negotiate on workers' demands in good faith

The union has decided to intensify its strike action against the company

Over the coming weekend, a national strike support committee would be launched with community groups.

'It is likely that a national consumer boycott would be announced at this launch,' he said

He said the union would also occupy the company's head office and stores throughout the country

Sowetan 8/10/92

~~1407~~ (151) ~~20031~~

Sasol to hold talks with unions

Blomby 8/10/92
DIRK HARTFORD

SASOL has called an urgent meeting with all unions organising its employees to "discuss its long-term business vision" following a demonstration by 500 Chemical Workers' Industrial Union (CWIU) members outside its Rosebank head office this week.

Sasol said before discussions on its future take place, an agreed structure for talks would have to be negotiated between the parties. (151)

Meanwhile Sasol has said it will not accede to CWIU demands to freeze retrenchments.

The company had retrenched 1 600 people on a voluntary basis, with an additional 141 compulsory retrenchments. Sasol wanted a further 900 voluntary retrenchments.

Sasol had advised CWIU to proceed with its dispute over the retrenchments as it believed it had consulted sufficiently on the issue.

The union has demanded Sasol halt unilateral restructuring, which it claims is leading to job losses, and "open negotiations in good faith" on all issues affecting employees.

UNIONS

Will they ever see eye to eye?

(151) ~~28/9~~

FM 9/10/92.

The conventional stance of employers and unions is usually head to head, with common ground being uncommonly scarce. And in such eyeball-to-eyeball situations, the real needs of both parties are often lost sight of. Since the early 80s, this has also been the case in the employee benefits arena.



Myopia can be fatal

Faced with dissatisfaction, many employers have agreed to the provident fund the union wants. But often, this leaves many questions overlooked or

unanswered.

For instance, what about the needs of *non*-unionised employees? Or shifts in union affiliation? How about open-ended commitments to re-negotiate contribution rates? Or the burning issue of trusteeship? Short-sightedness by either side regarding such issues is simply looking for trouble in the long term.

When negotiations become negative

At an even more basic level, there's a general lack of vision about needs: the 'true' needs of the worker vis-à-vis the needs of the employer to attract, retain and motivate staff while containing costs

A currently popular viewpoint, for instance, has favoured provident funds over pension funds. Major reasons for this are complexity of funding, inequities when workers leave the fund and general mistrust of an 'employer-designed' benefit system, foisted on employees with a suspicious taint of paternalism and a 'take it or leave it' lack of communication.

In eyeball-to-eyeball situations, real needs are lost sight of.

Civic pride

Sir — The article by Michael Letellier headed "Music and the New Civic" (*Timeout* September 25) requires a response. Letellier's opinion on the theatre and the opening performance is merely that it is not based on any understanding of the significance, extent or standard of the actual events leading up to or following the opening of the new (Johannesburg) Civic Theatre.

The comparison of the Dance Theatre of Harlem with Pact dancers smacks once again of provincialism and a misplaced sense of nationalism which we have witnessed over the past few months on the sport field, to our detriment and embarrassment. The significance of the Dance Theatre of Harlem visiting this country goes far beyond its actual appearance on the Civic Theatre stage, which, incidentally, was received with acclaim by public and dance critics alike.

If Letellier had any understanding of current events in the performing arts and the cultural arena he would understand what has actually been achieved. This included an outreach programme which ran for two weeks before the performance on stage and which reached a great number of people who, unlike Letellier, would not have the chance to experience the world-renowned company in action.

The first visitors to the civic were 8 000 schoolchildren and 700 pensioners who were delighted with what they saw and experienced and who did not complain about the seats which appear to be a little too hard for Letellier.

If the extent of the coverage of this event in the international media and the commentary on the importance of the Dance Theatre's visit, in normalising cultural contact with SA are to be used as a measure, then it is of considerable historic significance.

The suggestion of privatising the Civic is as amazing as it is ludicrous, as any major public theatre management worldwide will confirm. It might not be so if more journalists would give credit to sponsors rather than studiously ignoring the contribution they are making. In this case Nedbank had the vision to put its money where its mouth is.
Christopher Till, director culture, City of Johannesburg

Guarantees in Sea Point

Sir — As the promoters of presidential units in The Caribbean, Sea Point, we were naturally delighted by the interest shown by your publication in our product (*Property* September 25).

Needless to say, any new product must be critically assessed, particularly when the returns offered are high, as they are in this case. This investment stands or falls on the three crucial issues raised by the observers quoted in your article, namely the quality and value of the underlying property, the

initial rentals and the projected growth of these elements.

Investors in presidential units have based their decision on our detailed information document which, in anticipation of these questions, informed them that the base property values and rentals used in the forecasts had been certified by qualified sworn independent valuation as being market-related. The technical growth projections used were provided by Erwin Rode, a property economist who, as his base, uses the Macro Economic Forecasts of the Bureau of Economic Research at the University of Stellenbosch.

Our product was designed primarily for the capital growth-seeking investor and should be seen as complementary to, rather than in competition with, commercial syndications. Like commercial syndications, this product provides a mechanism for investors with limited capital to enjoy the same opportunities as have been enjoyed over the years by large investors.

However, to take account of the specific needs of our target market we have added a number of features such as bank guaranteed rentals, a buy-back trust fund and flexible end-sale options.

C P Glen, trustee, Two Oceans Trust, Cape Town

The true price of drugs

Sir — The article "Drug Prices — Fingering the culprits" (*Business & Technology* July 24) claims that if large retailers could offer prescription dispensing services, it would mean "steep discounts to the public." I contend that, if this were to happen, the best that the public could expect would be that they would be offered steep discounts off inflated prices.

The large retailers succeed in offering prices lower than small retailers only by forcing the manufacturers to raise their list prices so that they may offer the large retailers the discounts they demand. When one hears of the extended credit, the kickbacks, listing fees and other hidden factors large retailers demand and receive, one wonders just how much the cruel inflation of food prices has been caused by these friends of the consumer.

By spending huge sums of manufacturers' money, paid for by the consumer, on advertising, large retailers create the perception in the minds of the masses that they are cheap places to shop. One only has to compare the prices of meat in supermarkets to those in the independent butchers to see the fallacy.

The main reason why allowing large retailers into the prescription medicine business would not be in the best interest of the public is that large retailers work on the principle of price promoting only where mileage can be gained. When it comes to prescription medicines, however, brand leaders make up a much smaller percentage of the range of drugs which should be stocked to

offer a comprehensive dispensing service.

It is not outside the bounds of possibility that some large retailers could afford to run dispensaries at a loss until they put many small independent pharmacies out of business, and then push up prices and cut back on services. How many of us would rejoice in the corner grocer and other small service-intensive retailers being killed off by "price-cutting" juggernauts?

Lynn F Ambler (retired pharmacist), Musgrave, Durban

Too many inflation players

Sir — I found your article on the causes of excessive food price inflation interesting but I cannot help feel you were punishing a petty thief while a murderer was allowed to go free (*Business & Technology* September 25).

Profiteering and unnecessarily slow processing by supermarkets may well be contributing to the rise in the price of a basket of food, but this is inconsequential when compared with the disastrous consequences of State intervention. The recent financial statements of the five agricultural control boards clearly illustrate the level of bureaucratic wastage that is taking place. This cost is being passed on to the consumer on the shelf and in taxes.

The Meat Board's statistics show that for the year 1990/1991, travel expenses for the chairman and board members increased by 53%, while entertainment expenses more than doubled. The Citrus Board registered a 47,8% increase in administrative expenses. Similar shocking figures are repeated in the statistics of the other control boards. The time has clearly come to adopt urgently the recommendations in the interim report of the Board on Tariffs & Trade — that agriculture should be deregulated and these boards done away with.

The problem lies not only in their cost, but in the adverse effects they have on the entire food distribution chain. Tony Twine, of Econometrix, an economic consultancy, has pointed out that control boards increase the number of players attempting to optimise their positions, invariably adding to the cost of the chain. Hawkers, who have bypassed these boards by going directly to the farmers for their goods, have clearly shown the price saving to the consumer when bureaucracy is eliminated.

In addition, the fixing of prices of consumer goods runs contrary to the idea of an open market. Where prices are free to be dictated by market forces, goods are sold at levels consumers can readily afford, or they are not sold at all. Put differently, in a depressed economic environment, where the free market operates, those retailers who continued to price their goods at nonmarket-related levels would simply go out of business.

Russel Crystal, executive director, Southern African Branch, International Freedom Foundation, Johannesburg

VS BOSSES

ISI ~~ISI~~

FM 9/10/92

in difficult times.

The conventional view of employers is that they provide employee benefits as a moral obligation. But the unions see these as part and parcel of annual wage negotiations, and negotiation rules out obligation. Either way, it's clear that employee benefits can no longer be regarded as separate from the overall remuneration package. It is also self-evident that negotiations are a permanent feature of the employee benefits scene, even though they are often characterised by suspicion, hostility, posturing and emotional arguments on both sides.

Wanted: a different focus

The blind spot shared by both is that employee benefit negotiations are all too often conducted along traditional bargaining lines. This 'win-lose' approach can never be in both parties' interests because there are too many unresolved issues at stake, and the end result will be, at best, an unsatisfactory compromise.

We at Old Mutual Employee Benefits believe that a new perception is required. And we are in a good position to see both sides of the picture. Our long experience in dealing with negotiated benefits has shown that an essentially *needs-focused* approach of convergent bargaining can lead to innovative solutions. Which in turn have resulted in 'win-win' situations for numerous clients: small and large, employers and unions

The way we see it is: negotiations are inevitable; conflict need not be.

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LABOUR FM 9/10/92
Pyrrhic victory

Plans are on track for the reinstatement of 5 000 health workers dismissed during the National, Education & Health Workers' Union (Nehawu) hospital strike. Their return will take place on October 26 in terms of a milestone agreement between the TPA, Cosatu and Nehawu. The cases of the rest of those dismissed — about 2 700, who face various criminal charges — will go to arbitration.

But what happens to the 5 000-plus new workers taken on by the TPA to fill the vacancies? Not much has been said on this score, the TPA had yet to respond to inquiries as the FM went to press. As matters stand — and even if some of those dismissed do not reapply — the question seems fraught with difficulty and indicates a ballooning of the TPA's wage bill, without any gains in productivity.

The Nehawu-TPA agreement came after a month of intensive negotiation. The chairman was Andre Lambrecht, head of the Wits/Vaal Regional Peace Committee. His quiet mediation, which ended the messy four-month dispute on September 24, chalked up one of the Peace Accord's more visible success stories.

Lambrecht described the agreement as creating "an entirely new beginning for the relationship between the parties," changing it from one which had been often marked by antagonistic positions to one of problem solving and co-operation, based on their extensive new code of conduct.

This code provides for the return to work after due application by those dismissed and a moratorium on industrial action for six months. Employees not rehired because they face charges of violence or other misconduct during the strike can take their cases to arbitration.

The parties agreed on a programme of training about the code and its provisions. These include the regulation of disagreements. A committee chaired by Lambrecht will oversee implementation of the code, his regional peace committee will oversee the return to work.

Both parties condemn the violence and commit themselves to avoiding it in future. They also accept the principle of freedom of association.

The purpose of the code is to create a climate for formalising the relationship between the TPA and Nehawu. They agreed to recognise that, given the present public service structure, the TPA could deal only with matters within its jurisdiction. The process to legislate new arrangements for this sector

has been set in motion; until then, the code will remain binding on both parties.

The union undertook to rejoin the central negotiation forum set up for the public sector in 1990. It also recognises the right of TPA management to manage, which includes recruitment and placement, promotions, demotions, transfers, training, retrenchment and redundancy, discipline and dismissals, work classification, and so on.

The special nature of health care institutions was acknowledged, plus the fact that as essential service providers they can determine the life and death of patients. Hence the special arrangements provided for freedom of expression.

Demonstrations will be authorised only by the head of the institution affected subject to certain conditions that they

- Shall not hinder or undermine the rendering of services,
- Concern only unresolved issues directly related to the work relationship, and provided that no demonstrations are authorised once a dispute is referred to arbitration,
- Not infringe upon access to health institutions by the public and/or workers who are not part of the demonstration, or on the rights of patients,
- Be conducted peacefully and with due regard to the interests of patients, the proper functioning of health services and in particular the need to keep down noise, and
- Shop stewards shall control and monitor protests responsibly.

Any dispute arising out of the interpretation of the code will be resolved in terms of a special arbitration procedure.

The code provides a good foundation for a full recognition agreement, which will be finalised towards the end of next month, between the TPA and union.

Lambrecht also agreed to approach the SA Nursing Council and the Medical & Dental Council to persuade them not to take disciplinary action against certain strikers, in view of the new conciliatory approach between the parties.

Meanwhile a meeting has yet to be arranged between the union and the Commission for Administration, which determines public sector wages and conditions, to resolve the demands which led to the strike. These included a minimum wage and a 15,3% increase across-the-board, maternity leave, a 40-hour week, permanent status for workers classified as temporary employees and a dispute resolution mechanism.

Most of these are in effect accepted by the TPA, though it requires formal approval by the commission.

Though a good foundation has been laid to deal with health worker disputes, the union is not happy with draft legislation regarding conditions of employment in this sector.

In particular, it is opposed to the apparent requirement that would lump together the union with staff associations, which tend to be more conservative bodies. Nehawu also believes that their right to strike is fudged in the draft law as it stands. ■

Restructuring fuels Sasol conflict

9/10-15/10/92

TENSIONS at the oil-from-coal giant Sasol are approaching breaking point, as workers challenge the company's "unilateral" launch of new projects.

The Chemical Workers' Industrial Union's (CWIU) demand is an increasingly familiar one, a greater say in company business planning. But the dispute also highlights a deep contradiction in labour's thinking about a new economic order: it demands that local industry become more internationally competitive, but is unwilling to accept the rationalisation — and job losses — this often entails.

The four-month conflict at the government-controlled Sasol came to a head this week when 400 workers staged a human-chain protest at the corporation's head office, prompting it to declare a dispute with the CWIU — which represents about 8 000 workers at Sasol — for negotiating "in bad faith".

At the heart of the dispute is a Sasol capital-intensive expansion programme, aimed at extending operations into other spheres of the South African petroleum and chemical industries. Several projects, costing more than R3-billion, are envisaged as the company shifts its emphasis away from synfuel.

Sasol's efforts to become internationally competitive have raised tensions with labour, reports

MONDLI MAKHANYA

The restructuring has been paralleled by the retrenchment of about 2 200 workers. While Sasol attributes this to the tough conditions in the international chemical market, CWIU says it is due to Sasol's "restructuring" process.

The CWIU argument has it that the fuel grant realises synthel's role in a post-oil embargo age will be downgraded and is seeking refuge in other sectors of the market. There is nothing wrong with this, says acting general secretary Muzi Buthelezi, except that it is being done at the expense of the unskilled workforce at Sasol plants and the Secunda coal mines.

"Sasol was built with taxpayers' money to protect and promote apartheid. Now that apartheid is on the way out, Sasol is restructuring its operations to protect its profits and this at the expense of the workers," charges Buthelezi. Sasol spokesman Jan Krynanuw says the proposed projects are aimed at

product benefitation, in order to "make the group a world-scale chemical producer. We are merely adding value to our products".

The manner in which the retrenchments have been conducted underlies much of the distrust between the two parties.

They agreed this year to a moratorium on compulsory retrenchment, which expires next February. But this left a loophole for Sasol to offer workers voluntary retrenchment packages, a path which the company followed.

About 1 600 workers at Sasol's Secunda collieries and several other plants accepted this offer. CWIU now says Sasol acted in bad faith in not consulting it about offering voluntary retrenchment to union members. It has declared a dispute over 141 of the 220 workers retrenched on a compulsory basis.

Andrew Levy and Associates consultant Pat Stone reckons while management has every right to take such action, the union response is understandable.

"The union is concerned about the long-term preservation of jobs. It is saying it wants to participate at every stage and every level of business planning," he said.

Stone believes this tussle will be played out in other companies as

labour sees participation at company and industry level as a feasible alternative to the unlikely prospect of a centrally planned economy.

Also a source of annoyance to the CWIU is Sasol's shunning of talks on the establishment of a centralised bargaining forum for the chemical industry.

Furthermore, Sasol is one of the companies that gave warnings to workers who took part in the August general strike.

So acrimonious has the conflict become that it now threatens to spill over into the political arena. South African Communist Party head Chris Hanu this week charged that the "restructuring" of the 30 percent state-owned Sasol was part of a government push to sell off the family silver ahead of a democratic government.

Much heat has been generated over union allegations that Sasol property was used to house Civil Co-operation Bureau operatives who were responsible for fanning violence in the Secunda area.

The CWIU demands Sasol "immediately" refer the matter to the Goldstone Commission; the company says it has already done so. Sasol has resorted to litigation to stop the union from continually publicising what it calls "slandorous allegations".

Try to say it with comics

South 10/10 - 4/10/92

COMIC strips usually amuse and entertain, but, as more and more life assurance schemes are finding out in South Africa today, they can also educate



Employee benefits are a complex issue at the best of times, but during negotiations between workers and employers, workers are often at a disadvantage because they do not know enough about insurance, pensions and other benefits

To help them, Old Mutual has pioneered easy-to-read comic strips to explain these complex issues to workers.

At least two are already in circulation. One has been produced for its employee benefits division and the other for Iscor.

They graphically explain the differences between, for example, pension funds and provident funds, why these are needed in today's society and what is done with the money in the fund to ensure that it grows and/or is used to back social programmes.

Explaining the move, Old Mutual's general manager in charge of employee benefits, Mr Garth Griffin, said negotiations about employee benefits were



usually highly emotional, with rhetoric and a lack of realism predominating

"When participants better understand the issues and each other's viewpoints, it is possible to move quickly towards practical resolution — for the benefit of all," said Griffin — **LYNDA LOXTON**

Wage agreement in engineering sector

ALAN FINE

AFTER seven months of negotiations, including a four-week strike by 80 000 Numsa members, employers and unions in the engineering industry reached agreement yesterday on wages and working conditions for 1992/3. *BIDM 4/10/92*

A Seifsa statement said the agreement, effective from July 1, provided for a 9.1% wage increase for 320 000 employees.

For the first time, the increase will apply to actual, as opposed to scheduled, minimum wages. In return, the unions have agreed to a clause that will bar them from compelling employers to negotiate additional increases at plant level.

Another unusual feature is an undertaking by parties to the industrial council to give sympathetic consideration to applications from companies in certain economically depressed regions for permission to pay less onerous increases.

Free State and northern Cape employers dependent on the mining industry may apply for an exemption allowing them to implement the increase from January 1. Natal employers may apply to pay only a 7.3% increase.

A previous arrangement whereby Border employers could pay 5% less than the scheduled rate to people employed from July 1 1991 remains in force. The agreement also offers improved severance pay and subsistence allowances.

Sapa reports Numsa spokesman Les

□ To Page 2

Engineering

BIDM 14/10/92
Kettledas said it was not an agreement members could be jubilant about

It is understood Numsa withdrew a request for a clause committing Seifsa to recommend reinstatement of 3 000 workers dismissed during the August strike

The union is attempting to pursue the issue through official channels. A request that the matter be dealt with as a single dispute was turned down by employers

Confederation of Metal and Building Unions director Ben Nicholson, who repre-

sents six artisan unions, said certain unions had dragged out discussions by their "unwillingness to accept the realities".

"We could have saved those 3 000 jobs. Although we are accused of not being militant enough, the outcome shows that militancy does not always pay," he said

□ Numsa announced it planned a march on Anglo American headquarters tomorrow to protest against the dismissal of 600 Boart employees during the strike

From Page 1

Numsa and Seifsa reach agreement

SEVEN months of tough talking between the Numsa and Seifsa has at last yielded results after the signing of a wage pact by the two parties this week. *Open 18/10/92* (151)

The main feature of the agreement which will affect approximately 320 000 metal employees, is that workers will get a 9,1 percent increase, backdated to July 1.

the nation in brief

Sowetan 20/10/92
Azapo stayaway call flops

THE one-day stayaway call by the Azanian People's Organisation on the Reef yesterday went unheeded as workers went to work in their usual thousands

According to the South African Chamber of Business and transport service organisations, business was normal and buses and trains were full yesterday morning

A spokesman for Spoornet, Mr Ephraim Mohale, said the call had had no effect on trains. A Putco spokesman, Mr Brian Treweek, supported Mohale, saying as far as he knew there was no stayaway on the Reef yesterday

Sowetan 20/10/92
Otis charged for lift death

AN elevator company is facing criminal charges following the death two years ago of a man who was cut in half by a lift in a Durban building

The Natal division of the Otis Elevator Company faces charges in terms of the Machinery and Occupational Safety Act for allegedly designating that Mr K Marimuthu, who was not under the supervision of an experienced person, work on the lift

The company's director, Mr S Lewis, yesterday pleaded not guilty in the Durban Magistrate's Court to the charge. The case was postponed to November 16

Sowetan 20/10/92
Red Cross gets R920 000

MORE than R920 000 to assist victims of violence in Alexandra was given to the South African Red Cross Society in Johannesburg yesterday by Social Relief Fund board chairman Dr Piet Koornhof

The money, totalling R920 801,45, was the first allocation approved by the fund's executive for the Southern Transvaal Red Cross.

Koornhof said the Social Relief Fund was established after parliamentary approval was granted for the Fundraising Act to be amended to make official provision for the granting of financial assistance to communities affected by violence

Sowetan 20/10/92
Alleged harassment of PAC

SEVERAL cases of alleged harassment by security forces of Pan Africanist Congress members have been forwarded to the organisation's lawyers, PAC national organiser Maxwell Nemadzivhanani said at a Press conference in Johannesburg yesterday

Sowetan 20/10/92
Rhodes Press lecture

THE editor of Zimbabwe's leading independent newspaper, the Financial Gazette, will deliver the Rhodes University annual Press freedom lecture on Thursday.

Mr Trevor Ncube's topic will be Press freedom in Zimbabwe. The Financial Gazette made headlines earlier this month after Ncube became embroiled in a dispute with a parliamentary committee over his source for a report on a multi-million-rand corruption scandal.

Sowetan 20/10/92
Mediation for Willards strike

A PAY dispute that has led to a two-week pay strike at Willard Batteries would be referred to mediation today, National Union of Metalworkers of South Africa spokesman, Mr Bimba Manqabashana, said yesterday

Dismissed workers appeal to retailers

APLE 20/10/92

(151)

SHARON SOROUR, Labour Reporter

TWO national chain stores have been drawn into a dispute between clothing union Sactwu and two Cape clothing manufacturers over the dismissal of workers who took part in an illegal march.

The SA Clothing and Textile Workers Union is to meet Woolworths and Edgars today in a bid to convince them to cancel orders placed with manufacturers HK Manufacturing and Alpa-Rose Manufacturing — the companies that dismissed 41 workers.

At a Press conference attended by the ANC and Cosatu, union spokesman Mr Ronald Bernickow said about seven companies had dismissed about 700 workers after the march in June to protest against a wage offer.

Most had been reinstated, but after four months HK Manufacturing in Atlantis had refused to reinstate 21 workers and Alpa-Rose Manufacturing in Athlone had refused to reinstate 20 workers.

"The union has done everything to reason with the companies to no avail. We are only talking about 41 jobs, but it is an issue of principle here," he said.

Alpa-Rose Manufacturing managing director Mr Solly Alpert said the company had had "quite a few meetings with Sactwu", and had offered to reinstate 10 of the 20 dismissed employees.

Mr Alpert said the union had rejected the offer and litigation was pending. Workers had been warned they would be dismissed before the march took place.

Mr Bernickow said the union intended taking the matter further by "applying direct pressure" to Woolworths and Edgars, both customers of the two clothing manufacturers.

"We are calling on Woolworths and Edgars to cancel orders they have placed with these two manufacturers, and we intend to pressure the suppliers of fabrics, yarns and buttons as well," Mr Bernickow said.

ANC assistant regional secretary Mr Willie Hofmeyr said the ANC had written to the two manufacturers, as well as Woolworths and Edgars, to request a meeting, and to urge the parties to resolve the situation.

A Woolworths spokesman confirmed that Woolworths would attend the meeting this afternoon.

Mr Hofmeyr said the ANC was "very concerned" about the situation as the June march led to "a settlement of the wage dispute at that stage, averting a national strike in the industry".

Cosatu regional secretary Mr Jonathan Arendse said the federation had monitored the situation and warned that while the two manufacturers were not on a blacklist "as yet", "hard and severe" action would be taken if they did not reinstate the workers.

Checkers, Saccawu to meet on dismissals

CHECKERS-Shoprite group and the SA Commercial, Catering and Allied Workers' Union (Saccawu) are meeting today to try to resolve the dispute over the dismissal of workers at the group's Heidelberg store three weeks ago.

Saccawu official Salm Vally said yesterday the union wanted both the Heidelberg workers and more than 100 others dismissed in the eastern Cape reinstated.

But Checkers-Shoprite had told the union it wanted to discuss further retrenchments today,

BIODAY 2/11/01/12

DIRK HARTFORD

he said.

A Checkers-Shoprite spokesman said the group regarded its relationship with its employees as an internal matter and "did not want to arouse any public debate which may jeopardise the future of their livelihood".

Saccawu is picketing Checkers stores nationally in support of the dismissed workers.

151

Court rules for Times Media against union

AN APPLICATION by the SA Union of Journalists to compel Times Media Ltd to participate in the media industry's collective bargaining forum, known as the Conciliation Board, has been turned down by the Industrial Court. (DAY) 23/10/92

SAUJ president Dirk Hartford said yesterday the application had been brought to force TML to participate in the board until

RAY HARTLEY

a final court ruling was made next year. The court ruled that TML could remain outside the board, from which it withdrew in April.

TML group secretary Barrie Harris said negotiations were still under way with the union over ways in which the conciliation board could be used in future. (151)

U/Ment
23/10 - 29/10/92

LABOUR BRIEFS

(151)

Mewusa division



Trade Unions affiliate's branch.

■ THE Cape Province branch of the Metal and Electrical Workers' Union of South Africa threatened its head office with legal action this week for the agreement the executive signed to end the metal industry dispute last Tuesday.

The branch says the agreement "takes away the right to strike".

The agreement on single level bargaining exposes workers to lock-outs and quicker dispute declaration, believes the National Council of

Cape region to take union head office to court?

S. Times [Cape Metro] 25/10/92

(151) ~~151~~ ~~151~~

THE important Western Cape region of the Metal and Electrical Workers Union of SA (Mewusa) is threatening legal action against its head office over the recently-concluded main agreement in the metal industry.

The agreement was signed in mid-October after eight months of sometimes bitter negotiations, including a strike by the National Union of Metalworkers of SA (Numsa), declared illegal by the Supreme Court.

It provided for wage increases well below the rate of inflation and also sought to end plant-level bargaining over wages and other conditions of employment in the industry.

By DICK USHER

Most disturbing to the region are clauses in the main agreement covering plant-level bargaining.

"Mewusa has traditionally used plant-level negotiations with more profitable companies to secure better benefits for workers than have been gained at centralised bargaining in the industrial council," said Mewusa acting regional secretary Mr Ben Petersen.

"Where employers and unions can't reach agreement on alterations to their plant-level arrangements, the wage increases for members there will not be on their actual wages, but only on the minimum rates."

"So there is an economic gun to people's heads - either stop plant-level bargaining or lose increases."

"At the same time our understanding is that in terms of the Labour Relations Act this will open the way for employers to declare disputes against workers."

"After that they will have the power to lock workers out until they agree to the new conditions."

Mr Petersen said the union's regional executive committee had warned its head office that it would take legal action if these measures were accepted.

"We also asked them to call a national executive meeting before signing," Mr Petersen said.

"We had no response and have no option but to make our differences public."

Union prepares for Checkers battle

BLDAY 28/10/92
THE SA Commercial, Catering and Allied Workers Union (Saccawu) said yesterday Checkers-Shoprite had threatened to immediately retrench 400 workers in the Transvaal unless union negotiators agreed to discuss the issue today.

The company also said it would introduce flexibility arrangements for its staff, Saccawu said.

The union insists the company first negotiate the reinstatement of the black workforce at the Checkers Heidelberg store.

And it backed up its demand yesterday by occupying Checkers' regional office near Germiston. The occupying Saccawu delegation included branch officials, shop stewards and workers.

(SL)
DIRK HARTFORD

Saccawu official Sue Harvey — speaking from the occupied Checkers office — said they would stay in the building until Checkers agreed to reinstate the Heidelberg workers and negotiate on their grievances.

If the unionists were arrested, they would refuse bail and stay in jail, said Harvey.

Checkers had told the union it was not prepared to discuss the Heidelberg workers at all, according to Harvey.

Last Friday 2 000 workers in Heidelberg marched on the Checkers store demanding the reinstatement of the workers and the dismissal of the store manager.

A RECENT supreme court judgment "makes a national strike virtually impossible" and places international labour standards far out of South Africa's reach.

This is the finding of labour analyst Bashier Vally in a post-mortem of the judgment in a case brought by the Steel and Engineering Industries Federation of South Africa (Seifsa) against the National Union of Metal Workers of South Africa (Numsa). In a paper to be published, Vally finds that the judgment effectively ended the strike in the metal industry because it "allows employers to allege irregularities and thereby frustrate the strike", says Vally.

The court approved Seifsa's request

Court ruling 'seriously limits right to strike'

W/W/001 30/10 - 5/11/92
for an interdict against Numsa members on the grounds that the balloting had been illegal.

The clause in the Labour Relations Act which Seifsa relied on is the same one the recent International Labour Organisation (ILO) Commission to South Africa criticised and said needed urgent reform to comply with international freedom of association standards.

The judge upheld the interdict without probing the employers' claims and in so doing severely limited the right to strike.

A supreme court judgment in the recent Seifsa-Numsa dispute has

serious implications for any

future national strike, an analyst

claims. By **FERIAL HAFFAJEE**

The court found problems with aspects of the balloting, although it accepted that "a trade union cannot be expected to conduct a ballot with the precision shown in a parliamentary election".

Some of these problems were:

- The union's inability to provide accurate membership figures.

- Denial that the ballot had been secret.

- The fact that Numsa could not ensure that each member voted only once.

Vally criticises this "formalistic and rigid approach to strike ballots", saying that it doesn't take account of the realities involved in conducting strike ballots. He cites examples of employers

obstructing ballots by refusing to grant time off to workers or to providing access to trade unions. He also says unions have not always been vigilant about ballots.

In the interests of better labour relations, Vally suggests that "managements should inform the trade union of irregularities at the time they are committed so that the union can remedy them before costly legal remedies are sought".

Balloting laws should also be streamlined because they "provide a weapon to

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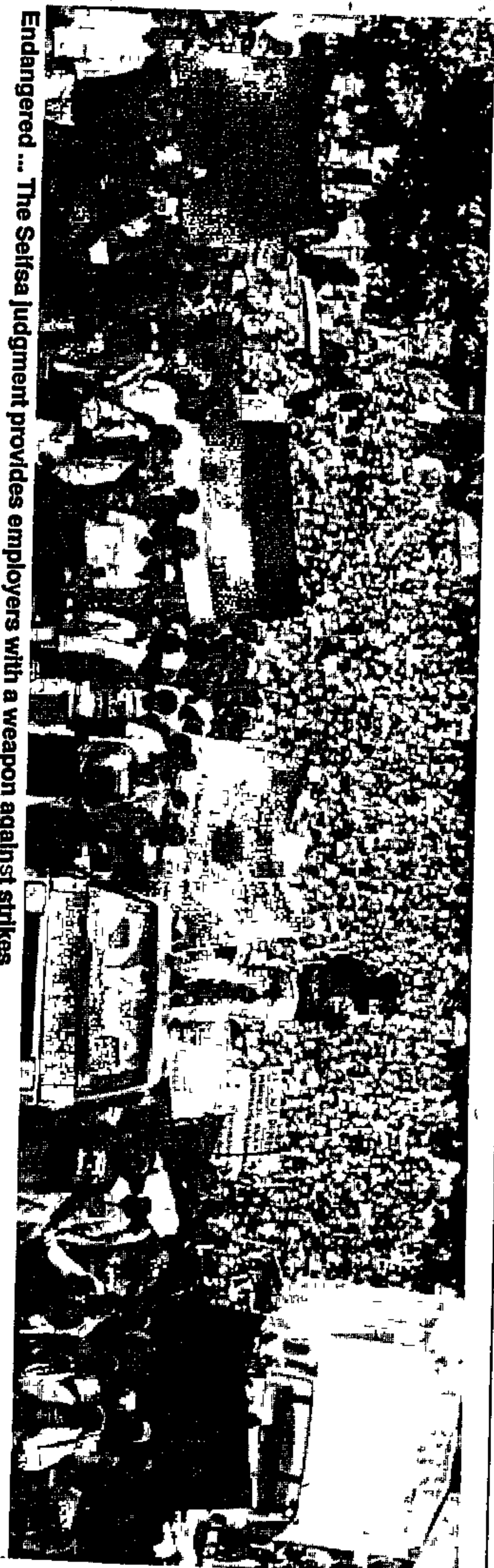
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employers to frustrate any strike that fails to strictly abide with the terms of the legislation".

Recently, the ILO's commission to South Africa suggested that the Labour Relations Act (LRA) be amended to remove all obstacles to the right to strike in order to bring the legislation into line with ILO principles on the freedom of association.

The commission specifically addressed problems in the LRA with regard to balloting.

It said that the requirement for an absolute majority of workers in an industry for a strike ballot ran the risk of "seriously limiting the right to strike".



Endangered ... The Selsa judgment provides employers with a weapon against strikes



LABOUR BRIEFS

Wednesday 30/10 - 5/11/72
tion Service of South Africa (Inssa).

On Monday, Nupen said that Inssa had conducted 386 arbitration cases this year, compared with 342 in the same period last year. (51)

While Inssa is no cheaper than the industrial court, it is a lot quicker. This explains why many large companies and the public sector have agreed to refer all dismissal disputes to Inssa. The African National Congress also regularly uses Inssa's services to oversee elections.

Inssa recently opened a branch in the western Cape and will open one in the eastern Cape early next year.

Thumbs-up for Imssa (15)
■ FEW organisations have made their
mark on the new South Africa like
Charles Nupen's Independent Media-
w/Mark 30/10 - 5/11/92.

'Video scam aimed at cost cutting'

C/pen 1/11/92.
By ELIAS MALULEKE

THE SA Motor Corporation (Samcor) may face industrial and legal action for employing a private investigator who allegedly enticed factory workers to steal from the firm.

The investigator allegedly filmed the transactions.

Now the jobs of 177 Numsa members are on the line

Numsa claims the scam was set up to provide a reason to fire workers rather than pay retrenchment packages.

Organiser Herman Ntlatleng said that if the 177 were not reinstated, industrial and legal action would ensue

He said Samcor was to retrench workers in December and had already laid off more than 700 workers in September.

Fired workers said an Indian PI posed as a food vendor outside the Samcor premises in Waltloo, Pretoria.

They said that when they went to buy from him, he told them he was a buyer looking for car parts and tools, and enticed them to bring parts.

This he had done by promising to pay extremely well for any part brought to him.

They said he was buying any spare part they could carry into his caravan

The man had paid more than the parts were worth at a spares dealer.

Sacked

The PI was filming the deals on video.

The videos were handed to management and the workers were sacked

One worker said the parts he was filmed selling to the PI were not from Samcor

He claimed they were cheap parts he'd bought from a spares dealer

He had sold the parts for profit to the PI.

One of the alleged "thieves" captured on camera is a woman who is alleged to have undressed down to her panties to remove parts concealed on her body.

Samcor public relations officer Dirk de Vos confirmed that workers were caught by the spy camera.

However, he denied allegations that some workers were fired because of it.

"No one has yet been fired as the matter is still under investigations. However, as the matter is still sub-judice, I cannot comment on the number of workers involved in the filming"

He said it was company policy - following an agreement with Numsa - that statements regarding workers should be released jointly with the union.

Ntlatleng said the matter was being discussed by shop stewards and management, but the union had pointed out that it was unfair of management to entice workers to steal.

Choose your forum

The drive by "progressive" unions in recent years towards centralised wage bargaining has suffered a setback. The Industrial Court has ruled that parties cannot be compelled to negotiate at a particular bargaining forum. The judgment, in the case brought by the

* *Continued*

SA Union of Journalists against Times Media Ltd (owner of the *FM*), was delivered by Arthur de Kock, a senior member of the Industrial Court, on October 20.

The union had, under Section 43 of the Labour Relations Act, sought an order declaring TML's withdrawal from the SA Newspaper Press (Editorial) Conciliation Board an unfair labour practice. Further, that TML had unfairly breached a 1983 agreement (which appeared to cast the relationship in stone), and that TML's withdrawal notice should be rescinded.

The union's application was dismissed without costs.

The dispute involved not the obligation to negotiate, but rather the appropriate bargaining forum and the company's right to withdraw from the forum previously agreed and used. Respondents included Argus Newspapers and the SA Press Association, which, though no relief was sought against them, were cited as they had an interest in the matter.

TML had reached the conclusion that the board was no longer suitable for negotiations with its editorial staff represented by the union "to the extent that it was representative of them." (Representation was not at issue.) The company believed that its attempts to negotiate changes to the board, or create a new forum, had failed. In April it informed the union that it would opt out at the end of July.

The employers had been unhappy with the old board for some time. They tried to pull out in 1982 but were checked by the union through the Industrial Court (*Bleazard vs Argus and others*, 1983).

That dispute was settled in terms of the 1983 agreement, which restricted the right of signatories to withdraw. They could not withdraw, if it amounted to an unfair labour practice, unless a new forum was jointly agreed, if it breached the board's constitution, upon failure to agree, nor "solely upon notice."

The court found it difficult to determine precisely what the parties intended by this. Its interpretation, however, is that an agreement of indefinite duration could be terminated if reasonable notice were given.

Though the 1983 agreement says no party is entitled to withdraw at will, this did not mean a party could not withdraw for reasons other than those contained in the agreement — commercial reasons, for instance. The provision against withdrawing "solely upon notice" clearly implied that there may be good and sufficient reason for withdrawing upon notice.

Among TML's reasons for wanting to leave the board, or restructure it, was that it was disadvantageous to the process to bargain in the presence of its main rival, Argus. While TML preferred plant-level bargaining, it was not wedded to the idea. The court found that TML's efforts to seek a new agreement with the union were fruitless and would continue to be fruitless.

While the court would compel collective

bargaining where it is refused, it would not interfere as to where and when this should take place, because collective bargaining should always be voluntary to be effective. There was no universally correct forum that should be used.

The only effect of TML's withdrawal from the board, said the court "will be to stifle an agreement which is 'national' in the sense of providing minimum conditions of employment for English-language publications published by it and others."

That observation highlights a key reason why certain unions, notably those aligned to Cosatu, prefer centralised as opposed to plant-level bargaining. It gives the union greater leverage to negotiate wages and conditions of employment which can apply nationally, irrespective of whether these can be borne in all regions or by smaller companies.



No wage freeze ... Striking Saccawu members picket Maponya's Discount Stores this week

Photo: GUY ADAMS

Winnie fails to end Maponya dispute

By FERIAL HAFFAJEE

WINNIE MANDELA went to the negotiating tables this week — trying to persuade Soweto millionaire Richard Maponya's striking workers to return to their posts

Her efforts to broker a settlement were unsuccessful; she attempted to persuade the workers at Maponya's Discount Stores to accept a wage freeze this year with the promise of a split increase next year

But the striking workers will not settle for less than a R650 minimum wage, R150 across-the-board increases, annual bonuses, paid maternity leave and gazetted overtime pay

Many employees earn R400 a month while the best-paid earn R700. They get bonuses based on length of tenure and the three months maternity leave available to women workers is unpaid. Since 1990, Maponya has refused to sign a recognition agreement with the South African Com-

mercial, Catering and Allied Workers Union (Saccawu)

The strike began on Friday when workers did not clock in and instead picketed the store, shouting to customers not to enter.

By Tuesday this week, the shop was empty and those workers not on strike sat reading and painting their nails while Maponya and Mandela met Saccawu officials in the basement.

Maponya confirmed that turnover was down to almost nothing and said he had not put a counter-offer on the table because negotiations were continuing

The strike turned ugly last Friday when the police came to deliver a court order to picketing workers. Maponya secured the court order to prevent strikers from harassing and intimidating customers

The police opened fire and a Saccawu shop steward, Louis Dnugela, suffered a birdshot wound. About 26

workers were arrested and released the next day at lunchtime, after paying R100 admission of guilt fines

Maponya said allegations that he had threatened workers with a gun were "absolute nonsense". The allegations were made to *The Weekly Mail* by the union and striking workers questioned independently

It was rumoured that Maponya, who is a close friend of the Mandela family, called in Winnie Mandela hoping that the striking workers would defer to her. But Maponya said that Mandela had "come of her own accord" when the person she sent to do her shopping had been prevented from entering the shop

Maponya, who has been an African National Congress member "all my life", owns a string of businesses — including the Soweto BMW franchise, a Coca-Cola bottling plant and garages. His six racehorses run in ANC colours

Mediators take over from industrial court

S/Times (Buss) 8/11/92

(1ST)

By ADRIAN HERSCH

DISMISSAL disputes are increasingly being referred to private arbitration

The Independent Mediation Service of SA (IMSSA) reports that in the year to the end of September it conducted 386 arbitrations compared with 312 in the same time last year

Most arbitrations concern dismissals

The rising use of arbitration can be ascribed to the fact that industrial court cases take a long time to be resolved

IMSSA director Charles Nupen says: "The advantage is that it is a flexible mechanism. The parties choose their own terms of reference and the whole process is concluded relatively quickly"

Trend

Some large companies and corporations and their respectively recognised trade unions have agreed to use the process permanently

For example, in the mining sector, Anglo American and the NUM agreed this year to refer dismissal disputes to arbitration

The process is also being



CHARLES NUPEN It's flexible and quicker to go to arbitration

used by the public sector.

Transnet management and 13 unions in the Transnet industrial council agreed early in the year to this

Mr Nupen says "Throughout the year we have handled many dismissal disputes from this sector, most of them involving members from the Cosatu-affiliated SA Railways and Harbours Workers Union (Sarhwi)"

The number of mediations conducted by IMSSA so far this year is 399 compared with 456 in the same time last year. Most relate to wage disputes

Mr Nupen ascribes the reduction to several factors, including the trend to centralised bargaining both at corporate and industry level.

"This has resulted in fewer sets of wage negotiations taking place," he says

Another reason could be that economic conditions are so tough that in pay talks employers have been unable to be as flexible as they were as in previous years

For example, Seifsa executive director Brian Angus said in June that the pay dispute in the metal industry was unlikely to go to mediation this year because "employers don't have the same leeway for flexibility as they had last year"

This year IMSSA continued to provide its balloting service for strikes and other purposes in several sectors

Unique

IMSSA regional director Inthiran Moodley says a unique voting method was used in a ballot to choose worker representatives at a mining house

Mr Moodley says "Many mineworkers are illiterate, but the voting problem was overcome by having the photographs of the potential representatives on the ballot forms"

Mr Nupen says Immsa continues to be involved in mediating disputes in the community as well as providing other services in this area

LEY

Union clashes with Sun International

STEPHANE BOTHMA

3/10/97
11/11/97
151

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) last night declared a dispute with Sun International's Wild Coast Sun and Ciskei Sun following the hotel corporation's refusal to negotiate the retrenchment of 4 000 workers at central level.

Sapa reports that Saccawu yesterday also warned that retail chain Checkers/Shoprite was facing a nationwide boycott following the continued boycott at the Checkers supermarket in Heidelberg to demand the reinstatement of sacked workers.

Cosatu, to which Saccawu is affiliated, had been asked to intervene to ensure that Sun International negotiated in good faith, union general secretary Papi Kganare said yesterday.

Kganare said Saccawu was mobilising its membership and would announce plans next week. Sun International had retrenched about 3 000 workers in Bophuthatswana, Swaziland and at the Riviera Sun, he said.

Kganare said Sun International intended retrenching an additional 1 000 workers in Transkei and Ciskei.

Saccawu official Sallim Vally told a news conference yesterday that calls for a Checkers/Shoprite national boycott in support of the Heidelberg dispute, which began on November 1, had the support of the ANC and PAC.

And in an unrelated labour dispute, Saccawu accused Soweto millionaire Richard Maponya of having a belligerent attitude towards the union.

Some 50 workers at Maponya's discount store in Soweto have been on strike since October 31, demanding higher pay and a minimum wage of R600.

ANC spokesman Roy Martins told the news conference that the organisation supported the strike at Maponya's store, and added that the ANC was investigating the Soweto businessman's status as an ANC member.

Maponya accused Saccawu members of intimidating potential customers, and said he had been an ANC member his whole life.

Dispute under the sun

~~206~~
151

JOHANNESBURG — A dispute has been declared with leisure giant Sun International at the Wild Coast and Ciskei Sun hotels by the South African Commercial, Catering and Allied Workers Union.

CT 11/11/92

LABOUR

Sudden agreement

While the provisions of the pathbreaking agreement between government and Cosatu on farm and domestic worker rights were generally expected, employers are concerned at the way in which the deal was done

In particular, it appears that the National Manpower Commission (NMC) was bypassed — and taken by surprise — at Monday's announcement of the agreement. It was signed exclusively — and suddenly — by new Manpower Minister Leon Wessels and Cosatu general secretary Jay Naidoo last Friday.

Cosatu only recently announced, after a great deal of discussion, that it is to re-join

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**continue*

CURRENT AFFAIRS

FM 13/11/92

the tripartite NMC (labour, business and government), having pulled out in part because government ignored the NMC's recommendations

Aside from the SA Agricultural Union, other employers are wondering whether this will set the pattern and bypass them. Puzzlement is compounded by the fact that Cosatu has hardly any farmworker members — except those in agri-business, who are organised mainly through its Food & Agricultural Workers Union in the Natal sugar and western Cape fruit industries. The inherent difficulty in organising farm labourers is a separate issue.

A "shocked and extremely indignant" SAAU said the decision to extend basic labour rights to agriculture was taken "without any consultation with organised agriculture." It said a meeting had been arranged with the Minister for next Friday to discuss an SAAU draft document (earlier sent to the Minister) outlining a separate labour Act for the sector. While much work had been done "to make the idea of practical labour legislation acceptable to farmers," said SAAU manpower committee chairman Chris du Toit, "I now expect strong opposition to the labour laws."

Indeed, observes labour consultant Duncan Innes, the worry is that SAAU, "which has dragged its feet on the matter," may prevent the effective implementation of the new laws, which will be difficult to police in any event.

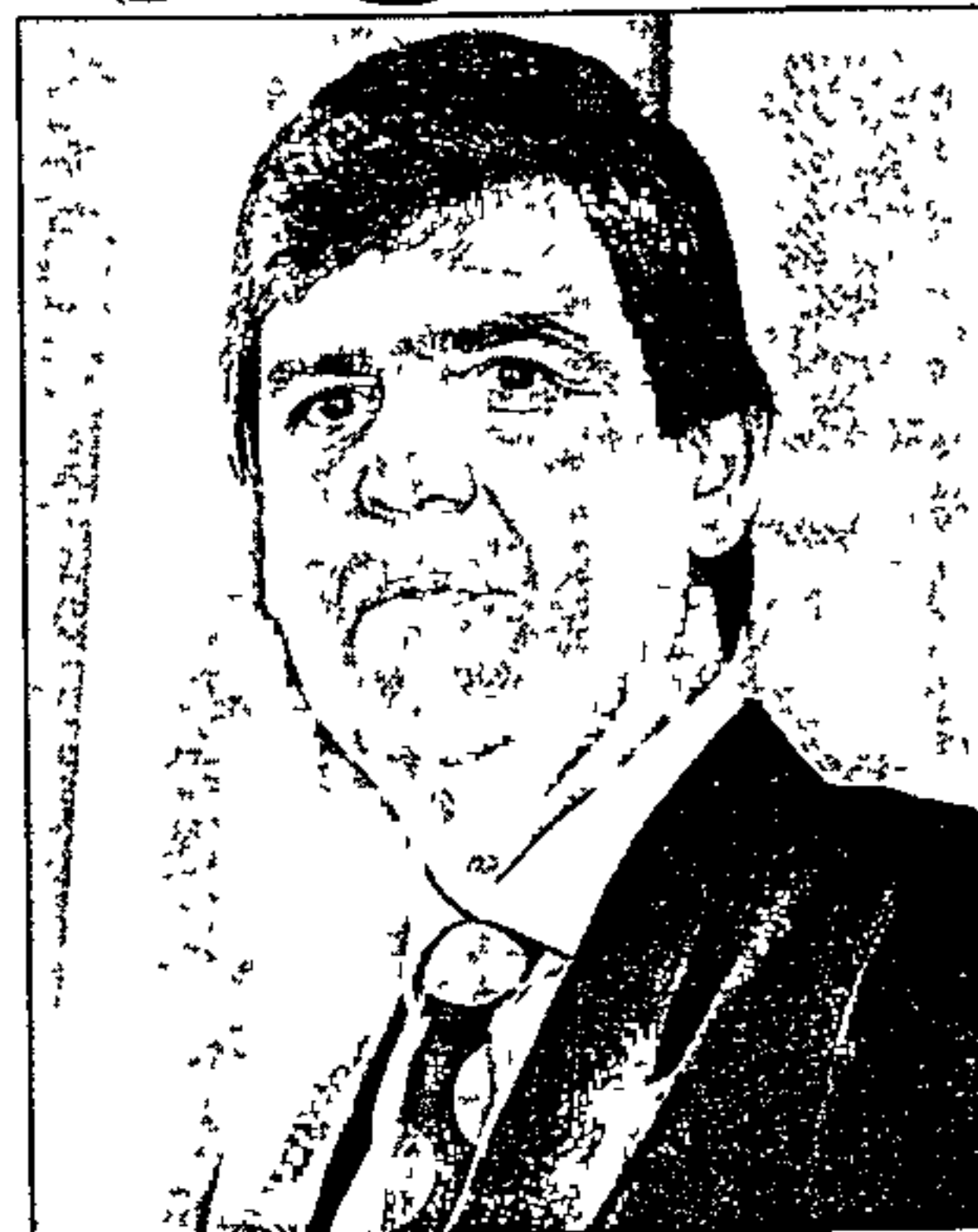
While welcoming the envisaged new legislation for "extending protective rights to millions of workers exploited in the past," Innes hoped government would not renege or water down the agreement.

Its main provisions state that the Minister shall.

- Promulgate the Basic Conditions of Employment Amendment Act (BCEA) to take effect on March 1 1993,
- Promulgate the Unemployment Insurance Amendment Act on January 1 1993,
- Introduce in parliament, with a view to passing it in the 1993 session, legislation to appropriately extend the Labour Relations Act (LRA) and Wage Act to agriculture and seek early Cabinet approval for this, and
- Before the end of the year, get his department to publish for comment the proposed legislation with due regard to the NMC's recommendations.

Regarding the BCEA for domestic workers, the Manpower department will submit to the Minister, by the end of next March, draft legislation to be introduced into parliament for passage not later than the second half of the year. It was further agreed that the LRA, appropriately amended and including effective dispute resolution procedures, needs to be extended to domestic workers.

Consideration is to be given to extending the Wage Act to domestics as well. A committee will be set up by Manpower including Cosatu, Nactu and Saccola, together with the Justice department in respect of dispute



Manpower's Wessels bold foray into the labour field

resolution procedures. It is hoped to enact this by the first session in 1994.

Extending unemployment and workmen's compensation benefits to this sector is agreed in principle and is to be investigated. So will labour law in the homelands. ■

B/DAM 13/11/92

Application refused

AN APPLICATION by Numsa for leave to appeal against a judgment in a dispute with the Steel and Engineering Industries Federation of SA and other employer organisations has been refused, with costs, by the Appeal Court in Bloemfontein. (151)

On August 7 Judge M M Joffe dismissed an urgent application by Seifsa and the employers against Numsa for an interdict to restrain the union from a strike in a dispute, which had been declared on May 15. On August 21 a full bench of the Transvaal Supreme Court upheld an appeal by Seifsa against the finding that the employers did not have "locus standi" to bring the application.

LABOUR

New labour deal with old problems

W/M/SA 13/11-19/11/92

THE accord signed this week between the Congress of South African Trade Unions and the government is being hailed as a victory for negotiated labour policy, but those left out in the cold can derail the hardwon agreement.

The labour movement has always led the field with negotiated and co-determined agreements that outstrip national political negotiations in sophistication as well as content. This week's agreement is no exception.

Concrete dates have been set for legislation to regulate the step-sister sectors of domestic and farm workers and public servants. The more powerful National Manpower Commission (NMC) will begin work early next year and the new National Training Board will start negotiations this month.

Cosatu lawyers have, through concerted campaigning, won a promise for the revision of the controversial industrial court. In addition, the labour appeal court will now be a court of final appeal for all labour matters, ending problems both employers and unions have with supreme court judges with a scant knowledge of labour law. Judges to the appeal court will be appointed with the consensus of government, employers and trade unions.

Cosatu general secretary Jay Naidoo called the agreement a "major breakthrough for labour relations" while Leon Wessels said the agreement set the foundation for South Africa to get its labour law in line with international standards.

But their elation is tempered by the voices of discontent which have quickly made themselves heard.

The farmers' lobby, in the shape of the South African Agricultural Union (SAAU), reacted angrily to the announcement that the minister will promulgate the Basic Conditions of Employment Act for farmworkers by March next year. The SAAU said it was "shocked and indignant" at Wessels' promise.

● The requirement that trade unions give 20 days notice before a strike while employers can get a strike interdict in 48 hours

Cosatu assistant general secretary Sam Shilowa agrees that dates have been negotiated in the past with various manpower ministers and that they have gone by with no action

"Minister Wessels is convinced that the acts should go through and we don't want to prejudice him," says Shilowa. "We want him to prove his bona fides"

Other features of the agreement include a resolution to form a high-powered committee which will work at implementing all the recommendations made by the recent International Labour Organisation Commission to South

Africa

In line with Cosatu's strategy to fashion a key role for itself in the labour market, two task forces have been set up to determine policy on training and the industrial court. The task forces are appointed by consensus and will include key union policy-makers whose appointment will only be rubber-stamped by the minister.

While the Laboria Minute, the foundation stone of this week's agreement, was negotiated by employer bodies, unions and the state, the latest accord is bipartite. Employers and politicians welcomed the accord but said it was essential that employers and other union federations be included in negotiations

Only a fortnight ago, Wessels agreed to withhold farmworkers legislation after receiving the SAAU's new proposals for labour legislation

This week, the minister set himself on a collision course with the farmers when he said the new proposals "did not even approximate the needs for reform and the need for timeous and swift performance".

A determined Wessels said the country could not wait for the farmers to produce concrete legislation

Despite the headstrong position of the SAAU, Cosatu indicated its willingness to continue negotiations with the organisation on the other labour statutes for farmworkers

Wessels has agreed to publish the NMC proposals on the extension of the Labour Relations Act and the Wage Act to farmworkers by the end of the year and to introduce draft legislation into parliament early next year

Basic conditions of employment for domestic workers will be promulgated by the middle of next year and a committee will soon be set up to deal with the difficult areas of dispute settling mechanisms and wages for domestic workers, with a view to extending this legislation to the sector by 1994.

The Domestic Employers Association opposes a minimum wage for domestic workers and wants to be extensively consulted about any legislation for this sector

In addition to the housewives and farmers lobby, the public servants employer body — the Commission for Administration — could also put a spanner in the works

Lucy Nyembe, of the Centre for Applied Legal Studies, has been centrally involved in drafting legislation for the public sector

She says there is a subtle power play between the Commission for Administration and the government because the former wants to administer the Act and Cosatu would prefer that the Department of Manpower do the administration

"Wessels may be a liberal and a pragmatist, but the CFA is not," she says

Draft legislation for the public sector was finalised in September, but there are many problems with the legislation and Cosatu wants the legislation referred to the NMC for further negotiation

The problems include

● The criminalisation of the right to strike

● An unreasonably wide definition of essential services which effectively erodes the right to strike

spanner in the works.

By **FERIAL HAFFAJEE**

domestic workers lobby could put a

opposition from the agricultural and

greeted as a major breakthrough. But

domestic and farm workers has been

The new deal for public servants and

Fishermen win most demands

By Justin Pearce

SOOTH 14/11 - 18/11/92

STRIKING lobster fishermen achieved a partial victory this week when the West Coast's largest fishing company conceded most of the fishermen's demands

But the West Coast Fishermen's Union has vowed to continue the strike until the company meets their demand of R6 per kilogram payment for the lobster they catch

Oceana, which holds about 45 percent of the total rock lobster quota, has agreed to compensate the 101 fishermen and 28 other workers who were made redundant at the beginning of the current season

The company has also undertaken to employ all lobster fishermen as full-time employees, with the associated benefits

151

Until now the quota holding companies have regarded fishermen as employees of the boat skipper rather than of the company. This absolved the companies of the usual responsibilities of an employer

Oceana also committed itself to creating job opportunities, and has made six small boats available to the fishing communities for the catching of linefish

The company has agreed to participate in a forum which will also include community leaders and workers from Hondeklip Bay, Lambert's Bay, Doring Bay, Eland's Bay, St Helena Bay and Hout Bay.

The fishermen rejected Oceana's offer of R5 a kilogram payment. They have reduced their demand from R8 to R6 a kilogram, and

intend to continue their strike until Oceana agrees to this figure.

Rock lobster fetches about R40 a kilogram on the retail market

West Coast Fishermen's Union spokesperson Mr Hennie Mostert said he expected that the concessions made by Oceana, who is the biggest employer, would force other employers to take similar steps

Mr Leon Conradie, Oceana's human resources manager, said the meeting had helped to "alleviate misunderstandings" but no settlement was reached

He said another meeting would be held on November 16

ANC assistant regional secretary Mr Willie Hofmeyr expressed disappointment over the failure to reach agreement on the issue of payment

Union says auditors will inspect Maponya books

THEO RAWANA

~~THE~~ strike at Soweto-based Maponya Discount Store was suspended yesterday, 19 days after 45 SA Commercial, Catering and Allied Workers' Union (Saccawu) members stopped work to back pay, bonus and additional leave demands.

Saccawu said in a statement yesterday a condition of the suspension was that the company would allow the union's auditors to inspect its books. (151)

Workers would return to work today and negotiations on wages, bonuses and additional annual leave would resume soon after the auditors had submitted their report.

Saccawu spokesman Hilton Toolo said the report was expected to be ready in about three weeks.

The union and the company committed themselves to negotiate parental rights and procedures as soon as agreement had been reached on the other issues, Saccawu said. B/DAM 18/11/92

Sapa reports issues to be negotiated include that wage increases be effective from September 1 1992, and January 1 1993.

The strike, which resulted in the supermarket closing for some time, involved picketing by union members and failed mediation attempts by former ANC social welfare department head Winnie Mandela.

Owner Richard Maponya, who at the initial stages of the strike was quoted as saying the labour action would cripple his company, could not be reached for comment yesterday.

Soweto strike suspended

THE two-week strike by South African Commercial Catering Allied Workers Union members at the Maponya Discount Stores in Soweto has been suspended. *Sowetan 20/11/92*

This followed negotiations between Saccawu officials and Mr Richard Maponya on Monday.

The parties agreed that the strike would be suspended the following day.

They also agreed that:

● The company would allow union auditors to inspect its books, and

● Negotiations would proceed immediately after the auditor's report had been submitted.

● Issues to be negotiated include wages, bonuses, additional annual leave and a minimum wage.

(151)



Axed workers get jobs back

PRETORIA — Perskor
has been ordered to
reinststate workers it dis-
missed in 1988, but will
not have to pay compen-
sation, according to the
Media Workers' Associa-
tion of South Africa
(Mwasa) and the com-
pany

Perskor group person-
nel manager Mr Fanie
Gous said yesterday the
Pretoria Labour Appeal
Court ruling would af-
fect about 70 workers —
Sapa

(15)



Workers press ahead

50 weta 23/11/92

ABOUT 200 South African Chemical Workers' Union members marched on the AECI Midland plant in Sasolburg on Friday to press for a resolution to labour disputes at the factory.

The workers protested against management's delay in implementing an agreement reached on the administration of the Provident Fund, SACWU shop steward Joseph Maqhekeni said. Sapa


NEWS All sides accept delay in applyin

So weteu 2571192 Daily Dispatch in wages row (151)


■ Union official says talks over increases broke down last week:

THE PAPER Printing Wood and Allied Workers' Union last week declared a dispute with the *Daily Dispatch* newspaper following a deadlock in wage negotiations. The union's branch secretary, Mr

Pumzile Mshiyu, said on Monday that management refused to accept its demand for a R50 a week across-the-board increase. They want the annual bonus of R563 to be increased to R1 000 - *Elnews*



CONSORTIUM



7th Floor, Nedbank Building,
145 Commissioner Street

— Canteen facilities.

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Mint planning retrenchments

DIRK HARTFORD

THE SA Mint is planning to reduce its labour force as part of a restructuring programme, says MD David Powell

Powell would not be drawn on how many of the Mint's 750 employees would be retrenched as the matter was still subject to negotiations with the National Union of Metalworkers of SA and the SA Society of Bank Officials

Although demand for coins from the Mint was usually higher in the second half of the year, Powell said demand this year was down on previous years.

The mint was looking at the export market to optimise surplus capacity and bring in foreign currency, Powell said. Although quotes had been sent to European, Scandinavian, southern African and South American countries, there had been no takers yet, he said

(157)

Strikers seek isolation

By Mckeed Kotlolo

Striking metalworkers yesterday threatened to call for the international isolation of Bosal Afrika as the strike by 900 workers at the car parts manufacturer's plants in Uitenhage, Pretoria, Cape Town, Krugersdorp and Maritzburg entered its fifth day.

The National Union of Metalworkers of SA (Numsa) said it was holding talks with the Congress of SA Trade Unions

as well as unions abroad to isolate the company in an attempt to force it to review its "hostile" stand.

Numsa said that despite its efforts to resolve the wage dispute by compromising on most of its demands, management refused to budge.

Numsa demanded a R2 across-the-board hourly increase, the election of full-time shop stewards and a moratorium on retrenchments or monthly severance pay.

STAR 26/11/92

Victim drives to clinic



BSPM 30/11/92

Motor industry dispute

TALKS aimed at resolving a five-month dispute in the motor industry would resume on December 7 as negotiations continued to snag on key issues, National Union of Metalworkers of SA spokesman Les Kettleidas said on Friday. Numsa still insisted on inflation-matching increases, while the SA Motor Industry Employers' Association had responded with increments of between 5% and 9,5%, he said.

(12) (15)

Nedcor union declares a dispute

THE largest of two unions organising Nedcor's 16 000 employees, Nedcor Staff Society, has declared a dispute after the bank tried to impose a joint bargaining forum and threatened to cancel its recognition agreement

A Nedcor Staff Society spokesman said Nedcor declared a dispute with his union last month after it refused to participate in a joint bargaining forum with the Financial Services Workers' Union

He said Nedcor had tried "unilaterally" to impose the forum after six years of separate negotiations

"The conditions of workers in Nedcor differ widely because of the incorporation of Perm, Syfrets and UAL with Nedbank Nedcor wants to

 DIRK HARTFORD (15)

use the joint forum to impose uniform conditions on us all," he said

Nedcor had also given notice to withdraw recognition, threatened to discontinue negotiations unless they happened in the joint forum and threatened to impose on the staff society any settlement reached with other unions

Nedcor's "heavy-handed conduct" and "bad faith bargaining" had forced the staff society to declare a dispute

The spokesman refused to be named for fear of victimisation

Nedcor could not be reached for comment last night

BIDM 9/12/92

Workers stage march

151 (151) (151) (151)
By Alinah Dube

SCORES of striking National Union of Metalworkers of South Africa (Numsa) members at the Pretoria plants of Bosal Africa yesterday staged a march to highlight their demands

The march was monitored by European Community (EC) observers Mr I Kuyvenhoven and Mr Win Stanley. The demonstration by some of the 900 workers who went on strike on November 19 started from the Queenswood railway station to the company headquarters at Koedoe-

10/12/92
■ Demo by Numsa members monitored by EC observers:

sport. The plants involved in the stoppage are in Uitenhage, Pretoria, Maritzburg, Cape Town and Krugersdorp. Workers are demanding an increase of R2 an hour, the election of full-time shop stewards and a moratorium on retrenchment or severance pay of one month for every year of service. The company's offer stands at 70 cents. In a memorandum presented to management yesterday, Numsa demanded the immediate reopening of meaningful negotiations, failing which a campaign would be launched for the boycott of the prod-

ucts manufactured by Bosal.

After accepting the memorandum, plant director Mr FJ Lubbe said although they were not agreeing to worker demands, he noted the fact that "meaningful negotiations will have to be entered into". Lubbe said the increase being offered by his company remained higher than those agreed to by the union and other competitors.

Mr Albert Wocke, Numsa's organiser in Brits, appealed to management to resolve the dispute. He said it was insensitive to underpay people and suggest retrenchments.

A long and winding road for pay talks

151 DIRK HARTFORD

A FIVE-month dispute in the motor industry on wage increases for about 150 000 workers at garages, petrol stations and panel beating establishments has not yet been resolved. B/D/M

Numsa spokesman Les Kettleidas said wage increases offered by the SA Motor Industry Employers' Association (Samiea) — on minimum rates and not actual earnings — ranged from 5,1% for petrol pump attendants to 9,4% for artisans.

He said this was unacceptable given labour rates charged by franchise retailers to customers, the 144% profit margin of oil companies on petrol sales and a 31% increase in the margins of the retailers. 11/12/92

Samiea had also rejected Numsa's demand that measures be taken to avoid or limit retrenchments and that the long-term growth and viability of the industry be discussed, Kettleidas said

Samiea also wanted to increase working hours to 12 hours a day, with overtime paid after a 45-hour working week. Negotiations on this issue were also stalled, he said.

The fact that the parties could not reach agreement would lead to a deterioration in relationships in the industry when the parties should be addressing jointly the future of the motor sector, Kettleidas said.

A curate's egg for civil servants

W/Maw 11/12 - 17/12/92
A DRAFT statute which covers civil servants was finally introduced into parliament last week, two years after the Labora Minute was signed

Unfortunately, there are many features which undermine any positive effects the Bill may have

But two features — the extension of the "unfair labour practice" jurisdiction and stop-order facilities — establish important basic rights. It is important that these features will now be a right rather than a privilege at the discretion of the director general of manpower

This will allow unions in the public sector to establish their resource base and their ability to defend the rights and interests of their members

The Bill intends "to regulate new labour relations in the public service, including collective bargaining at central and departmental levels and to provide the prevention and settlement of disputes .. between the state as employer, its employees and employee organisations"

At present there is only a forum for consultation between the Commission for Administration and employee organisations on wage or salary matters and on the proposed legislation

This is clearly unsatisfactory — the lack of proper collective bargaining rights and formal procedures for speedy dispute resolution were major contributory factors to the recent, lengthy hospital strikes

While the Bill establishes a bargaining council at central level, it also presents a number of impediments to concerted bargaining

LUCI NYEMBE argues
*that the Public Service
Labour Relations Bill gives
with one hand and
takes with the other*

For example, an employee organisation has to prove that it represents workers affected by a particular issue if it wishes to negotiate that matter in the council

With 11 unions and staff associations presently recognised, the effect is that employee organisations would not be able to challenge or support each other unless an issue affected their members

It is generally accepted that disclosure of information is crucial in the bargaining process. In the private sector, unions often have access to company annual reports or interim statements

This enables them to challenge or accept the validity of company claims about their "ability to pay".

In the Bill the definition of "classified information" is so broad that it can be used to withhold basic and necessary information from employee organisations

There are at least five separate procedures in the Bill for resolving disputes depending on the categorisation of the dispute. It can be a collective dispute of right, an individual dispute of right, an unfair labour practice, a dispute of interest which has financial implications in an essential service, or a dispute of interest which has no financial

implications in an essential service. Problems arise where a dispute may simultaneously be a dispute of right and of interest, for example retrenchments. Where the categorisation of a particular dispute is challenged (probably by the employer) the case could be thrown out on a legal technicality and the merits of the dispute would never be heard

This bodes ill for the resolution of disputes in a sector where their resolution or escalation has a direct impact on the lives of ordinary citizens.

Strike action is permitted for public service employees, following elaborate procedures and requirements, including balloting and 20 days' notice to the employer

The employer, on the other hand, can interdict a strike on 48 hours' notice. But even following these legal requirements to the letter does not indemnify "legal" strikers against dismissal.

In addition, failure to comply with the legal provisions makes the "guilty" parties criminally liable. Criminal sanctions include a fine or imprisonment or both.

Strikes are also prohibited in "essential services" and the definition of these goes way beyond the International Labour Organisation (ILO) definition of "services whose interruption would endanger life, personal safety or health of the whole or part of the population"

●Luci Nyembe is a research officer at the Centre for Applied Legal Studies specialising in the public sector.

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JOB MARKET

Beware Shady 'consultants'

S Times Buss 13/12/92

By ADRIAN HERSCH

BUSINESSES that cannot afford the high legal costs of industrial court cases are in some instances being taken advantage of by "consultants" acting on behalf of dismissed employees, claim a number of employers and labour lawyers.

The effect of this, and stringent regulation regarding dismissal of employees — even more stringent than some other countries in the world — is having an adverse effect on the economy and stifling job creation.

The introduction of a small labour court (SLC), which is being planned, may address some of the problems.

But until such time as legislation changes, there are a number of remedies available to employers — large and small — to combat cases where unfair advantage is being gained, says labour lawyer Rod Harper.

He says that, in many instances, consultants take on cases of dismissed employees regardless of the merits of the case.

"They drive the matter and attempt to force the employer to settle the matter on an extravagant basis, rather than facing the threat of legal proceedings.

"The company would rather pay, than spend two days in court where substantial costs can be involved."

Split

Mr Harper says a method commonly used is that the dismissed employee pays no deposit or other fee to the consultant.

An agreement is struck where the settlement — for example, six months to pay — is split on a 50-50 basis between the dismissed employee and the consultant. The dismissed employee therefore has nothing to lose.

"Some consultants will try to get as best a settlement before legal proceedings begin, with the aim of ultimately avoiding legal proceedings.

"Where there is no sound case any competent labour lawyer will whip them in court," he says.

Mr Harper says it is ironic that when employers settle out of court, even though they

may have a fairly sound case, they are encouraging the process where consultants take on cases even where the merits are poor.

But he has noticed some changes recently. "Some employers are getting fed up, and where they have a good case they are taking up the challenge head-on.

"They believe a process tantamount to blackmail is emerging and are determined to fight it."

Louis Moll, senior industrial relations manager of First National Bank, says the company stands firm on its principles.

"It is important for our clients to be trustworthy of us, especially when you consider we are in the banking sector.

"On matters of principle we will fight cases, irrespective of costs."

But Mr Moll is particularly concerned about those in small businesses. He says "Fighting a case can take days and weeks out of the life of the head of a small business. He loses production, and the legal risks can be high. His business can go under.

"You may find that some of these people will rather pay out a few months' salary, regardless of the merits of the case, to continue being in business.

"It's not the employer's fault, but there is a breakdown of justice."

Mr Harper says there are a number of options open to those in small and medium-sized businesses.

"Many fall under industries where there are employer federations. If they are not members they should look to join, because specialist industrial relations advice is provided to members.

"For example, in the steel and engineering industry, Safsa gives advice. In building there is Bifsa, in construction Safcec, and so on.

"Employers should look carefully to see if there is some kind of employer federation and, if so, to see what industrial relations advice is available."



While some provide advice only up to the point of legal proceedings, Mr Harper says this is invaluable.

"The golden rule is to take advice before the action, such as dismissal, because one of the advantages of getting 'advice in advance' is that it is the best way of minimising legal costs.

"There is a responsibility amongst business people to make the right moves from the beginning. This is, after all, in the interests of employers and employees, which makes for sound labour relations."

Retainers

Those in the smaller businesses that do not fall under employer federations can pay retainers to labour lawyers.

"It is not widely known, but a small company could be on retainer for as little as R150 per month with some legal firms," he says.

Mr Harper adds that employers should be alert to a number of methods being used.

"Some consultants are going to naive employers and quoting case law purportedly supporting their client's case — when in many instances the case law is irrelevant to the issue in dispute," he says.

He says another problem that has arisen is that persons claiming to represent "trade unions" are making demands on behalf of dismissed workers.

Mr Harper says it is important to check that these "unions" are registered as such, because some appear to be "businesses operating under the guise of trade unions."

"Unfortunately, this tends to destroy the goodwill of proper trade unions in the eyes of certain employers," he says.

Professor Adolph Landman, of the law faculty of the University of SA, says there is no controlling body which has any say over the way in which consultants operate.

"Free market forces operate and there is nothing to stop a consultant reaching an agreement with a dismissed employee to split up the settlement given by the employer.

"Some consultants are doing good work, maybe some others are not."

Mr Moll says that, with the introduction of a SLC, at least part of the problem will disappear.

"It will cut down on costs and the process will be quicker. At the moment it takes about 12 months for a case to be heard in the industrial court. An employee can be temporarily reinstated and remain on the payroll while you wait for the case to be heard. At least that will be eliminated," he says.

National Manpower Commission (NMC) acting chairman Frans Barker says the restructured NMC will meet in January.

He says "We'll be looking at the restructuring of the Labour Relations Act, and the proposed SLC will be part of it."



Some employers are concerned that even with a SLC there could still be leeway for a choice of the industrial court if it is so wished — which they feel could be a "move back to square one."

Dr Barker says it is important in terms of rights that some form of choice be offered.

Clarity

"It is likely that in simple, straightforward cases the choice of using the higher court will be discouraged. In more complex cases the presiding officer of the SLC may refer it to the higher court," he says.

Dr Barker says the problems small businesses are having is understood. "It is possible that more clarity on rules — for example, on dismissals — could be issued, which could introduce a far greater degree of certainty in the SLC relating to it."

Dr Barker says many countries in the world are moving away from rigid legislation on job security.

"Some of these laws hamper job creation. It is necessary that we have laws which encourage employers to take on workers."

Employers who face mounds of red tape when having to dismiss are likely to turn to more capital intensive methods of operation.

LABOUR

A year of gains and new ground

W/Mail 18/12 - 22/12/92
 Unions won key victories this year in negotiations to restructure the economy.

FERIAL HAFFAJEE
 reports

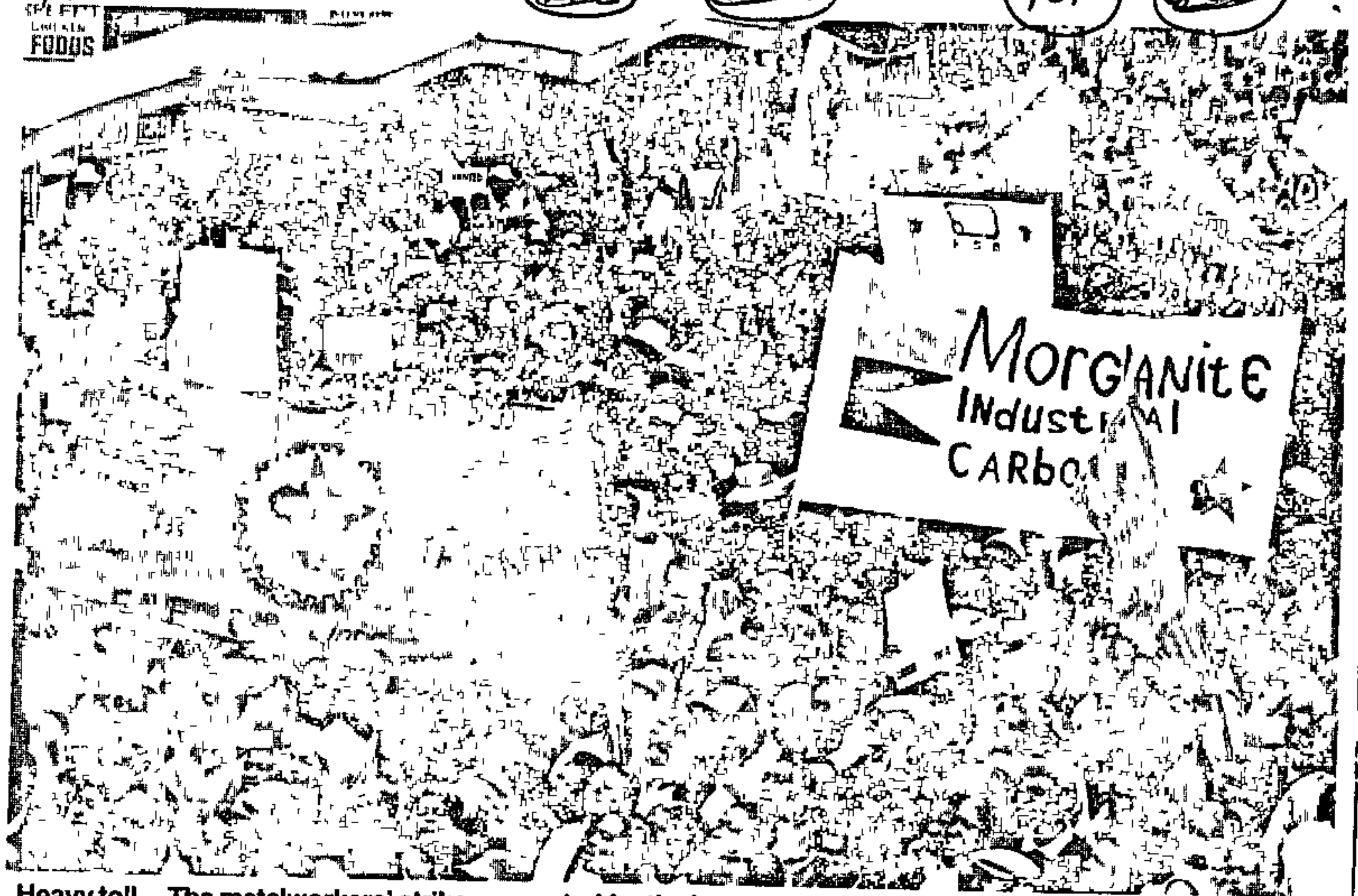
DESPITE spiralling retrenchments and swelling unemployment, union membership continued to grow this year. According to labour consultancy Andrew Levy and Associates' annual report, there are now 3,2-million organised workers in the country.

Growth was stemmed by 100 000 retrenchments in the four major sectors alone. About 40 percent of the economically active population — 5,4-million — is unemployed.

The year was marked by trade union demands for a greater role in restructuring industry, the labour market and the economy. The National Economic Forum got off the ground and the new-look National Manpower Commission will begin work early next year.

Joint union-employer forums will oversee restructuring in the mining, clothing and textile, and auto and electronics industries. And early next year, the Congress of South African Trade Unions (Cosatu) will table draft policy for national industrial restructuring.

The biggest collective bargaining wins this year were made towards the end of the year, when the government and Cosatu reached agreement on legislation for the farm and domestic sectors. For once, the time frames were honoured and draft legislation for farm workers and the 975 000 domestic



Heavy toll ... The metalworkers' strike accounted for the loss of 1,4-million man-days. Photo KEVIN CARTER

workers was tabled in parliament by the middle of November. Draft legislation for the public sector was also passed.

For the first time since its inception, the work load of the industrial courts decreased, while Labour Appeal Court applications increased. Mediation and arbitration — which are faster and less expensive than court applications — grew in popularity with both trade unions and employers.

In terms of the government-Cosatu accord, ongoing problems with the

industrial courts are to be investigated by a task force. The Labour Appeal Court will soon become a court of final appeal because of the problems faced by parties taking cases to the Labour Appeal Court, where officials have no specialised understanding of labour issues.

On August 3 and 4, Cosatu pulled off the biggest stayaway in the country's history. Strikes accounted for the loss of 4,2-million man-days, with the strike in the metal and hospital sectors taking the biggest toll.

The National Union of Metalworkers' strike accounted for the loss of 1,4-million man-days, while the hospital strike saw the loss of 247 500 man-days. Almost 80 percent of the strikes were triggered by wage demands and 14,1 percent by grievances, while the rest of the strikes centred on dismissals, discipline and recognition.

The hospital strikes, the Kentucky Fried Chicken strike for centralised bargaining and the wage strike at the SABC all lasted for more than 25 days.

LABOUR

w/maif
18/12 - 22/12/92

Sunny meeting

(22) (151)

■ IN a "cordial and constructive" meeting, the South African Commercial, Catering and Allied Workers' Union Saccawu) and Sun International agreed to negotiate retrenchments and other disputes in mid-January.

In the meantime, it was "agreed that all parties would desist from any further confrontational activities or statements". Earlier this month, the union threatened to disrupt the opening of the Lost City and the Miss World pageant.

Saccawu also settled a two-month strike at the Lubners furniture store and returned to work on Tuesday. 18/12 - 22/12/92.

News in brief

Sowetan 21/12/92
TPA, Hospersa sign accord

THE TRANSVAAL Provincial Administration and the Hospital Personnel Association of South Africa have signed a recognition agreement to regulate labour relations, the two said in a statement yesterday (15) (S) (15)

The agreement provides for the furthering of healthy employer-employee relations, the formulation of clear rules and procedures to prevent conflict between management and workers, procedures for the settlement of disputes and the rights and responsibilities of Hospersa representatives, the statement said

Eatery dispute heats up (151)

FORTY workers dismissed by a Stellenbosch restaurant were angry that police had been called in to settle a dispute on Sunday, the Farmworkers Support Committee (FSC) said yesterday.

FSC general secretary Grant Twigg claimed that before a work stoppage on December 18 at the Lord Neethling Restaurant workers had tried for more than two weeks to negotiate with management over a delay in the payment of their bonuses.

A spokesman for Neethlingshof Estate (Pty) Ltd, François Cheron, confirmed the presence of police at the estate on Sunday but said they were there "in view of increasing tension and threatening conduct on the part of the striking employees" - Sapa

Sowetan 23/12/92

Gloomy outlook for jobs in 1993

BY FERRAL HAFFAJE

DISAPPOINTING Christmas sales and the "retrenchments which usually follow company budgets and financial cycles" are expected to fuel growing unemployment in the new year, writes labour relations consultant Andrew Levy in his preview of 1993.

In a pessimistic outlook, Levy also says that even when the long-awaited upturn in the economy does happen, there is unlikely to be the splurge of job creation many are looking forward to.

He points out that there is usually a time lag between an economic upturn and the refilling of positions. Companies are unlikely to increase their overheads where they have become more productive with less staff.

Calls for moratoriums on retrenchments will, therefore, continue to be key collective bargaining demands in 1993, writes Levy.

He also predicts shifts in policy on management's prerogative to make decisions, which may result in job losses or favour capital intensity.

The bargaining approach of trade unions has come full circle, notes Levy. After the Wleahln Commission, progressive unions pushed for a return to plant-level bargaining because they were not strong enough for centralised negotiations.

But now that South African unions are stronger than ever and have highly skilled

negotiators, they will increasingly demand centralised bargaining and the resuscitation of industrial councils.

"These developments are inevitable, irreversible and not necessarily fraught with all the risks and insurmountable problems many managements and advisers seem to identify," says Levy.

There is also a trend away from the "legalism" which has characterised labour relations, a new maturity among players in the field and a growing adherence to procedures.

The plummeting number of cases being taken to the industrial court proves the point, Levy stresses, although he adds that this could be attributed to problems with the court and the growing popularity of mediation and arbitration.

Levy says that affirmative action and the removal of workplace discrimination will be new areas around which unions will press demands.

But these will be fundamentally different to the "Sullivanist" improvements many progressive companies have introduced. The new programmes are likely to be co-determined, such as schemes being implemented at the Premier Group, PG Bison and, to a lesser extent, at Eskom.

Already codes are being drawn up giving details of how these programmes will be run, and Levy believes they will grow in prominence.

The new year. The influence and influence in the new year. The "Nunsa code to end unfair discrimination in employment practices" has been submitted to employers in the metal, motor and automobile industries.

And earlier this year, Anglo American and the National Union of Mineworkers signed a code of conduct for their mines. The NUM is pushing to have the code extended to the entire industry, and this could be accomplished now that Anglo's Bobby Godsell is Chamber of Mines president.

Training and advancement will happen at all levels, not only to "the rarified level of the boardroom" and "it will not be a case of win-dow-dressing", says Levy.

There will also be greater union acceptance of multi-skilling and productivity bargaining where employers show they are serious about job security, Levy states. But this view may be too hopeful: productivity and multi-skilling schemes have run into trouble in the mining industry and at Volkswagen in Uitenhage.

Wage settlements will remain depressed at least until June next year and single-figure increases will remain common, writes the labour consultant.

Organising drives and education programmes will mean that the domestic work and farming sectors will be among the most vibrant in the new year.



Let's talk about it

W/Mand 23/12 - 29/12/92
 For a while it was musical

chairs in the Department of Manpower but Leon Wessels has returned some stability and sanity to this vital area.

By FERIAL HAFFAJEE

MANPOWER Minister Leon Wessels is the kind of guy you could just call "Leon" — laid-back and without a trace of the grey-suited unapproachability of the old South Africa

You can easily picture him jogging down the streets of Pretoria with his wife or negotiating with his children when they want more spending money

Wessels has done a lot of negotiating in the seven months he's been in office — so much so that "let's talk about it" has become his favourite phrase

His adversaries have ranged from the suave negotiators of the Congress of South African Trade Unions to defensive farmers fearful of looming labour legislation

"Those who have not been here are on our schedules," says Wessels of the organisations which have not yet sat in his air-conditioned office

"I am not a captive of anybody, I want to do what is just and fair for labour," he told a recent National Party Transvaal congress

So one can expect delegations from the National Council of Trade Unions and troops of white workers, no longer protected in closed shops or guaranteed places in racially imbalanced training boards, to meet him

He can also expect the captains of industry to come knocking at his door, demanding a place at the table when accords like the one concluded with Cosatu in November are signed

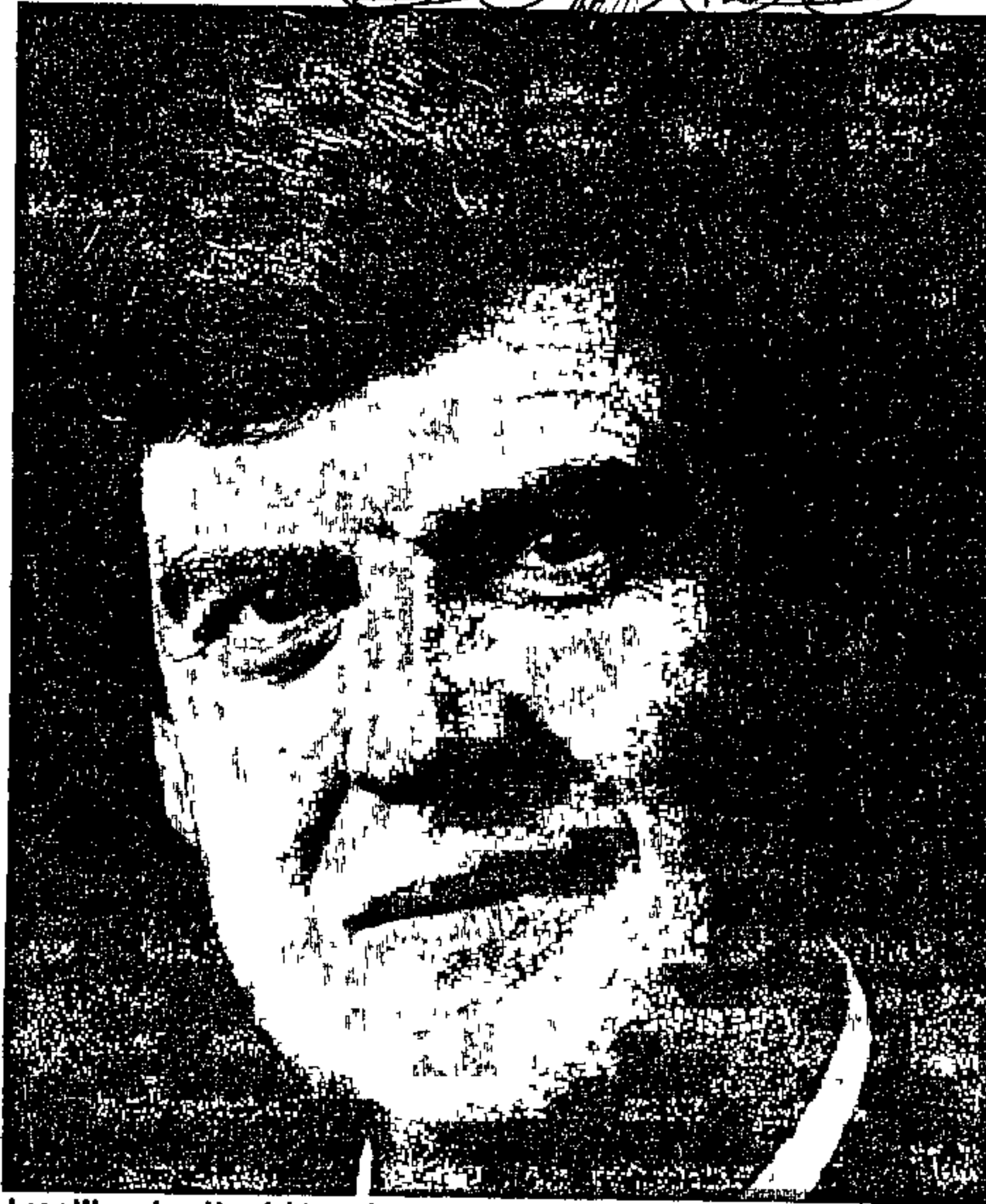
That accord negotiated a mountain of minefields and in one fell swoop the minister showed what a little decisiveness can do

He set dates for the passage of legislation for domestic workers, for farmworkers and for public servants and he stuck to them. By the close of parliament this year, draft legislation had been signed, sealed and delivered

Starting dates for the restructured National Manpower Commission and the National Training Board were set. Other troublesome obstacles like the industrial courts and the Labour Appeal Court will be dealt with by influential but balanced task forces

Unlike his predecessors, there will be no backtracking for Wessels even if faced with pouting farmers and hysterical housewives who have long resisted regulation for their workers

"Reform is a serious matter and you have to be punctual about it," he says. This view is perhaps what makes him a prized negotiator in the government's camp



Leon Wessels .. He might survive a change in government

With an eye on the influence of the labour movement and the expectation of the pragmatism he will bring to political negotiations, Wessels has been relieved of his local government and housing portfolios

"It wasn't really possible to do justice to labour with the composition of the old portfolio. But constitutional negotiations and labour complement each other," he says

Wessels is one of President FW de Klerk's prized New Nats — a young, Stellenbosch University graduate, committed to reform and familiar with the popular lexicon, he is assured of the respect of the government's main negotiating adversary, the African National Congress and of Cosatu, the biggest player in the labour movement

The bargaining skills he has been forced to hone in monthly meetings with a broad spectrum of labour are likely to be useful in political negotiations

"Trade unions and the department spend hours in each other's company," he says, adding that the Manpower Department will not experience the same problems other ministries may have in "levelling the playing fields" under an interim government

Wessels has taken the department from one of the most contested and controversial to one of the most productive in the short time he's been in office

He wistfully remembers his second day on the job on June 2 this year

"I had my first meeting with the sub-committee of the National Manpower Commission (NMC) and there were 13 different points of view"

He suggested they "start a two-month honeymoon", at the end of which the department would publish a response to demands on the restructuring of the NMC

The process was successful and the new-look body will start work at the end of January

Then on his first day in parliament, he inherited the draft Bill for farmworkers legislation and its "absolutely inherited time frame" which dictated that the legislation had to be "piloted through parliament that same week"

Instead, he offered regular meetings with the parties until consensus was achieved

All has not been plain sailing with Cosatu and the minister has shown he can give as good as he gets

Recently he broke off a crucial meeting with Cosatu, charging that the federation was "not bargaining in good faith", that it was "shifting the goalposts" and sending negotiators without mandates to meet him

His appropriation of the federation's tactics (and its talk) won its respect and it quickly issued a conciliatory statement, soon further negotiations yielded the November accord

"I will not be the captive of anybody, be it the department, employer organisations or employee organisations. The best arguments should carry the day, not because of the institutions or personalities involved," he says

Wessels is enjoying the post and is invigorated by the "sharp thinkers" he meets. "They all have an acute awareness of the economy and the whole society"

Although Wessels is new to the labour field, having started his political career in the foreign affairs and law and order ministries, he has won the respect of labour players across the spectrum

It could mean that he will survive a change in government and be asked to remain minister of manpower — an appointment he would accept graciously, no doubt.

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INDUSTRIAL RELATIONS - DISPUTES

1993

focus on shop stewards

THE INVOLVEMENT of shop stewards in issues beyond the factory floor makes the South Africa union representative different from his European counterpart

It also distinguishes South Africa from the rest of Africa where the struggle against colonial rule did not involve the mobilisation of an industrial working class

This view is shared by Siphosile Mlambo and Mark Orkin who are editors of a book entitled *Beyond The Factory Floor*

This followed a survey of Congress of South African Trade Unions (Cosatu) shop stewards which was commissioned by the labour organisation's leadership

On developments in other African states, Mlambo and Orkin say "Instead independence was won either by nationalist movements led largely by the professional middle class or peasant-based guerilla movements which did not address the concerns of an industrial working class"

In South Africa shop stewards emerged as crucial leaders in the struggle that began in the townships in the 1980s over rents, shack removals, education and township upgrading

The emergence of a powerful shop steward movement opened up the possibility of a distinct role for the working class in the process of transition to a new democratic order

Jay Naidoo, general secretary of Cosatu, is quoted in the book as saying "The backbone of our labour movement has always been and always will be the democratic shop steward movement which has been painstakingly built up by the ordinary members themselves

"This powerful shop steward movement is a triumph for the ordinary people of this country. It is a triumph for the people who create the wealth of this country and yet they and their families continue to be deliberately excluded from enjoying that wealth

"The overriding principle of Cosatu is worker control and democracy. This principle has sustained Cosatu through the most repressive phase of our struggle for political, economic and social rights

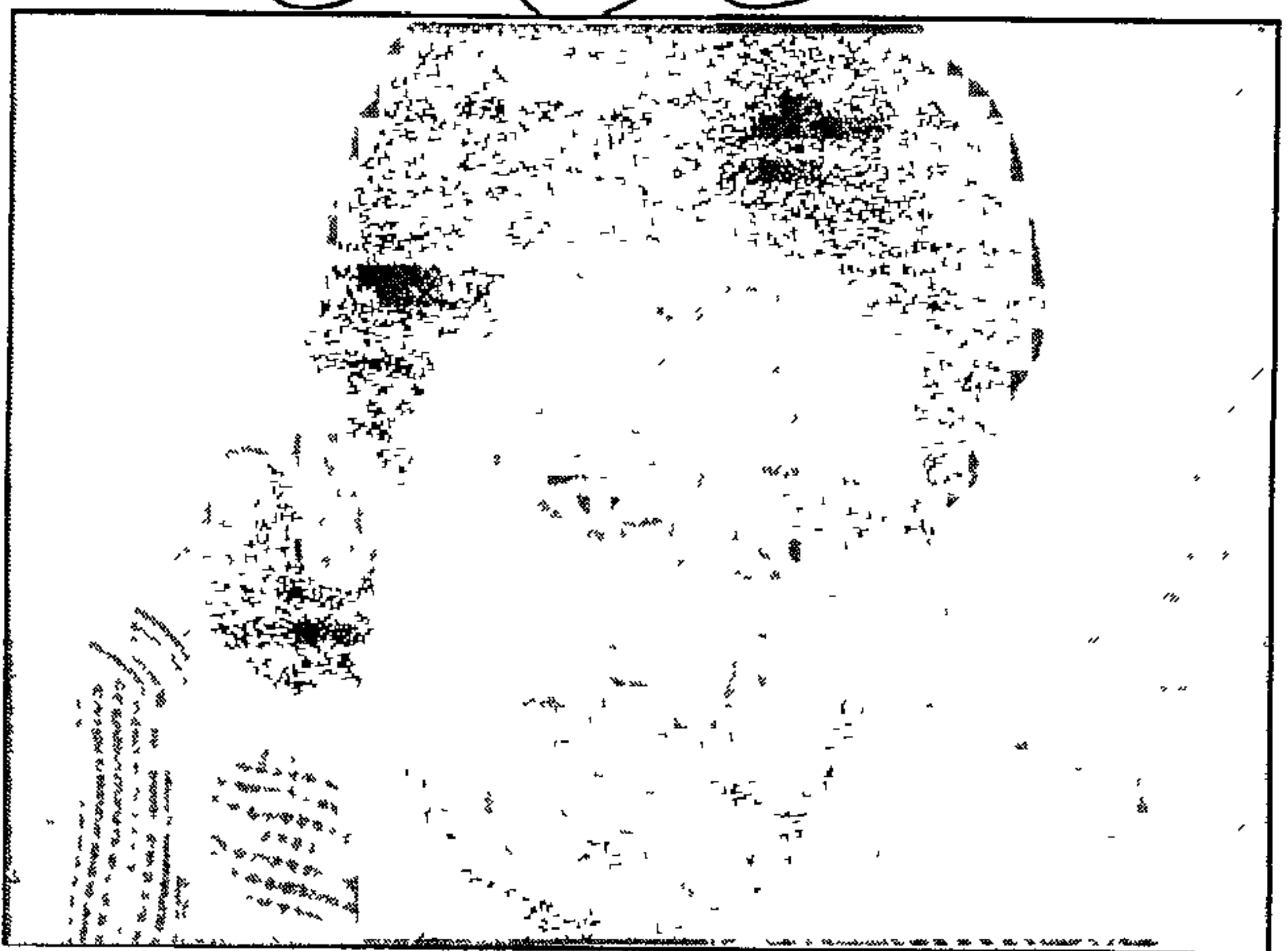
"The structural violence of apartheid made the white minority regime's policies a crime against humanity as it violated practically every human right.

"Yet we have grown as an organisation, increasing our membership from less than a million when Cosatu was formed in December 1985 to over 1,4 million today

"With over 25 000 elected shop stewards, Cosatu's 14 national industrial unions have a powerful grassroots organisation which is firmly anchored in the factories, mines, offices and shops across South Africa"

Questions like why do some workers define

Sowetan 8/1/93.
Shop stewards, a strategic layer of the trade union leadership, have been the subject of a survey commissioned by Cosatu. **Ike Motsapi** reports on the survey:



Jay Naidoo . . . Cosatu's general secretary.

their interests in collective terms and become shop stewards and others in individualistic terms and become supervisors were often asked

The hypothesis underlying this study is that explanations that focus on different personality types are psychological as they ignore ideology

Dominant personalities can dominate for good or ill. The use to which they put their abilities is not determined by these abilities. Activity is directed by consciousness.

The shop-floor unions emerged in 1973 with the formation of the Textile Workers Industrial Union and Metal and Allied Workers Union and others coming together to form the Federation of South African Trade Unions (Fosatu)

The shop-floor unions developed a cautious policy towards involvement in the broader political struggle. This led to the formation of Cosatu

By virtue of their location in the workplace, shop stewards are in the front-line of the struggle between the working class and the capitalist

class

They are the key command structure of the unions which has contact with their membership and the bosses through shop stewards. Their role, however, is ambiguous. On the one hand, they are representatives of the workers who elected them and whose expectations often surpass their capacity to deliver

On the other hand, they find that they are sometimes in conflict with their own constituencies and have to persuade them to accept industry-level agreements, prevent strike actions and sometimes discipline them

In politics workers believe that their leaders and their unions should take part in political activities

Confident in their organised strength and union leaders, they are convinced that they can influence the political system, even though many feel they do not fully understand it. On matters to do with the politics of transition they fully support the position of the tripartite alliance

SAP failures due to lack of willingness — report

Smr 12/1/93

(251)

The failure of the South African Police to nail perpetrators of political violence is critically related to a lack of willingness to investigate such crimes, the Independent Board of Inquiry into Informal Repression (IBIIR) concludes in a recently published report.

The findings, titled "To Protect and Serve", go further than British expert Dr P A Waddington, who was mandated by the Goldstone Commission to assess the adequacy of the police investigation of the June 1992 Boipatong massacre

Waddington found the investigation "woefully inadequate" but added that the "omissions arose not from deliberation, but incompetence"

The IBIIR agrees that incompetence plays a part but contends that "a number of factors indicate that this cannot be the only reason"

The IBIIR, which was set up in 1989 precisely because attacks on anti-apartheid forces remained persistently unsolved, bases its report on court and inquest records, evidence before judicial commissions and its direct experience

The element of unwillingness on the part of

The resolve of the police in tracking down perpetrators of political violence has been scrutinised by the Independent Board of Inquiry into Informal Repression. JO-ANNE COLLINGE reports.

the police was particularly strongly suggested by their investigations of the Trust Feeds massacre of 1988 and the assassination of activist/lawyer Bhekí Mlangeni in early 1990, the report argues

It lists numerous inadequacies in the Trust Feeds case which emerged when, after a change of investigating officer last year, seven policemen were eventually placed on trial for murder and four were convicted

The initial investigating officer, Captain Patrick Watrus, admitted in court that he had failed to enter as an exhibit a police shotgun cartridge found at the scene and had attached no importance to the discovery of a similar cartridge in the vehicle of an accused, Captain Brian Mitchell

There was no record of interviews held at the scene, the clothing of the victims was not sent for forensic tests and Watrus had omitted to interview Mitchell, who was the officer on duty at the time

Watrus's replacement, Major Joseph van Zyl, did not even read the in-

vestigation diary of his predecessor and had neglected either to interview any civilians at the scene or to view videos

Arrests were made soon after the investigation was handed over to Captain Frank Dutton in July 1991

The IBIIR notes that three days after Mitchell's arrest, a special Pretoria police team was sent to Natal, comprising Major General Ronnie van der Westhuizen, Captain Andre Kritzinger and a Colonel Langenhoven

The report notes that, "asked in court whether he thought the Pretoria team had come to sabotage his investigation, Dutton said that he saw it as a possibility"

Kritzinger himself was entrusted with investigating Mlangeni's death, answering directly to Van der Westhuizen

Mlangeni was killed by an explosive concealed in the headphones of a tape recorder. This device was sent to former security policeman Dirk Coetzee, who left South Africa in 1989 after making startling claims of hit squad ac-

tions by police based at Vlakplaas, near Pretoria

The recorder was forwarded to Mlangeni's legal firm when Coetzee failed to collect it at a Zambian post office

The police investigation yielded no suspects, but a judicial inquest was held last year. The IBIIR report observes that Van der Westhuizen's evidence was "disturbing"

It states "Van der Westhuizen justified the fact that Vlakplaas personnel had not been investigated on the grounds that all allegations against the unit had been investigated by himself during the course of the Harms Commission (into hit squad activity)

"When it was pointed out to him that Mlangeni had been killed six months after the Harms investigation was closed, Van der Westhuizen stated that he was confusing Mlangeni's murder with that of Durban attorney Griffiths Mxenge.

In reference to Kritzinger, the report observes that he failed to supply samples from the

cassette in the lethal recorder to handwriting and fingerprint experts.

Kritzinger also admitted attempting to mislead Dr David Klatzow, forensic expert for the Mlangeni family, as to the whereabouts of Colonel Wahl du Toit, named by Coetzee as potentially critical to the probe

The willingness of police to investigate train attacks was called into question

The IBIIR notes that, while investigating officers stated they had no informers to assist them, members of the ISU had informers. One such person, identified only as Zero One, told the Goldstone Commission that he had forewarned police of two attacks on the Soweto railway line, providing the names and hostel room numbers of several assailants and plan details

Although some of the identified people were arrested, "Zero One was never called to court to testify and the men were eventually released due to insufficient evidence" Police said Zero One had not been prepared to testify

The IBIIR also comments on the time taken, in certain cases, in bringing prosecution. The report refers to Khutsong, near Carletonville, where a special police investigation resulted in more than 100 charges being brought against a number of policemen.

Although 13 policemen were suspended in mid-1991, by the end of 1992 many cases against them had not yet been completed, yet all the policemen concerned were back on duty from August last year

The IBIIR supported the police special probe in Khutsong, locating witnesses and escorting them to investigating officers. Not only were witnesses harassed and arrested, but an IBIIR researcher was charged with intimidating one of the implicated policemen. Charges were later withdrawn

The IBIIR noted that while the investigation was underway, the police team responsible was grateful for assistance. However, once the cases (against policemen) came to court, it would appear that the prosecution was never fully briefed on the board's role and thus led to allegations that the board's researcher forced witnesses into police vans and that the entire investigation was a plot to rid Khutsong of police.

No role for the bosses in union street theatre

8/10/93 12/11/93

ISD

THE image of Premier chairman Peter Wrighton playing the lead role in last week's piece of street theatre outside the group's Johannesburg head office focuses attention on precisely what public role the admirals of industry can usefully play in the labour area.

There are few who would doubt Wrighton's bona fides. Under his direction, Premier has devoted significant resources to attempts to forge sound industrial relations.

The retrenchments which gave rise to last week's march have been the subject of ongoing negotiation with the union inside a policy framework which unionists privately acknowledge to be as enlightened as circumstances allow.

The quality of industrial relations generally within the group is recognised to be comparatively sound despite the presence of some of the most militant unions in tough industrial sectors where it is hard to forge sound workplace relationships.

Both under Wrighton and his predecessor, Tony Bloom, the group has never shied from public expressions of support for political and social change, justice and democracy. Wrighton, however, has shown a proclivity for flamboyant public displays of solidarity with labour which often seem to draw cynicism rather than affection. Only last year he marched alongside Cosatu's Jay Nai-

do in an anti-VAT demonstration in downtown Johannesburg, and was not unwilling to join the aborted two-day national business shutdown.

Last week, his enthusiasm to join the march and subsequent disappointment at being rebuffed, his purchase of a union T-shirt and his provision of refreshments and toilets for the marchers drew some cynicism and anger from unionists. Far from winning hearts and minds, Wrighton's flamboyance may result in greater antipathy for his negotiators when they resume talks with the union over the retrenchment issue.

What Wrighton may not have appreciated was that marches in general and this one in particular are not personal attacks on him or his company, but acts of mobilisation for a union dealing with membership apathy in the face of inevitable job loss. The march was, to a large extent, an effort to strengthen the already weak hand of the union in the negotiations.

Perhaps more than most unions, the Food and Allied Workers' Union (Fawu) is in desperate need of enhanced membership cohesion, especially at company and plant level — given its troubled history of regional and ideological splits and an economic climate in which aggression is hard to muster among the rank and file. Wrighton also clearly understands

GAVIN BROWN

little of the class war techniques of labour organisations to which Fawu is given, and should not have been surprised at the rebuff. Few on either side of the ideological divide could seriously see him as part of the working class struggle despite his willingness to wear his T-shirts in front of the opulence of the group's head office.

Attempting to take part in a demonstration against his own company also invites questions on this style of interaction with labour, and presents something of an absurdity, no matter how subtle or well meaning the intent may be.

Against this background, it is easy to see how hard-pressed union organisers are angered at Wrighton's upstaging of the event. Some are even claiming it was subversive towards collective bargaining.

What would have been just another demonstration of little importance to anyone outside of Manna's Pies workers or the motorists if inconvenienced became nationally memorable for Wrighton's enthusiastic, public embrace of the marchers.

The march was destined to be a low-key event. The presence of ANC



□ WRIGHTON

and SACP officials was at such a low level as clearly to indicate little more than symbolic support for an issue which the leaderships of these organisations are acutely and more informedly aware of than the average Premier marcher. However,

Wrighton's response served only to enhance and, more significantly, hijack the public attention it would otherwise have attracted.

What has clearly emerged on the local industrial relations scene are new national levels of interaction between business and unions at senior levels. Whether in the National Manpower Commission or the national economic forum or a variety of other ad hoc assemblies, leading businessmen and labour leaders are beginning to have serious and pragmatic dialogue over issues of common concern.

This is the better place for a man of Wrighton's position to articulate his views. A style that may have been appropriate to the late Tony Factor or Hal Walton, for example, fits ill on the likes of the more patrician Wrighton, whose working class links are tenuous in the extreme, and whose attempts to identify with his workers would be more credible when clothed in a more serious and dignified way.

The Premier march was notable for the absence of any real union heavyweights who clearly also believe that their time is better spent attending events where macro policy is being shaped against a common understanding of the economic crisis rather than by being the main attraction in acts of street mobilisation.

□ Brown is an industrial relations consultant.

Taximen declare dispute

PRETORIA — The SA Taxi Drivers' Union has declared a dispute with Pretoria's traffic department and has threatened to stage marches and pickets

 (151) CT 26/11/93

Conservative forces 'may try to crush union movement'

151
Blom 27/1/93

DIRK HARTFORD

SOME conservative forces in the liberation movement might be tempted to try to crush the trade union movement in the future but they will not get away with it, says ANC economic planning spokesman Tito Mboweni.

Mboweni, who was addressing about 300 businessmen at a conference on the joint challenge for unions and management yesterday, said the temptation to crush trade unions was a real one which could best be avoided by developing an understanding of trade unions and encouraging them to play a constructive role.

Trade unions had been disempowered in many countries in post-colonial

Africa in the name of the "national interest". But this would not happen in SA as the trade union movement was strong and independent, Mboweni said.

He said it would be foolhardy to expect trade unions to vacate the terrain they occupied. Instead, the role of unions in economic policy formulation would increase in the future and membership would continue to grow.

Already the union movement was engaged in jointly working out policy packages on macro-economic issues with government and business and it was essential that trade unions remained part of this process.

Mboweni said he thought the ANC's alliance with Cosatu would be a long-term one as the union movement sought to ensure that the accords it reached with the

ANC were implemented by an ANC government.

Meanwhile, Mercedes Benz SA's human resources spokesman Ian Russell told the conference it was important for regional development forums to be represented at the national economic forum.

He said the Border/Kei economic forum had submitted a document to Finance Minister Derek Keys outlining its proposals for regional reconstruction.

These included asking for a moratorium on ending decentralisation benefits to the region, a big injection of investment for housing, a rural development initiative and the establishment of a strategic institute to facilitate human resources development in the area.

Russell said employers were not satisfied their interests were being represented properly nationally.

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Fleming workers on wage strike

SDWefan 28/1/93

151

■ Old age home hit by work stoppage:

MORE than 100 workers at Fleming House old age home in Highlands North, Johannesburg, went on strike yesterday over wages, the National Education, Health and Allied Workers' Union claimed

Nehawu spokesman Mr Bongani Tsimo said the workers had demanded a R250 across-the-board increase but had later accepted management's offer of R100, provided it was backdated to October 1

"But management refused to backdate the increase and the workers embarked on the strike and demonstrated outside the premises," he said yesterday

Workers had demanded the increase be backdated because Nehawu and management usually negotiated wage issues in October

Negotiations were delayed last year however.

Management spokesman Mr Lou Davis confirmed there was a work stoppage at Fleming House but denied that as many as 100 people were involved.

He ascribed the stoppage to a misunderstanding by union members

Davis said management had offered the R100 increase for workers with effect from January 1 but there had been no agreement as the offer had been rejected and negotiations with Nehawu officials were continuing - *Sapa*

(151) ~~151~~
Bureau occupied:
Talks expected
AKG 29/11/93

EAST LONDON — The Transkei Pan Africanist Congress and the Daily Dispatch have said they are open to talks to resolve the dispute which has brought the distribution of the newspaper in the homeland to a halt.

The newspaper's management decided not to send delivery vehicles into the Transkei today. Distributors there have been threatened by the organisation and a group of PAC supporters have vowed to continue the occupation of the paper's Umtata bureau.

The PAC said it had taken these steps in protest against the Dispatch's lack of coverage of its activities. The newspaper has insisted it is unjustly accused.

Transkei PAC regional secretary Mr Zingisa Mkambile has sent an open letter to the Dispatch responding to its comments.

He said the PAC was willing to negotiate under certain conditions, proposing that the Dispatch holds direct talks with representatives of the Transkei PAC and suggesting Umtata as a suitable venue.

Dispatch editor Mr Glyn Williams said the newspaper would "not rule out any form of communication" — Eena.

8/10/97 29/1/93

Forum at Checkers (157)

CHECKERS' management has agreed to set up a forum with the SA Commercial, Catering and Allied Workers' Union (Saccawu) to deal with worker grievances at its Emmarentia store following a strike this week.

The union also says that Checkers has agreed to reinstate next week more than 60 workers who were dismissed during a strike in Heidelberg last year.

"SIGNAL"

New deal for farmworkers

By GAYE DAVIS, Cape Town

WORKERS employed on an Elgin fruit farm have agreed not to strike and their employer has agreed never to lock them out in terms of a recognition agreement believed to be the first of its kind in the western Cape fruit farming industry

The agreement, signed between Molteno Brothers Trust and the Farmworkers Support Committee (FSC), which represents more than 600 workers on the farm, anticipates pending changes to the Labour Relations Act to include farmworkers within its ambit.

FSC general secretary Grant Twigg said because housing formed part of farmworkers' pay packages, a lock-out could mean families being summarily evicted from their homes. The clause would fall away if the Labour Relations Act extended protection for striking workers to farm labourers, he said

Johann Hamman, a researcher for the Centre for Rural and Legal Studies in Stellenbosch, said the agreement's significance lay in a compulsory mediation and arbitration clause. "It tries to accommodate a farmer's fear of a strike during the height of the harvest season, and also protects workers who might find a farmer reopening negotiations during the winter season, when, if the talks failed, he could theoretically lock them out of their homes."

Hamman pointed out that while industrial workers in industry had a year-round capacity to strike, for farmworkers it was generally limited to the harvest season. However, farmworkers' vulnerability to a lock-out lasted all year long, he said.

Twigg said any disputes over dismissals or wages would be referred to a mediator if negotiations between management and shop stewards deadlocked. If mediation failed the matter would go to arbitration for final settlement. "We hope this agreement will encourage other farmers to forge similar recognition agreements," he said.

Frank O'Driscoll, general manager of Molteno Brothers Trust, said "We may have lost a certain amount of power in our labour relations but that's not necessarily a bad thing. The bottom line was we felt our employees wanted (the agreement) and that they should get it."

BIDAM 29/1/93

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Learn how to deal with unions

Sowetan 4/2/93

By Ike Motsapi

MR Henk Botha, a leading expert on negotiating strategies and techniques, will run a three-day course that will equip managers how best to deal with trade unions.

The course, *Negotiating with Unions*, will be held at the Pilot's Conference Centre in Kempton Park from February 22 to February 24.

Botha said people who should attend this course are line managers

involved in trade union negotiations, industrial relations, personnel managers and officers.

He said certificates would be issued to people taking part.

● The Innes Labour Brief is organising a seminar that will discuss the socio-political and labour forecast for 1993.

The seminar will be held at the Sunnyside Park Hotel, Johannesburg

on February 24 from at 7 45am until 12 45pm.

Speakers will be Mr Duncan Innes, publisher of *The Innes Labour Brief*, Mr Matthew Kentridge, research associate with *The Innes Labour Brief*, Mr Charles Nupen, director of the Independent Mediation Service of South Africa and Mr Peter Wrighton, chairman and chief executive of the Premier Group.



Toyota taking steps to avoid strike action

By Alan
11/21/93

TOYOTA was the hardest hit in 1992 by strike action, as a 49-day work stoppage cost the company and strikers hundreds of millions of pounds.

Toyota Marketing MD Brand Pretorius says the company will do whatever possible to prevent the recurrence of strike action. "We have put into place a plan of action to ensure a higher level of commitment to the company."

"The company must ensure it deals with all possible grievances and that management displays the most constructive attitude in all instances. Much work has been done to improve levels of understanding and more emphasis has been placed on communication with the unions."

"Out of the adversity of the strike we learned a lot and many positive things were born."

"We feel very proactive in this regard and won't waste energy on bitterness or cynicism. We're looking to the future with confidence, to bring about a balanced relationship. The aim is to ensure that all parties involved recognise their responsibility and understand what our vision for the future is and what role they can play."

Positive

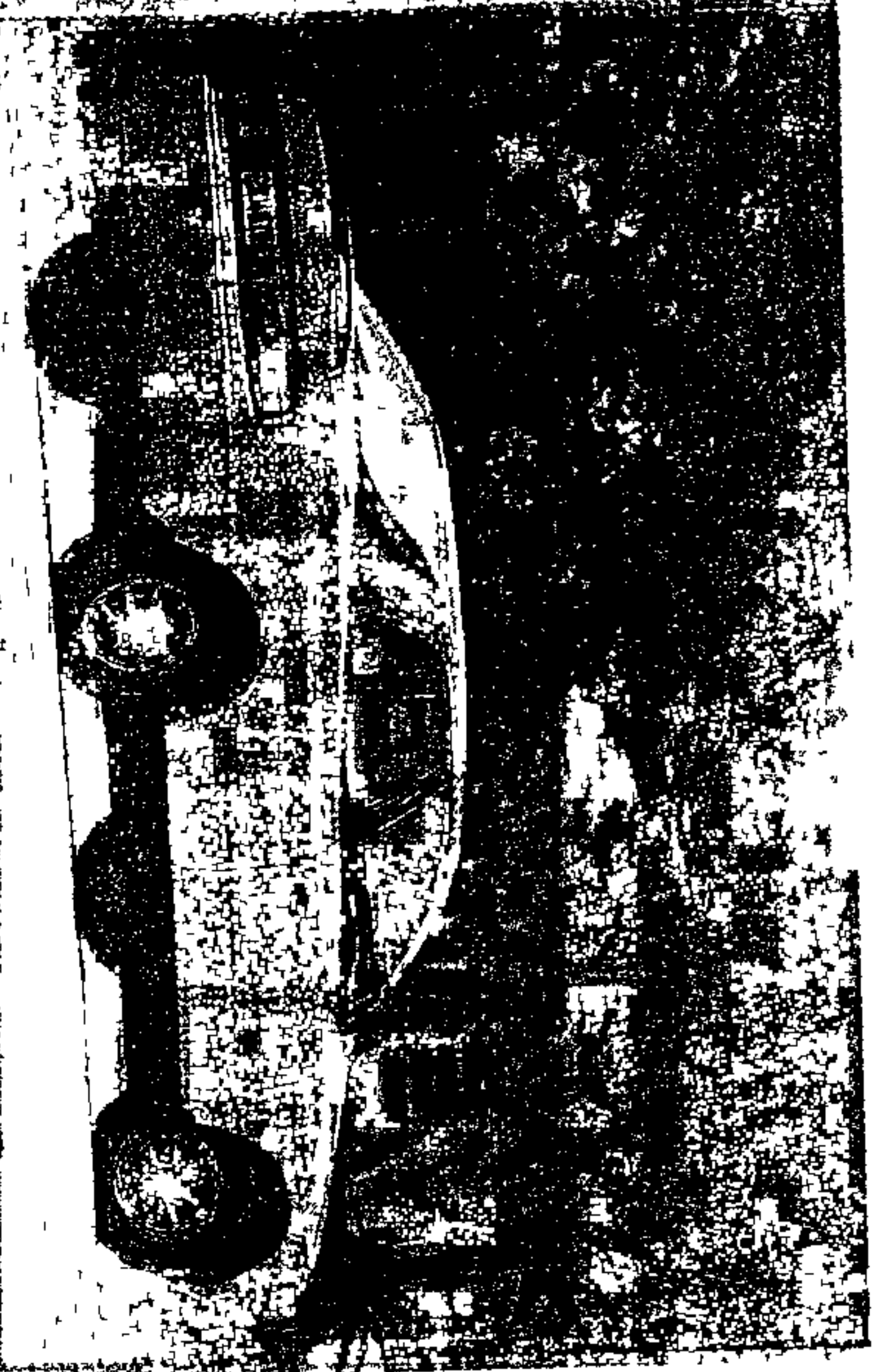
"The strike, though affecting market share negatively, did have some positive ramifications for Toyota. It gave us a new challenge — to recover as soon as possible. In some ways it served to restore

the balance of power, as the company stood firm and did not capitulate."

"The union tested us and the workers tested us, but in the end it served to unite people and the dealer network. In many instances the strike cemented the relationships with customers, because we were forced to keep in very close contact with them. Many were prepared to wait and we received plenty of tangible support from them."

"Others volunteered their support and postponed their purchases, which is one reason why our market share dropped to 13%—and then shot up so quickly to around 28%."

"I want to pay tribute to our customers and our dealers. The stock shortage gave dealers the opportu-



The Toyota Camry executive express has been an instant success.

ity to assess their operations. They cut unnecessary costs from overhead structures, identified additional profit-making opportunities, and the good news is that we did not lose a dealer. Some had no stock for four to nine weeks, but they managed to survive."

Pragmatic

"As a result of the recession, which has hit our industry particularly hard, the union is now adopting a

more pragmatic stance. It is putting, in relative terms, greater emphasis on job security and training."

"They will still push for above-inflation wage increases, but they know what the realities are. The protection of employment is now the key issue, as they lost many members during the strike, but I must admit we are slightly more hopeful about future labour relations."

"Trade unions are be-

coming less politicised, because hopefully by mid-1993 we will be in a transition phase, and Co-satu should have a much stronger political voice."

"We believe that by improving communication between management and shop stewards, the company will be able to strengthen its affirmative action programme, eliminating racism, creating education programmes and attending to grievances."

Media union wins dismissal dispute

Soerfan 16/2/93

By Don Seokane

■ **EMPLOYEES DISMISSED** Row after

company stopped housing its workers:

THE MEDIA WORKERS ASSOCIATION of South Africa (Mwasa) has finally won a two-year-old dispute with Taiwanese-owned company Sakkor

Mwasa has been fighting the dismissal of over 400 workers by Sakkor, a bag manufacturing concern in Pietersburg, stemming from a dispute in June 1991 when the company stopped housing workers on its premises

Sakkor contended that they had received an instruction from the Pietersburg Town Council to stop housing workers on the premises and to re-

move all illegal structures and buildings as the area was not zoned for residential purposes.

Workers went on strike, demanding that removal of the accommodation was a change in their employment conditions and demanded that this be made up in a wage increase to cover transport and rent costs. The workers were all fired as a result and an industrial court ruling last September found the company guilty and ordered that compensation of

R103 000 be paid to the 282 applicants

Mwasa and Sakkor appealed against the judgment. Mwasa argued that the amount was too little while the company said it was too much

Mr Justice Goldstein ordered that Sakkor double its payment to R210 000 and also pay R5 000 legal costs. The company was also ordered to hand Unemployment Insurance Fund contributors' cards to the workers

Affirmative action plan

81014 16/2/93.
A TOP researcher has suggested that SA copy the Australian model if it wants to enact affirmative action legislation which has political legitimacy as well as economic realism and flexibility.

Employment equity programmes cannot be left entirely to collective bargaining, writes Kathy Albertyn, a researcher at Wits University's Centre for Applied Legal Studies, in this month's edition of the Institute of Personnel Management's People Dynamics

Albertyn says that with a strong recent history of collective bargaining in SA, the negotiation of employment equity programmes between management and trade unions is an attractive option.

"However, the male-dominated nature of management and trade unions, the fact that unions are of varying strengths, and international studies which tell us the attitude of employers remains one of the principal causes of inequality and job segregation in Western Europe and the US, suggest that employment equity programmes cannot be left entirely to collective bargain-

WILSON ZWANE

ing"

For this reason, she says, SA has to copy the Australians if it is to pass laws setting out the details and parameters of mandatory affirmative action

"This does not mean that the situation in our country can be equated to that of Australia. There are clearly significant economic, political and demographic variations and, consequently, different problems that have to be addressed in the workplace

"What is useful in the Australian experience is the manner in which it stipulates procedures and strategies which ensure that employment equity programmes are implemented."

In addition, the Australian model is not only the kind of legislation which will meet the dual need for political legitimacy and economic realism and flexibility in SA, but it will also provide guideline needs, says Albertyn.

Stripping departments may lead to 'problems'

PRETORIA — Government must be wary of excessive staff stripping in state departments in case it ended up with too few public servants to ensure efficient administration, Public Servants' Association (PSA) GM Hans Olivier said yesterday.

He was reacting to an announcement earlier in the week that more than 14 000 public servants would be dismissed this financial year.

Olivier said that demands on the public service could only increase in the years ahead and skeletonising departmental staffs would lead to serious administrative problems

The PSA believed the rate of dismissals and the policy of encouraging early retirements would slow significantly this year. There were certain departments where any further thinning out of staff could affect vital services.

Most departments were looking closely at personnel functions to identify areas of overlapping and duplication

They had also been involved in the past few years in efforts to make more efficient use of staff and to sharpen productivity

Governments had years ago promised a leaner and more productive public service "and we believe a significant move is now being made in this direction"

GERALD REILLY

Olivier warned against the "indiscriminate swamping" of the service with new personnel in terms of any affirmative action programme

The vast majority of government workers had accepted as inevitable the reality that the service would have to become more representative of the whole population. If there was such a programme it should be applied in a balanced manner and with properly qualified people.

□ The organised teaching profession was expected to make a last-minute bid at a meeting last night with National Education Minister Piet Marais to have the "unsatisfactory" 5% pay hike raised

Negotiations have been going on between the recognised teacher bodies and government on the division of the 5% but no agreement has so far been reached

A Teachers' Federal Council source said yesterday the 5% "leaves little room to play with" and it was likely the 5%, with small adjustments, would be applied across the board.

A government source said for every 1% increase, about R160m would be added to the total salary bill for educators

TPA, Nehawu sign accord

PRETORIA — The Transvaal Provincial Administration and the National Education, Health and Allied Workers' Union yesterday announced they had concluded a recognition agreement, effectively ending the acrimony resulting from the major hospital strike last year.

The parties said in a joint statement the agreement provided for

- Freedom of association,
- A peace obligation whereby the parties committed themselves to industrial justice, peace and security This included a commitment to maintaining equitable standards of work and behaviour; and
- A Nehawu committee to resolve problems — Sapa

SAP forms joint forum with KwaZulu police

DURBAN — The SAP and KwaZulu Police have established a joint top management forum to address matters of common concern and interest in Natal, according to SAP regional community relations head Gen John Manuel

Manuel said police chiefs last month formed a structure to address common policing issues.

This comes amid calls for joint SAP-KwaZulu police action

KwaZulu police have been criticised for alleged biased policing and in some areas for alleged involvement in attacks

Although top-level contact had been established,

Manuel said the issue of joint policing was "not within our power". Instead, the forum would enable "the one hand to know what the other hand is doing"

Meanwhile, Natal/KwaZulu regional dispute resolution committee co-chairman MC Pretorius said yesterday that problems in the policing of areas in northern Natal, particularly Empangeni's townships, were being attended to

And an ANC official said leaders of its Esikhawini branch are scheduled to meet KwaZulu police this weekend to "complain about their failure to protect the community as well as their direct involvement in the conflict" — Sapa

B10ay 19/2/93

AECI workers protest

AECI management and workers are negotiating wage and salary issues after a brief protest outside the company's Johannesburg head office yesterday

"AECI said management and SA Chemical Workers' Union officials had discussed "outstanding issues", in particular the introduction of a provident fund.

(S)

AECI revises offer in bid to stop strike

8/10/93 23/2/93 (151)
AFTER an extended mediation session on Sunday, AECI has revised its offer to the SA Chemical Workers Union (Sacwu) in an attempt to head off a national strike in the company.

Nactu's biggest affiliate Sacwu with 8 000 members in AECI nationally will complete a national ballot for strike action today.

And Cosatu's Chemical Workers Industrial Union (CWIU) is also balloting its members at AECI, though on a plant by plant basis.

Sacwu spokesman Tshapang Mika said the union had demanded a R250 across the board wage increase and a

DIRK HARTFORD

reduction in grades. It also wanted working hours reduced to 40 a week, retrenchments to stop and March 21 to be a paid holiday.

AECI spokesman Benny Hlongwane said the company had improved its wage offer from 8,5% to 9,3% on grades B and C and to 8,75% on all grades above D. It had also offered to reduce working hours from 44 to 43 to be based on an agreement on what working hours constituted.

In addition, the company had offered to treat March 21 as a "no

work, no pay, no discipline" day so long as production was maintained.

While retrenchments already in the pipeline would continue, AECI would offer voluntary retrenchment for a month pending negotiations on future retrenchments, he said. AECI was also negotiating an evaluation system for grading.

Sacwu and AECI are due to meet again next week.

Meanwhile, CWIU has settled at two AECI plants in Natal on 11,5% and 13,5% respectively. But it is deadlocked at AECI's six Dulux plants and is balloting for a strike

and secret operators
46/3 in a match that
jail sentence

Pick 'n Pay in layoff talks

(151)
ALAN FINE

PICK 'n Pay is preparing to enter talks with the SA Commercial, Catering and Allied Workers' Union (Saccawu) on the company's first retrenchment exercise, made necessary, according to management, by a failure of the parties to reach an agreement on flexible work practices.

And the two parties are to enter mediation today over a wage dispute involving 15 500 full-time, 272 part-time and 8 770 casual employees Pick 'n Pay wage talks generally set the tone for the retail sector

Pick 'n Pay labour relations GM Frans van der Walt said yesterday he had been talking to Saccawu since 1990 about job flexibility and mobility as a way of controlling wage costs. The union, however, "has given us a runaround since then and we are now left with no choice but to

implement retrenchments".

He was unable to say how many employees might be retrenched since studies were still being conducted. The company also did not wish to use the threat of retrenchments as a wage bargaining tactic

The wage deadlock arose with Saccawu demanding a R250 across-the-board monthly increase (equivalent to an average 19,2% increase) while management was offering R150 (11,2%) The union was also demanding a guaranteed 13th cheque Present policy, negotiated last year, provided for a bonus related to years of service, with employees qualifying for a full 13th cheque after eight years' service.

Columbus awards R350m in contracts

26/2/93
BIDAY

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LABOUR ISSUES Mines and mineworker's union sign agreement on profit-sharing

Breakthrough for miners

By Ike Motsapi

Southern 26/2/93

FAIR DEAL Historic accord no substitute for low wage hikes:

THE Chamber of Mines and the National Union of Mineworkers have signed an historic agreement that sets up a framework for profit-sharing at individual mines

tion in setting targets, monitoring the scheme and in the promotion of better efficiency,

● A commitment to training which is regarded as critical for a long-term improvement in the viability of the mines,

and
● A fair distribution of gains between workers

This agreement, which is not a substitute for low salary increases, includes certain rules and guarantees which define how the profit that goes to employees is distributed between workers

Mr Marcel Golding, assistant general secretary of NUM, said the profit-sharing schemes accepted certain principles

These were

● The right of NUM to negotiate a fair wage structure at industry level,

● Security of employment NUM and the Chamber of Mines agree that no worker will be retrenched or downgraded because of the profit-sharing scheme,

● Improvement in health and safety measures Better efficiency must not be achieved at the cost of more accidents;

● Full disclosure of information to workers and the union to monitor the scheme,

● Workers' participa-



Marcel Golding

ARC 113/93

Pick'n Pay moves into wage dispute with union

(S) 30
BRUCE CAMERON
Business Staff

PICK'n Pay has moved into a wage dispute with the SA Commercial, Catering and Allied Workers Union (Saccawu) with a further battle on staff usage on the horizon, which could result in retrenchments.

A dispute was declared on Friday in wage negotiations with Pick'n Pay offering R150 (equivalent to a 11,5 percent average increase) across-the-board, and the union demanding R250 (19,2 percent).

The dispute has been referred to mediation with three days set aside for negotiation from March 10.

Pick'n Pay labour relations general manager Mr Frans van der Walt said the food chain's offer was in line with the company's history of paying increases above the inflation rate.

"The inflation rate is expected to be less than 10 percent for the year. Our offer also compares favourably with other offers of around five to eight percent."

Dealing with the looming dispute with Saccawu over staff usage, Mr Van der Walt said there had been an on-going difference with the union for three years which was now coming to a head.

A meeting with the union on the issue was scheduled for the end of March and eventual retrenchments were one option.

Mr Van der Walt said the problem lay in three areas. These were:

- Union opposition to staff being transferred from one branch to another as trade pat-

terns differed from one area to another for a variety of reasons, including the opening up of opposition stores or new shopping complexes. Mr Van der Walt said these transfers were in the permanent sense and not for a few days only.

- The alteration of trading patterns within a particular shop affected by changed shopping hours such as late night or weekend shopping. The union was opposed to shift times being changed to accommodate the customer changes that had occurred in low and peak shopping times, and,

- Union opposition to employees being swapped from one job to another during work hours even when they were only gainfully employed for half the working shift.

Mr Van der Walt said in all three instances Pick n' Pay was being forced to employ extra staff at substantial cost.

"We have to be cost-effective and particularly so in a recession."

He said the union attitude was that Pick'n Pay had an obligation to employ the unemployed and that it was an unfair practice to change a job description or the place of employment of anyone established in a job.

Mr Van der Walt said the union also knew it was against Pick'n Pay policy to retrench people.

However retrenchment had to be considered in this case. Effectively it would be retrenching people and replacing them with others who would work where and when they were required.

Pact settles claim by hurt actress

JOHANNESBURG. — A settlement has been reached in the R2,5 million action by disabled actress Gaynor Young against the Performing Arts Council of the Transvaal (Pact).

In terms of the agreement, Pact has withdrawn its opposition to the claim for increased compensation instituted by Miss Young, 31, in terms of the Workmen's Compensation Act.

Mr Willem le Roux, Miss Young's legal representative, said the terms of the settlement were confidential, but she was happy about the amount.

Miss Young was performing the lead role in *Camelot* at Pretoria's State Theatre three years ago when she fell 17m down an opening in the stage.

The fall left her brain-damaged, deaf in one ear, with partial paralysis of her right side and face and 50 percent vision.

She launched a claim last year for loss of earnings, future medical expenses and other expenses, charging Pact was negligent.

Mr Le Roux said the hearing before the Workmen's Compensation Commissioner would continue today — Sapa.

**AECI and
union settle**

ERICA JANKOWITZ

THE SA Chemical Workers' Union (Sacwu) and AECI have settled their 1993 wages and conditions of employment (SI)

A Sacwu spokesman said agreement had been reached on Friday after two rounds of mediation

The settlement, backdated to January 1, included a 10% wage increase for grades B and C and an 8.75% across-the-board rise for other categories

Hours of work had been reduced from 44 to 43 a week without loss of pay

It was also agreed that March 21 would be treated as "no work, no pay, no discipline" by the company

Job evaluation would be discussed by management and Sacwu at the end of the month and the company had agreed to suspend all retrenchments until April 9 when negotiations on this issue would commence

The company had agreed to a provident fund being established by June 1



SABC dispute declared (15) 200

JOHANNESBURG, — The South African Broadcasting Staff Association (Sabsa) yesterday declared a dispute with SABC management for "continued bad faith demonstrated by the corporation during salary negotiations" 9/3/93

Mediation body (151) comes to W Cape

SHARON SOROUR, Labour Reporter

ARC 12/3/93

RESOLVING disputes in the fledgling agricultural labour arena and between squatters and aggrieved land owners is expected to dominate the agenda of the new Western Cape office of the Independent Mediation Services of SA (Imssa)

Imssa, which has played a prominent role in the peace process in the Transvaal and Natal as well as in major labour disputes throughout the country, last night opened a Western Cape office to extend its influence in the region

Regional co-ordinator Ms Susan Hayter said "Disputes in the Western Cape tend not to be along the ethnic lines of those in other parts of the country. The major issues here are things like access to land, squatter disputes and development issues and we believe there is a lot of scope for intervention and conflict mediation."

Imssa national director Mr Charles Nupen said the opening of the Western Cape office "is a concrete affirmation of our presence rather than an arrival" and would increase Imssa's effectiveness.

He believed a particular focus in the Western Cape would be the provision of dispute resolution services in the agricultural sector.

● During 1992 Imssa conducted 507 mediations compared with 621 in 1991, and 594 arbitrations in 1992 compared with 430 in 1991

The increase in the use of arbitration could be attributed to the fact that some employers had now incorporated clauses in their procedural agreements to refer disputes over dismissals to arbitration automatically.

The reduction in mediations was attributed to several factors, including the trend towards centralised bargaining, and current economic conditions which had precluded employers from any flexibility during pay talks

Volkswagen may cut 25% of workforce

VOLKSWAGEN SA and employee representatives have started negotiations which are expected to lead to a reduction of about 25% in the company's workforce

Last Friday VW management met the National Union of Metalworkers of SA (Numsa), representing 6 000 hourly paid workers, and the SA Iron, Steel and Allied Industries' Union, which claims about 2 000 members. They met again yesterday and another meeting is scheduled for Friday

A VW spokesman said the company was considering all opportunities to cut costs because of the state of local and international car markets. VW declined to confirm suggestions that it was seeking to reduce its 9 500-strong workforce by 2 300 through layoffs, natural attrition and early retirement. The spokesman said VW hoped to avoid retrenchments but this could not

ERICA JANKOWITZ

be ruled out.

He also denied that the cutbacks were due to VW's falling market share.

The company produced about 15% fewer vehicles in 1992 than in 1991 and lost 2% of its market share — second only to Toyota which was affected by a protracted strike

The launch of VW's third-generation Golf and Jetta ranges has been postponed to mid-April because inspectors from VW's German parent company ruled that the quality was substandard.

Iron and Steel Union spokesman Van Niekerk Venter said rumours of 2 000 retrenchments had been denied by VW MD Peter Searll. But in the past "the grapevine had been proven to be accurate". A Numsa spokesman refused to comment "because of the sensitivity of the discussions"

8/DAY 24/3/93

151

Blom 25/3/93
**Technikon tuition
for union leaders**

(15)
~~AMERICA~~ ~~JANKOWITZ~~ ~~(15)~~

SELECTED shop stewards from the National Union of Metalworkers of SA (Numsa) are to undergo technikon training next year to enable them to participate meaningfully in production and management decisions. *(15)*

In terms of the wage agreement signed last year between Numsa and car and tyre manufacturers, the union would nominate one shop steward a company to undergo technikon industrial and/or production engineering training. *(15)*

The agreement was based on discussions concerning the achievement of production schedules after the protracted Volkswagen dispute.

Numsa spokesman Les Kettledas said employers had agreed to provide fulltime training and development opportunities to shop stewards to ensure they were better informed in production techniques. *Blom*

The manufacturers had undertaken to cover all costs of the training.

However, according to Kettledas, the union and employers were still discussing course content to ensure the curriculum covered all requirements of both parties. Selection criteria were also under discussion.

Govt expected to amend labour relations Acts

PRETORIA — Government is likely to amend the three labour relations Acts to make them more acceptable to the agricultural industry sources say

BIDAY 25/3/93
This follows an "irretrievable" breakdown in negotiations between the SA Agricultural Union (SAAU) and Cosatu earlier this week.

Government had set a March 31 deadline for an agreement to be reached after which it would impose a solution

Yesterday a spokesman for Manpower Minister Leon Wessels said Wessels would issue a statement today on the issue.

Cosatu said yesterday it expected government to extend the Basic Conditions of Employment Act to farm workers from the month end in terms of an undertaking

The organisation also said it was prepared to discuss further with the SAAU how the Wage Act and the Labour Relations Act could be extended to agriculture. It was also pre-

GERALD REILLY

pared to discuss the formulation of one Act for agriculture

Cosatu claimed this week's talks with the SAAU broke down when the SAAU insisted on extending the implementation of the Basic Conditions Act beyond the April 1 deadline.

It said it had been agreed with Wessels last November that the Act would be extended to farm workers by April 1 and the Labour Relations Act and the Wage Act by the end of this year's parliamentary session.

The three Acts were supposed to have been extended to the agricultural industry in 1992

Cosatu said the SAAU continued trying to delay the process

An SAAU spokesman, responding to the offer to further discuss the Wage Act and the Labour Relations Act, said that against the background of recent fruitless discussions and Cosatu's inflexible attitude, there seemed little point. He denied the SAAU had adopted delaying tactics.

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GERALD REILLY

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LABOUR

Berzack bows to pressure
ELECTRICAL appliance company Berzack Brothers did an about-turn on training opportunities for its employees after it was rejected for investment by the Community Growth Fund earlier this year.

When this was made public, Berzack called in the union to discuss its grievances.

The fruits of this meeting include plans to start a training centre for the company's 13 factories which employ 1 800 workers, while the company has also agreed to set up a committee to investigate ways of training 2 000 workers at 76 distribution outlets.

LABOUR BRIEFS

'Boycott Checkers' call

■ THE South African Commercial, Catering and Allied Workers Union (Saccawu) is calling for a national boycott of Checkers/Shoprite stores. *W/Mant 26-7/4/93*

In January the company unilaterally cancelled a recognition agreement with Saccawu, leaving members without the protection of procedures and workplace benefits negotiated by the union. *(S)*

The embattled company may soon retrench 333 workers in the Southern Transvaal and recently locked out workers in the Western Cape who "refused to work five extra hours a week" according to the union. *(S) (S)*

5 000 workers go on strike

Sowetan 23/4/93

By Joe Mdhlela

ABOUT 5 000 workers at the AECI plant in Modderfontein downed tools yesterday in protest against the suspension of two of their colleagues

Company spokesman Mr Michael Blizard yesterday confirmed the strike

He said the dispute followed disciplinary action taken against two security workers. He said the company was talking to the SA Chemical Workers Union in a bid to resolve the dispute

■ Two suspended after heeding stayaway call:

Sacwu spokesman Mr Tsepang Mika said Mr James Mphahlele and Mr Thabo Pebane had been suspended because they had heeded a stayaway call last week following the assassination of SA Communist Party leader Mr Chris Hani

"But the strange thing is that the two security officers were singled out among many other workers in the company who had heeded the call," Mika said

500 (15) ~~12~~
walk out
of VW
factory
Arg 24/4/93

BEVERLEY GARSON
Weekend Argus
Correspondent

PORT ELIZABETH. — More than 500 white workers walked out of the Volkswagen plant following a labour dispute.

Members of the South African Iron and Steel Union walked out after the company withheld the outcome of a disciplinary hearing which took place yesterday.

Public relations officer Mr Matt Gennrich about 500 left the plant following a dispute over a disciplinary matter.

He denied that the walkout was a sign of mourning for the leader of the Conservative Party, Dr Andries Treurnicht, who died this week.

The union's area manager for the Cape region, Mr Pieter Veldman, said one of their members, who had a clean service record of more than 30 years was unfairly dismissed last week by a top Volkswagen official.

Mr Veldman did not want to identify the official or worker. But he said it would be shocking to reveal who the official was.

Mr Veldman said that on April 21 the worker was standing outside the factory when the official saw him and asked why he was outside.

Mr Veldman said that although the worker explained he was on his tea break, the official said he was "fired".

"This is an unfair labour practice. We told the worker he must not leave," said Mr Veldman.

A disciplinary hearing was held but the company has withheld the decision — Ecna.

NSB are accused of exploitation

By DAN DHLAMINI

AT least 400 disgruntled workers at the National Sorghum Brewery's (NSB) Tlokwe plant in Potchefstroom are up in arms against their bosses.

The workers' spokesman, who wished to remain anonymous due to fear of reprisals, told City Press this week that the workers intend stopping all production from tomorrow until their demands were met.

The spokesman said the workers demanded that general manager T Nkabinde resign with immediate effect.

"Whites who are employed here are still earning far more than their black counterparts despite the fact that NSB is a black establishment," said the spokesman

He said most Ikageng residents who applied for jobs were turned down, while some people from the reef got first preference

The spokesman said despite the fact that Tlokwe brewery sold more sorghum beer than all other NSB plants, the workers at Tlokwe were the lowest paid.

NSB public relations officer Don Manaka denied all the allegations levelled against his company

Pick 'n Pay to retrench workers

De Wet 27/4/93
SUPERMARKET chain Pick 'n Pay has given the South African Commercial, Catering and Allied Workers Union notice that it intends retrenching about 3 500 workers

However, human resources director Mr Rem de Wet said in Cape Town yesterday the group hoped to reduce the number substantially through negotiation and agreement with the union

He said Pick 'n Pay had had a "no retrenchment policy" for the past 26 years

■ 3 000 might lose jobs at supermarket chain:

(SI) (SASA) (WU) (MCO)
and had been trying to negotiate an agreement to allow for "flexibility and mobility" of staff with Saccawu for three years

De Wet said a series of meetings to discuss retrenchments had been arranged with the union and Pick 'n Pay was giving Saccawu all the information necessary on the situation. — Sapa



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ERICA JANKOWITZ

A THREE-year-old dispute between Cosatu's Chemical Workers' Industrial Union and Reckitt & Colman SA takes a new turn tomorrow when the ANC/SACP/Cosatu alliance and the SA National Civic Association (Sanco) march on the company's factory in Elandsfontein.

The march was organised to demand the rein-

Protest march planned on Reckitt & Colman factory

8/10 AM 28/4/93.
statement of about 400 workers, who were dismissed in June 1990 after a legal strike

One of the dismissed workers, Vuyani Mpofo, said the strike was called after the company reneged on its agreement to join the Chemical Industries National Provident Fund

Mpofo said workers were dismissed following a court interdict. This occurred in spite of a moratorium on interdicts concerning legal industrial action (151)

He said the union was forced to take the matter to the Industrial Court in September 1991. However, the court adjudicated in man-

agement's favour

Mpofo said if the company did not agree to the demands in the memorandum, to be handed over to management tomorrow, additional pressure tactics would be used

These included a boycott of company products, picketing the factory and an approach to the British Consulate to intervene.

No comment could be obtained from the company yesterday

(120A) (10)

Dismissals 'withdrawn'

(15) ERICA JANKOWITZ (182)

A DISMISSAL notification issued by Da Gama Textile factories for 2 500 workers in the eastern Cape who have been on strike since March 24 was withdrawn yesterday. *Blom*

SA Clothing and Textile Workers' Union regional secretary Freddie Magugu said yesterday the notification was apparently withdrawn after a meeting between Cosatu and Da Gama's holding company SA Breweries. *29/4/93*

An SA Breweries spokesman confirmed only that the meeting had been held.

Union and management representatives were scheduled to meet today in a bid to resolve the strike.

Magugu said members would not back down from their demand of a R30 a week increase.

The company was not available for comment.

Agreement on pay (15)

AGREEMENT was reached between Pick 'n Pay and the SA Commercial, Catering and Allied Workers' Union on wages for all fulltime employees, with an across-the-board increase of R160 a month, Pick 'n Pay announced in Cape Town yesterday. The average wage of weekly paid employees will rise by 12,3% to R1 463 a month in terms of the settlement, while the minimum starting wages for new employees will be raised to R1 040 a month.

3/10/97: 20/4/93

(Handwritten initials)

(Handwritten initials)

NEWS IN BRIEF

Demand for 15% rise

THE Food and Allied Workers' Union demanded a 15% across-the-board increase at a preliminary round of wage negotiations with SA Breweries this week. Traditionally these negotiations, which affect about 12 000 workers, set the trend for wage settlements in the food sector and have an effect on wage bargaining in other industries.

13/10/92 30/4/93

(151)

LAST year the Independent Mediation Service of SA (Imssa) mediated in 507 industrial disputes. It has, since its formation less than 10 years ago, done so in 3 000 such cases. More recently it has become involved in similar ways in a growing number of community conflicts where it has intervened to assist the building of peace structures and defuse potentially violent situations. In the vast majority of these cases, the intervention has led, directly or otherwise, to a settlement.

Is it not time for the political negotiators at the World Trade Centre to begin thinking seriously about the possible necessity of mediation in their case some time in the near future?

Mediation has become a fine art. It is not always necessary or appropriate — the first prize in terms of future relationships is for parties to settle disputes without third party

Talks impasse needs mediator's skills

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ALAN FINE

intervention. But sometimes it becomes the only way for an agreement to be reached if serious conflict is to be avoided.

Mediation is "indicated" — to use the medical term — in particular circumstances. Most specifically, mediation becomes valuable where parties have become stuck in the rut of positional bargaining — parties sticking religiously to positions starkly incompatible with those of their bargaining partners who are doing the same. In such cases, negotiators become blundered and refuse to see possibilities of creative compromise even when these exist.

There is hardly a better way of describing the present situation among negotiators at the World Trade Centre. The ANC and govern-

ment have more or less worked out a process of transitional executive elections to an interim government and constituent assembly and negotiations in the assembly of a new constitution. The Concerned South Africans Group (Cosag) — led by Inkatha, the Bophuthatswana government and the CP — on the other hand, insists on the negotiation of a new constitution before any elections take place.

These incompatible differences over procedure mask the real differences and concerns of the parties. The ANC, particularly, fears that

Cosag will hold out forever for a constitutional settlement on its terms. It fears, not unjustifiably, that those homeland and segregationist white parties are seeking a political dispensation hardly different to the current one.

Government, too, is anxious for a settlement on terms reasonably in line with traditional democratic norms. Until those groups' presumed minimal support can be shown at the polls, the NP/ANC view holds, those parties will be able to continue wielding more influence than the support bases justify.

Cosag, meanwhile, fears being steamrollered at a constituent assembly by a dominant NP/ANC grouping. And they (Mangosuthu

Buthelezi and Lucas Mangope, at least) fear losing their struggle for a constitution which provides for a substantial decentralisation of power — which they hope will allow them to remain as significant regional leaders.

The CP bottom line, however, is less clear.

The point is that, on the substantive issue of regionalism — the most difficult constitutional issue — there are possibilities of agreement. The ANC has shifted substantially, although perhaps not yet sufficiently, from its initial insistence on a pure unitary state. But those possibilities are not even being explored as all parties get bogged down in purely procedural disputes and show little imagination as to how they are going to resolve their differences.

In a month or so, if they have not managed to get much further, it will be a job for Imssa. — I-Net

REVIEW

Saccawu in wage deal

Sawetan 30/4/93
PICK 'n Pay and the SA Commercial, Catering and Allied Workers Union reached an agreement yesterday on wages for all full-time workers with an across-the-board increase of R160 a month

The supermarket chain announced that the average wage for weekly-paid employees would increase by 12,3 percent to R1 463 a month, while the minimum starting wage for new workers would rise to

Workers get increase:

R1 040 a month *(151)*

Pick 'n Pay general manager of industrial relations, Mr Frans van der Walt, said it was important to recognise that this was a "generous package in view of the depressed economy and low average wage increases currently being offered by other employers" — Sapa *(151)*

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Sowetan, 31/5/93

Union claims victory over dismissal of 2 000

The National Education, Health and Allied Workers Union claimed on Friday to have won an "impressive victory" in arbitration with the Transvaal Provincial Administration over the dismissal of 2 000 striking workers

Nehawu said it had "forced" the TPA to re-employ 5 000 workers after the dismissal of 7 000 striking workers in 1992. The TPA had, however, charged 2 000 with various offences

During arbitration on Thursday the un-

■ Fired Nehawu members rehired after arbitration:

ion said it won about 70 percent of the cases

"This is an impressive victory for the union and for the labour relations cause in the public sector. It proves that procedures and mechanisms are needed to handle disputes, and when provided can do away with conflict," the statement said — Sapa

~~235~~ (151)

1 nation

Star 315193 (151)

Boost for Pick 'n Pay staff

Agreement has been reached between Pick 'n Pay and the South African Commercial, Catering and Allied Workers' Union on wages for all full-time employees, with an across-the-board increase of R160 a month. (355) (140A)

Toddler drowns in pool

IN THE field of labour and economic policy SA is fast becoming a corporatist society. But the corporatist goal works at cross-purposes to the existing industrial relations system. One or the other will have to give way.

The national economic forum institutionalises a role for business and labour in formulating state economic policy. The new National Manpower Commission (NMC) is official acknowledgement that labour law can be changed only with tripartite consent. Other established institutions are also changing — from the National Training Board to the Unemployment Insurance Fund. Parallel initiatives can be seen in some industries. Talks between unions and managements in the mining, clothing and motor sectors deal with long-term restructuring and go well beyond collective bargaining issues.

Love it or hate it — there are detractors on the left and the right — corporatism is the only realistic route forward. It is hard to imagine a scenario which excludes major economic actors from a key role in the formulation and regulation of socio-economic policy. Keys and De Klerk accept this, as do Manuel and Mandela. The corporatist vision proclaims the need for economic restructuring, without leaving this simply to the hidden hand of the market, or relying solely on the heavy hand of the state.

But if corporatism is to work it needs a compatible industrial relations system. Deals brokered at the highest level — between union federations, employer organisations and the state — must be reinforced, not undermined, on the ground.

Four aspects of our present industrial relations system are likely to undermine the corporatist endeavour. Problem one is the Labour Relations Act (LRA) which says little about how unions and management should relate. It grants immunity from prosecutions for certain behaviour (such as a legal strike). But it provides few positive rights. SA labour law, like its British counter-

Policy makers need a new body of industrial relations

Blom STS793
JEREMY BASKIN

part, makes little attempt to define a place for organised labour in society.

Workers are permitted to form unions, but combination is not facilitated. Management and labour are allowed to negotiate, but nothing compels them to do so. Must an employer recognise a union — who knows? What rights and duties do shop stewards have? Here, too, the LRA is silent. Unfair labour practices are contemplated in the LRA, but barely defined. The result is a confusing mish-mash of contradictory Industrial Court decisions.

The LRA establishes a passive and voluntarist framework. The result? An unstable system, often unnecessary conflict, inconsistent and unfair conditions, and more labour lawyers than anyone needs. Hardly a foundation for building consensus around socio-economic policy.

The second problem is that there is no collective bargaining system in SA. For most workers "bargaining" remains a foreign concept, they are paid on a take it or leave it basis. In some sectors unions and employers bargain on the basis of recognition agreements or custom. In others, industrial councils operate. But these bodies — sometimes national, sometimes regional — cover less

than 10% of all employees. In general, only the threat of unrest compels an employer to bargain in a particular forum, or to bargain at all.

Even in the industries with centralised bargaining there is little to stop an employer withdrawing from the bargaining forum. A mine can withdraw from the Chamber of Mines, or an engineering firm from Seifsa and, hey presto, collective agreements often no longer apply. We have many different bargaining systems. Not surprisingly, we have endless disputes about how, where and whether to bargain.

For some, especially free marketeers, this laissez-faire approach to bargaining is not a problem. But for those wanting greater consensus around socio-economic policy, the absence of a comprehensive bargaining framework must undermine their efforts. How can difficult national economic deals be reached when the collective bargaining system encourages each employer, union and plant to go its own way?

Third, and relatedly, it is hard to see how deals reached at the national economic forum or NMC can be im-

plemented while employers remain poorly organised. To a lesser extent, the union movement faces the same problem. Certainly there are employer bodies in almost every industry, and chambers of commerce in every town. But at the national level, where the big issues are thrashed out, there is a confusing array of organisations. It is doubtful whether they can bind their members to any difficult deal. Attempts to avoid last August's stayaway broke down over the question of mandate. And during the 1992 metal strike a number of employers broke ranks with Seifsa and went their own way.

At present nothing encourages employers to combine, our voluntarist LRA and laissez-faire bargaining system actively discourage combination. Co-operation on socio-economic issues is discouraged by the fact of commercial competition, and there are no incentives to cooperate. And the big conglomerates tend to bypass their employer bodies when they have something to say. But if meaningful economic strategies are to emerge (regarding international competitiveness, tariffs, productivity, industrial restructuring and so on) then it will require the existence of strong national

employer bodies able to look at the big picture. The flip side of this problem is the lack of union centralisation. Even the strongest federation, Cosatu, lacks the muscle to enforce difficult decisions. Constitutional and financial power is vested with affiliates, which jealously guard their independence.

Could the union movement agree to a plan which promoted one industry at the expense of another? Cosatu and Nactu might agree, say, that Mossagas is a waste of resources and should be closed. But what would the Mossagas workers and their unions say, with their jobs on the line? Fourth, there is no agreed system of plant-level governance. Some companies recognise shop stewards, others do not. Some stewards have extensive rights, others have nothing. A few firms grant majority unions exclusive representative rights. Most don't. Some companies leave non-unionised workers with little voice. Others actively encourage their own employer-employee channels, frequently as a way of bypassing unions.

On both sides of the industrial relations fence it is agreed that the plant level is the crucial interface. But the absence of a coherent system encourages adversarialism and sectionalism. Each side must be on its guard — protecting its backyard and always on the lookout for attempts to withdraw hard-won rights.

Without a strong, well-defined system of industrial relations (from national down to plant level) the corporatist project is unlikely to deliver. The existing system encourages protectionism, short-sightedness and needless conflict. Grafting a corporatist head onto an Anglo-Saxon industrial relations system can only lead to grief. It is time to review the Wiehahn model of unionism and industrial relations.

□ Baskin is a former unionist and author of *Striking Back* — A History of Cosatu. This is the first of two articles based on research conducted for the Centre for Policy Studies.

It is not strange how the old Wiehahn labour dispensation trundles on — at a time when the policies and underlying assumptions of every institution in our society are being questioned? Some changes are being debated, but these are little more than amendments. The basics of our industrial relations system remain largely unchallenged.

SA is moving in a corporatist direction. The national economic forum and other bodies are an attempt, for the first time, to give a meaningful role to organised labour. There are growing attempts to move beyond adversarialism and zero-sum approaches in industrial relations.

The corporatist route is the only realistic one. How else can we hope to tackle socioeconomic problems, restructure our economy, increase productivity and competitiveness if not by involving the key economic players? But there are many obstacles, not least the existing industrial relations institutions and system.

The time has come to rethink the Wiehahn model. Current debate revolves mainly around amending the existing Labour Relations Act, extending coverage of the system to farm workers and others; the extent to which international conventions need inclusion, and the need to consolidate the Act. While these are valid concerns, they fail to tackle the root problem — the disjuncture between the industrial relations system and the direction which society and labour relations is trying to take. Three aspects of the system need to be put under the spotlight.

The first is the approach. At present the system tolerates unions, it certainly does not encourage them. They are widely seen as distorters of the market, and blamed for a host of social and economic ills. Their exercise of collective power is rarely seen as positive, nor are they credited as a major source of black economic empowerment.

A changed approach needs to review this and define unions not as a necessary evil but as essential social

Time to bury the Wiehahn model of industrial relations

R10m 6/5/93

JEREMY BASKIN

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institutions. Our legal framework needs to include a place for labour in society. In the industrial relations arena this means talking about positive rights, not negative immunities, and defining basic rights for all parties. It means finding a place in law for collective activity, not seeing union activities as an embarrassing exception to the individualism of contract law.

Secondly, the collective bargaining framework requires dramatic overhaul, otherwise it will remain a source of tension and instability. This means working towards centralised bargaining, without which employers and unions are unlikely to develop a pro-active approach to the future of their industries. It is no accident that talks on industrial restructuring are most advanced in the mining, motor and clothing sectors. Those sectors have relatively centralised structures. And without some form of centralised bargaining it is difficult to see how tripartite macroeconomic deals can avoid being undermined.

However, it must be acknowledged that centralised bargaining has many unattractive features. Technological change enables more flexible production which allows —

even encourages — the devolution of management and industrial relations decisions from corporate headquarters to the local plant.

In addition, centralised bargaining frequently has been inflexible, treating all companies alike. It can set conditions which some companies are unable to afford while simultaneously letting other, more profitable, firms off the hook. Centralised bargaining can also cause problems for unions. It often encourages a widening gap between leaders and members with negotiations far from the workplace and with little involvement from ordinary union members.

It will be difficult to achieve national socioeconomic goals without the discipline of centralised bargaining. At the same time one must accept the strong arguments for devolved decision-making. But to simply devolve collective bargaining within the present framework means little more than fragmentation of the industrial relations system.

The real choice is not between centralised and decentralised bargaining, but the appropriate relationship between the two. The challenge is to

develop a system which accepts decentralised bargaining and plant-level concentration within a centrally guided framework.

But, to be effective, such a framework needs to be comprehensive, with a place for every employee in every industry. It is hard to imagine this emerging from the present Labour Relations Act, which simply encourages employers and unions to slog it out and develop piecemeal solutions about where to negotiate. This is hardly a recipe for long-term industrial peace.

Thirdly, a defined system of plant-level governance is needed. The present Act is silent on this issue, yet all sides agree the plant is the basic interface. It is the place where production happens, strikes take place, and where employer-employee relationships are either rocky or smooth. It is where corporatist deals are undetermined or accepted.

Under our system, recognition and rights have to be fought for plant by plant. And they are always under threat. Defensive approaches are the result. For unions, the key is to maintain representivity. It is no accident that the closed shop is found only within the Anglo-Saxon model of unionism. Unable to have a relative-

ly secure, defined existence, unions attempt to gain a legal monopoly as employee representatives.

Clearly, any trend towards industrial restructuring and devolved management requires greater employee participation. Unions (their officials and shop stewards) will struggle to remain involved at every stage, they simply do not have the capacity. In any event, the need is to involve all employees (even the most skilled), not simply union members. The present industrial relations system does not make space for such developments. Indeed, it encourages unions to see greater workplace participation by employees as an attempt by management to bypass unions. And, given the adversarial nature of our system, it often is.

The German model is worth exploring further. It involves a comprehensive system of workplace councils where the employer and all employees interact and take meaningful decisions. The rights and duties of employee representatives are clearly defined. And within this comprehensive system the unions operate — promoting their policies, nominating candidates for elections, providing logistical support. The system does not stand or fall as union fortunes fluctuate from one year to the next, although the packages negotiated are obviously affected.

Of course, a radical rethink of our industrial relations system involves much more than is covered here. There are other questions. How to encourage strong employer organisation? Does one aim for unionism? What role for the state? Does one aim to institutionalise conflict, or consensu?

The state of the economy, and our history of conflict are already major obstacles in the corporatist path. Retaining the existing institutions and system of industrial relations only adds to chances of failure.

□ Baskin, author of *Striking Back* — a history of Cosatu, is a writer and consultant in the fields of labour and development. This is the second of two articles based on research.

BIPAC 7/5/93

~~SEIFSA~~ Wage talks begin (151)

SEIFSA employers yesterday began the 1993 wage negotiations and made "steady if unspectacular progress" in discussing the "more than 80" union demands. Seifsa said union demands ranged from increases of 14% to 51.5%. Employers had proposed changes to the main agreement.



Mediation is last hope for Shoprite/Checkers

ERICA JANKOWITZ

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) confirmed yesterday that its members had voted in favour of industrial action at Shoprite/Checkers stores nationwide because of the unilateral withdrawal of a recognition agreement.

Saccawu spokesman Jeremy Daphne said about 10 000 members would embark on legal strike action if the issue was not resolved at mediation, tentatively scheduled for next week.

He said the union had suggested mediation. In an unusual step, the company had set the precondition that the union agree in writing to be flexible in this process.

Daphne said he hoped the dispute over the cancellation of the agreement would be resolved quickly as "the membership was sending a strong message that its patience was running out".

He said any action embarked on by members would be legal as the majority had voted in support of the strike and the union had complied with all legal requirements.

Daphne said there was also a separate, but linked dispute, over the issue of multi-unionism.

The company refused to negotiate wages with Saccawu, insisting that a minority union, the National Union of Distributive and Allied Workers (Nudaw), be a party to the negotiations. Nudaw represents fewer than 3 000 Shoprite/Checkers workers.

Daphne said Saccawu was committed to majority unionism. Nudaw's policies and principles also differed so fundamentally from those of Saccawu that sharing a platform would be counterproductive.

The company refused to comment, saying this was an internal matter it did not wish to escalate.

Star 7/5/93

Union members to get jobs back

More than 1 000 National Education, Health and Allied Workers' Union members will be re-employed by the Transvaal Provincial Administration after judgment in a dispute between the two parties.

In a joint statement

yesterday, the TPA and the union said that according to arbitrator J Gauntlet's decision, successful arbitration candidates had to be re-employed "in terms of the agreement of settlement".

"At this stage, 1 137

successful arbitration candidates will be re-employed at the relevant institutions."

The arbitration process was still in progress and was expected to be completed by the end of June, said the statement.

— Sapa.

Shop workers locked out

Own Correspondent

JOHANNESBURG — Shoprite/Checkers yesterday locked out workers at five stores in a run-up to threatened national strike action by the South African Commercial, Catering and Allied Workers' Union over the company's withdrawal of a recognition agreement and attempted enforcement of joint bargaining.

Union spokesman Mr Jeremy Daphne said the company had implemented the lock-out at stores in Nelspruit, Barberton, Florida, Witbank and Welkom and had offered not to conduct further lockouts.

The company would not comment on the lockouts.

CT 11/5/93

OK Bazaars, union agree on wages

8/10 AM 12/5/93

ERICA JANKOWITZ

FOR the first time, the OK Bazaars and the SA Commercial, Catering and Allied Workers' Union (Saccawu) have settled the annual wage agreement without a dispute

The wage agreement, signed yesterday, grants a R123 across-the-board increase to all permanent employees who are union members, representing about a 14% rise for the lowest category of workers.

A minimum salary of R980 was negotiated for all full-time, permanent employees with 12 months' completed service. Part-time workers will get two-thirds of this. Increases were backdated to April 7.

One week's compassionate leave, funeral assistance, the recognition of traditional healers, the non-forfeiture

of discounts on HP instalments in arrears, and an increased laundry allowance were also agreed on.

The company agreed "to facilitate the process of negotiations on the extension of stop-order facilities to Bophuthatswana".

The union's Modise Mokhe said a relationship-building exercise conducted in the company recently had focused on resolving past "continuous disputes" in wage negotiations.

He said the 1990 dispute over the payment of 13th cheques was still before the courts, and last year the OK unilaterally implemented its final offer despite not reaching agreement with the union.

However, there had been a discernible improvement in the industrial relationship between the two parties, Mokhe said.

Meanwhile, Saccawu would appear to be on a collision course with Shoprite/Checkers over the unilateral termination of its recognition agreement and attempted enforcement of a joint bargaining forum

Union spokesman Jeremy Daphne said six Checkers stores were still locking out workers. These stores, were in the "conservative areas" of Welkom, Florida, Boksburg, Nelspruit, Barberton and Witbank.

He would not comment on the possibility of industrial action, but strikes were expected to be called today in certain stores

Swietem 13/5/93
Postal strike possible

THE Post and Telecommunication Workers Association yesterday said it was seeking an urgent meeting with the directors of Telkom to avert a possible national strike by its members

Potwa president Mr Kgabisi Mosunkutu said at a news conference in Johannesburg that talks over wage demands between Potwa and managements of both Telkom and SA Post Office broke down after the two companies refused to accede to their demands

He said Potwa, whose demands included a minimum increase of 14,3 percent, would now seek to hold the next round of wage negotiations with Telkom's and Sapo's board of directors to avoid the "looming chaos and disruption of services"



Star 13/5/93
Congestion at terminal

Congestion at the container terminal in Durban, where there has been a work stoppage by hundreds of workers since Friday, has reached crisis levels as forwarding and clearing trucks have to wait for days before they are able to move containers. Local business faces considerable financial loss as a result of a huge backlog which is likely to continue unless the labour dispute is resolved. Delays and disruptions have been taking place since Easter — Own Correspondent

(15)

Freeze managers pay, says chamber

LINDA ENSOR

CAPE TOWN — A freeze should be placed on all remuneration paid to directors and managers in public and private enterprises until workers were granted increases at least in line with inflation rate.

This was suggested by Cape Town Chamber of Commerce president Herbert Hirsch in his presidential address at the chamber's AGM yesterday. *BIDM 14/5/93*

"The suggestion that remuneration of directors and top management should be performance related should also receive more serious consideration in those enterprises where this system does not already pertain," Hirsch said. *(15)*

He proposed also that instead of negotiated retrenchment packages, more managements should seek to negotiate short time at reduced wages if necessary. For this to succeed management would have to display a willingness to take a considerable cut in their own salaries.

Hirsch urged the private sector to put pressure on all the parties at the negotiating table to ensure that a transitional executive council was established, an election date announced and a government of national unity established as a matter of urgency.

He said he found several sources of optimism in SA at present including the progress made in negotiations and the release of the normative economic model.

Seifsa offers 4,5% increase to workers

SEIFSA yesterday offered a 4,5% annual wage increase to steel and engineering workers in response to union demands ranging between 14% and 51,5%. *BDM 14/5/93*

The offer was made at a meeting between a Seifsa work group and the 11 recognised trade unions.

Lesser offers were made for some regions — the Cape, Natal and Border — and in the Free State a wage freeze was proposed because of the industry's absolute reliance on the mining industry, which was undergoing difficult times.

Seifsa industrial relations director Dave Carson said after caucusing, the unions had indicated they could not accept the wage offer and appealed to Seifsa to reconsider its position.

ERICA JANKOWITZ

On the regional wage issues, the unions said they had not been mandated to respond to this proposal and suggested a further meeting be held under the ambit of the collective bargaining group.

The parties agreed to do their best to reach finality at their next meeting scheduled for June 4 as the present agreement expired at the end of June.

Carson said a number of peripheral items had been removed from the agenda and employers had agreed to re-examine other issues such as occasional leave and employees injured on duty.

INDUSTRIAL relations in the retail sector are undergoing a sea-change as management reshuffles in the big three chains interact with a trade union which lurches between pragmatism and ultra-left-wing posturing.

The retailers are Pick 'n Pay, OK Bazaars and Shoprite/Checkers, the union is the SA Commercial, Catering and Allied Workers' Union (Saccawu)

Union-management relationships are likely to remain least affected at Pick 'n Pay, primarily because René de Wet became joint MD with Gareth Ackerman after the retirement of Hugh Herman at the end of April. De Wet is Pick 'n Pay's former human resources director who pioneered the group's relationship with Saccawu.

From around 1983, De Wet built what was to become a healthy relationship with Saccawu. His main initial task was to transform Raymond Ackerman's paternalistic, though benevolent, attitude towards labour into a modern industrial relationship. Thereafter, following an unpleasant wage strike in 1986, Pick 'n Pay was able to use its commercial success to become by far the highest payer of the big three and avoid the endemic conflict afflicting its competitors.

The current threat of 3 500 retrenchments, the first in the company's history, is mainly a function of an uncompromising union stand over management's proposal for flexible work arrangements as an alternative to the layoffs. So far the union has refused to display the kind of flexibility shown, for example, by the NUM in times of crisis. However, the threat may yet be sufficient to galvanise Saccawu into seeking agreement on the issue. The parties are due to meet today in an attempt to thrash out a solution.

Saccawu's main foe over the past 10 years has been OK Bazaars. The relationship has been highly adversarial. Aside from dozens of wildcat strikes there have been three nationwide strikes — a particularly bitter and violent one in 1988. Until 1992,

each annual wage round went into dispute before resolution.

This, however, appears all to have changed since Gordon Hood's replacement by Mervyn Serebro at the beginning of this year.

The management reshuffle was followed in short order by an intensive relationship-building exercise conducted by the Independent Mediation Service of SA and substantial wage increases this year despite the company's poor performance.

The move seems to have paid off as wage negotiations between OK and Saccawu ended amicably on May 7, with agreements reached in record, five-day negotiations. However, both sides agree it's early days and the new-found positive relationship still has to be cemented.

Management maintains the generous wage increases have been awarded because workers are the most important part of its business.

Exactly the opposite process has occurred at Checkers since the group's takeover by Christo Wiese's Pepkor and the creation of Shoprite/Checkers, where last week Saccawu members embarked on countrywide industrial action.

The old Saccawu-Checkers relationship was often stormy, but this was due mainly to Checkers' poor commercial performance and lack of resources which made it an inferior employer in terms of wage levels.

New style brings Labour conflict to Checkers' floor

BIDM 1715793

ERICA JANKOWITZ and ALAN FINE



□ WIESE

The previous management tried to compensate by attempting to build a co-operative relationship with the union. The industrial relations atmosphere and culture has now changed markedly.

The immediate issue which triggered the strike was the company's cancellation of the recognition agreement which regulated the Saccawu-Checkers relationship be-

fore the Pepkor takeover. However, Saccawu spokesman Jeremy Daphne said this move had been the "final straw" in a long list of grievances.

These include a wave of store closures and retrenchments where, he said, insufficient notice was given for the union to intervene constructively, and a 10% wage reduction proposal at last year's negotiations. This "novel approach" angered the union as the company's stated policy of reaching parity between Checkers and Shoprite conditions of employment and salary scales was never envisaged to mean Checkers' personnel having to accept wage cuts.

"We have a long history with Pepkor dating back to the '70s," Daphne says. "Over the years management has consistently displayed an unyielding approach to industrial relations and is conservative and even racist in its attitude."

One indication which supports the union's accusations is that Shoprite/Checkers is operating to outdated standards in management's refusal to reply to union allegations. In the early days of unionisation, in the '70s, when unions began to learn the value of propaganda, managements tended to refuse to participate in the media debate in the hope that they would avoid unwelcome publicity. They eventually changed when it did not work. But Shoprite/Checkers is re-

turning to the tactics of the '70s. Daphne says that since Pepkor bought Checkers at the end of 1991 and the merger of Shoprite and Checkers, management has adopted a much more hardline approach. In fact, only one senior Checkers personnel man is still in the management structure. Pepkor, he says, is perceived as "challenging established industrial relations practice and attempting to spread unenlightened precedents".

Thus, he argues, is evidenced by Shoprite's technical and legalistic approach to labour relations. Daphne cited the group's acceptance of the all-comers approach as being directly opposed to the union's majoritarian approach. "It is the union's prerogative to establish joint bargaining forums and not up to the company to impose a change to established bargaining practice."

However, it would appear to be not only the company which is adopting this inflexible line. The union also is refusing to budge from its stand on certain issues. For example, the company has proposed a compromise on the issue of joint bargaining. It suggested that negotiations take place separately, but on consecutive days so as to cut down on time and costs. But Saccawu maintains an inflexible approach to the setting of dates, which will render this proposal meaningless.

The dispute over the recognition agreement is a curious one. The new company structure would seem to justify a management request for changes to the old Saccawu-Checkers agreement. However, a combination of a new, more adversarial management style, combined with a union which tends towards intransigence became an explosive mixture.

It is a moot point whether the union will be able to sustain a strike over an issue of little immediate material importance to workers. A recognition dispute, although important to the union bureaucracy, nowadays does not have the same resonance as a wage dispute on the shop floor.

Daphne maintains, however, that workers' ill-feeling towards management runs deep because of events preceding this dispute, and that the strike will be well supported.

LETTERS

One step forward

48A ASD

■ **NEGOTIATIONS** in the metal industry this week made "steady, if unspectacular" progress, according to employer body, the Steel and Engineering Industries Federation of South Africa.

One can understand why: the negotiating teams have to wade through 80 union demands and have to deal with wage demands ranging between 14 and 51,5 percent. Employers have not yet tabled wage offers.

Agreement was reached on the regrading of certain drivers, an increase in 0,6 percent of employee and employer contributions to retirement funds — specifically to aid disabled workers.

W/Mant 14/57 - 20/57/93

lets ● Checkers row smoulders on

Bosses ready to talk

Savetani 21/5/93

■ Union won't accept condition and threatens to intensify strike:

By Joe Mdhlela

(15)

of compromise and flexibility"

SHOPRITE-Checkers has declared its willingness to negotiate a settlement with the South African Commercial Catering and Allied Workers Union to end the two-week-old national strike

He said the strike was as a result of the union's insistence that the company reinstates a recognition agreement terminated by the management in 1992

However, the company made it clear they are not prepared to agree to something which they could not honour in good faith.

Saccawu spokesman Mr Jeremy Daphne said the strike would be intensified, with workers engaging in picket protests throughout the country

"This, together with the fact that negotiations with the union have continued on a wide range of other issues, indicate that the current strike action appears totally unnecessary," a spokesman for the company said

Daphne said scores more than 10 000 union members had been harassed and picketers arrested

The spokesman said his company was willing to enter into talks "in an attitude

He alleged that the store continued to undermine the strike action by employing scab labour, including prisoners

"In Potchefstroom, prisoners are being used," Daphne said. He said the union had mobilised international support for the strike

LABOUR

By FERRAL HAFALIE
A NATIONAL strike over recognition at Checkers/Shoprite is deterring into one of the ugliest industrial conflicts this year. It is also one of the biggest, involving about 10 000 workers at 160 stores.

Striking workers in the Transvaal were sjambokked, teargassed and arrested when police removed them from shops they planned to sleep in on Monday night. Checkers were arrested this week, and the union has asked the National Peace Secretariat to monitor the two-week strike. Workers were evicted from 19 stores in the Transvaal by the police, more than 300 were arrested on trespass charges and 19 injured. Strikers had to be hospitalised in Barberton, Ridgeway and Randburg.

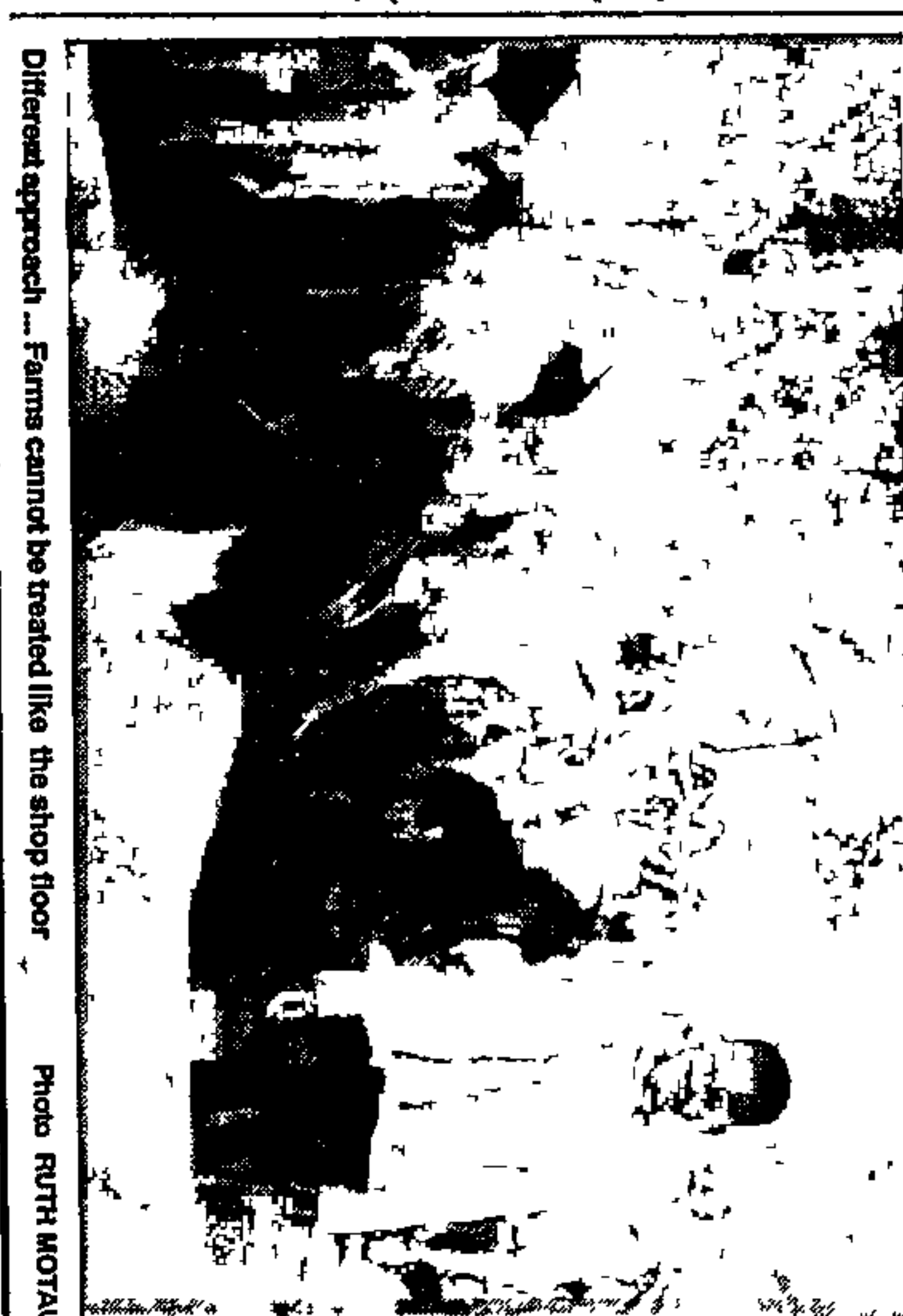
The gulf between Checkers/Shoprite management and the South African Commercial, Catering and Allied Workers' Union (Saccawu) is growing. The union says it has offered to halt industrial action for two days and take the recognition dispute to mediation. The company has refused. In its first communication, Checkers/Shoprite management said that Saccawu members represented "less than a third of the 18 000-strong labour force". It said two strike ballots at the grocery chain "displayed massive irregularities" and that the strike was unlawful. Police had been called in to evict workers sleeping in at stores because of "hygiene considerations".

Checkers/Shoprite added that the recognition agreement it had with Saccawu provided for termination. Another major dispute is looming in the public service sector when teachers — members of the South African Democratic Teachers' Union — begin a national strike on Monday. They are protesting against retrenchments and a five percent increase they had no part in negotiating. Postal negotiations are also likely to end in dispute.

But negotiations in bigger sectors should be concluded without incident. The structure of metal industry negotiations has been overhauled into three working groups each dealing with a specific issue. "In the past we had a huge meeting and made speeches at one another," said Brian Angus of the Federation of South Africa (Safsa) Steel and Engineering Industries. "The atmosphere is much less confrontational now and initial prospects are good," he said. But he added that employers would find it difficult to negotiate a three-year increase with the National Union of Metalworkers of South Africa (Numsa) — one of the union's key demands. Sefisa has agreed to reduce the number of job grades in the industry to nine and employers are receptive to Numsa's education and training demands.

Negotiations in the clothing industry also look promising. A South African Clothing and Textile Workers' Union (Sactwu) representative said workers received increases of 12.5 percent on average. A major breakthrough was the recognition of the union as an equal partner on the clothing industry training board. A mass dismissal at four textile plants of the Da Gama company has been successfully reversed. All workers were reinstated and they received 13 percent increases. The union also signed up 273 new members. "It was one of the most successful strikes in a long time," said Sactwu media officer Shahed Tshadi. But, a potentially serious dispute is looming in the tanning industry. Sactwu official Mark Bennett said employers were trying to smash the industrial council by insisting on negotiating work conditions at plant level. Tanning employers also want to negotiate wages at plant level next year, he said. Mining industry negotiations begin on Monday.

Ugly dispute just up your street



Different approach ... Farms cannot be treated like the shop floor. Photo: RUTH MOTLA

LABOUR

By FERRIAL HAFFAJEE

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The gulf between Checkers/Shoprite management and the South African Commercial, Cater-

Ugly dispute just up your street

Wool 21/5-27/5/93
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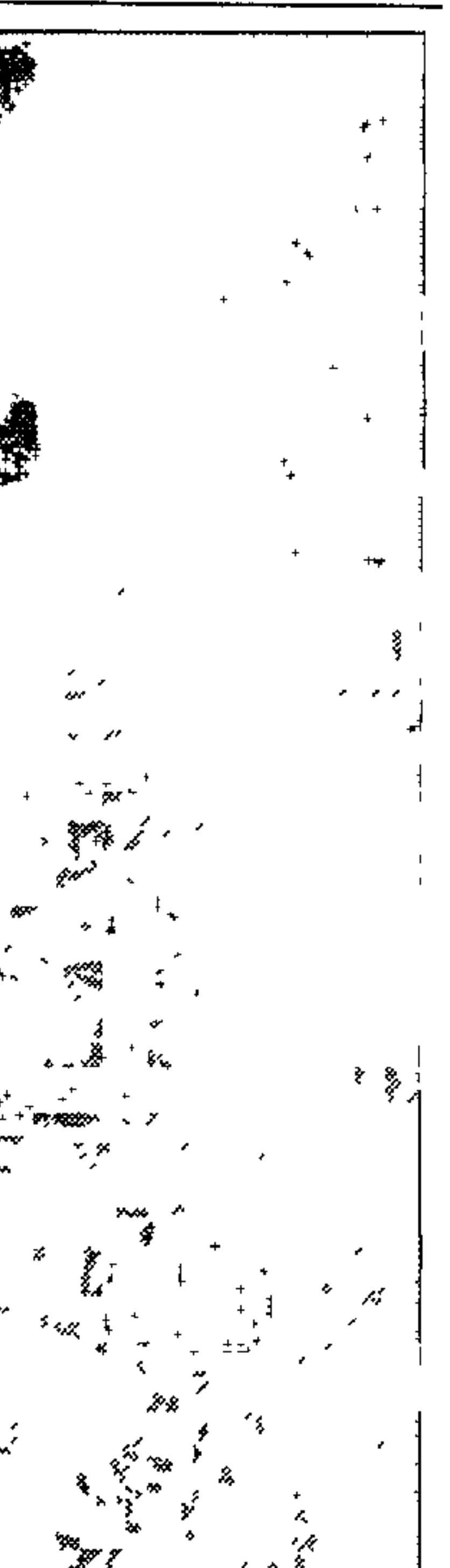
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Mining industry negotiations begin on Monday.



Different approach... Farms cannot be treated like the shop floor. Photo RUTH MOTAU

'Don't target Cape Town' — council plea

CLIVE SAWYER, Weekend Argus Municipal Reporter

ARG 22/5/93

THE city council has pleaded with the Municipal Workers' Union not to target Cape Town for industrial action as a wage dispute heads for private arbitration.

The council confirmed this week the two staff trade unions, Samwu and the SA Association of Municipal Employees, had agreed to refer a deadlock on wage increases to private arbitration.

This followed union rejection of a final council offer of a four percent wage hike

The council said yesterday it was drawing up proposed terms of reference for the arbitration which it would submit to both unions, with a list of suggested arbitrators.

An analysis of the effect salary increases would have on rates would be supplied.

"Any settlement package cannot address the issue of wages alone. Other conditions of employment also impact on the cost of employment"

A comparison was being prepared comparing levels of council pay and job security with those of similar organisations

Strike ballot 'a first'

THE SA Municipal Workers Union (Samwu) is currently conducting its first ever national strike ballot on the issue of a four percent wage offer, president of the Cape Town branch, Mr Salie Manie, said yesterday.

This follows a council statement on Friday, which said that agreement had been reached with Samwu and the SA Association of Municipal Employees (SAAME), that the current wage deadlock be referred to private arbitration.

Council is currently drawing up its proposed terms of reference for the arbitration which will shortly be submitted to the unions, together with a list of suggested arbitrators, it said.

It will also supply an analysis of the effect which salary increases will have on rates.

Council hopes that Samwu's support for the call to participate in mass action and workplace demonstrations, is not aimed at the municipality and rate-payers, the statement said.

Sowetan 24/5/93

Sabsa shuts five radio stations

By Tsale Makam

THE South African Broadcasting Staff Association blacked out TV and radio programmes on Saturday after wage increase talks deadlocked. Radio Zulu and Highveld stereo were among the five radio stations affected by the 10-minute blackout imposed also on TV, upsetting, among other programmes, a rugby game beamed internationally. The 1 700-member union wants a 10 percent

■ TV also hit by workers' anger:

increase against the SABC's "final offer" of 7,5 percent

The SABC threatened to withhold the May salaries of those members who still rejected the final offer.

Refusing to be bulldozed Sabsa, which consists mainly of white technical staff, blacked out TV and radio channels.

They are fighting the May salary issue in the Industrial Court today.

Strike set to spread,

Checkers warned

By Paul Bell
Labour Correspondent

The Shoprite/Checkers strike enters its 17th day today with indications that other unions could be called on to support the action if management does not respond within 72 hours.

SA Commercial, Catering and Allied Workers' Union (Saccawu) spokesman Jeremy Daphne said Cosatu had given the chain "72 hours to respond favourably to the union's demands, or the federation will engage all its affiliates in the dispute".

And in Hillbrow, Johannesburg, on Saturday ANC Youth League president Peter Mokaba, who attended a demonstration by Saccawu members outside the local Checkers branch, pledged the support of his organisation for the strikers.

"We will support any community action and shut down Checkers, if it comes to that," he is reported to have told several hundred Saccawu members.

The action began on May 8 in an effort to persuade the chain's management to reinstate a nine-year-old recognition agreement which management claims is outdated and inappropriate to conditions in the group since the Shoprite/Checkers merger more than a year ago.

The union claims management is trying to force it to accept joint wage bargaining with a minority union, the National Union of Distributive and Allied Workers.

Checkers dispute might go to mediation

ERICA JANKOWITZ

THE SA Commercial, Catering and Allied Workers' Union and Shoprite/Checkers are exploring the possibility of calling in mediators later today in a bid to resolve a two-week strike over the company's termination of a recognition agreement.

A company spokesman said indications were that the union was prepared to abandon its demand for unconditional reinstatement of the cancelled agreement.

The company was awaiting formal confirmation of this and hoped settlement of the dispute would follow, he said.

Union spokesman Jeremy Daphne said strikers were getting support from com-

munities such as in Grabouw, where residents staged a demonstration outside the store at the weekend.

He said members were mobilised and determined to carry on with the strike if necessary.

Meanwhile, Cosatu spokesman Neil Coleman said the federation had thrown its weight behind the strike through its affiliates and regional structures.

Cosatu had canvassed structures and advocated that stores be boycotted, and was exploring solidarity action in Pepkor subsidiaries.

25/5/93
BIDP

(ISI)

(TEBA)

(ISA)



NUMSA's 1993 demands to the national bargaining forum of the motor manufacturers may well provide a blueprint for the future of wage negotiations in SA.

The demands are not, as has been reported, either moderate or insignificant. They do not indicate an acknowledgement by the labour movement that it is now destined to play a secondary role in society given that the political arena is no longer exclusively its domain. Nor do they reflect the structural economic weakness of the various industrial sectors in which Numsa seeks to improve working conditions.

Numsa prefaces its proposals by stating that it believes fundamental change is required in a negotiating relationship between employers and unions in the industry.

The union believes the basis of this relationship should be a set of broad objectives to restructure the industry for modernisation, world class manufacturing, job creation, employment security, human resource development and development of domestic and export markets.

Numsa then goes on to submit proposals for an integrated package of change to all segments of the industry which it seeks to conclude by June 30 1996.

The first set of proposals entitled "Wages, grading, skills and training, work organisation" holds few surprises. The concept of flattening the pay curve within companies is articulated through demands for the current differential between minimum rates and artisan rates of pay to be reduced from 50% to 20%. The whole issue of differentials within and between pay structures is the meat and drink of any industrial relations system. In SA terms it has possibly taken second place to the campaign for a living wage. However, with increasing emphasis on removal of discrimination, equal pay for work of equal value and redistribution of wealth, Numsa is highlighting a key ratio which will be used in future by many Cosatu unions.

Numsa proposals a blueprint for wage negotiations

8/Day 25/5/93.
PAT STONE

With artisans remaining a relatively scarce resource, the unions can be assured that this will remain a highly convenient benchmark on which to establish wage ratios for their unskilled and semi-skilled members, who, if it was left exclusively to market forces, would be experiencing severe cutbacks in real earnings. The priority for the protection of real earnings is also demonstrated by Numsa's proposal for a 15% increase in real wages over the three year period to 1996.

Finally, on the pay issue, Numsa proposes that within three years all motor manufacturers should be paying the same wages per grade. To raise rates to the levels enjoyed by Mercedes-Benz workers would have differing implications from manufacturer to manufacturer. However, the principle of equal pay for work of equal value throughout an industry appears to be a principal Cosatu objective and will present employers with severe difficulties.

Employers will argue that to achieve world class manufacturing they must be free to control their own labour costs. The unions, in turn, will argue that competitive advantage should not be at the expense of worker exploitation but rather in the realms of better designs, working

methods and marketing.

Numsa proposals do, in fact, recognise the need for changes to work organisation. They also acknowledge that such changes need to be negotiated and agreed at plant level. However, they believe that such changes should be negotiated only within the principles that all cost savings resulting from those changes should be applied collectively at plant level to all employees. Also, says Numsa, all changes in work organisation should be based on the principle of worker empowerment linked to a recognition of skill development and flattening of management and supervisory structures.

The flattening of organisation structures is good management practice provided that it does not result in a loss of co-ordination and control. A fairly novel approach on work organisation comes from Numsa with its proposal that work teams should elect on a rotational basis team leaders at agreed levels. Whether this extreme of industrial democracy will lead to world class

manufacturing performance may be debatable in those quarters where the principle of selecting the most suitable person for a post still holds some value.

With the principle that all employees should share in award systems resulting from cost savings, some employers may be dubious. Whether employees should be rewarded for their co-operation in bringing about change or merely for the tasks they perform, is bound to be the nub of deep argument within any industrial relations system.

In the quest for improved efficiency, Numsa quite rightly concentrates on the whole issue of training and development of the human resource. Proposals for the industry training board to conduct a skills audit of the industry, the pooling of training resources and a clear definition of skills standards for each grade level, can only contribute to the planned development of human capital.

However, Numsa envisages that, once skills standards have been formulated by the training board, all workers will be entitled to a skills assessment based on the broad banding skills agreed and be accredited accordingly. This is not an unreasonable proposal. Numsa, not surpris-

ingly, argues that workers should not be downgraded if skills assessments prove that they are lacking in the agreed skills, and proposes instead that they be given required training.

Of more concern to employers is the proposal that workers who have skills in excess of their grade, and who meet the agreed standards for a higher grade, be automatically upgraded and paid accordingly. This is linked to a proposal that workers be entitled to training — which would mean automatic improvement in their pay whether or not their new skills were being used.

While employer outrage is predictable, some deep thinking needs to be done to ensure that financial motivation accompany a skills upliftment programme.

Numsa and Cosatu philosophies on the procedural issues of bargaining units, bargaining structures and union membership are likely to strain relationships with employers the most. The Numsa proposals include a demand for the widening of the national bargaining forum to incorporate the motor component, vehicle body building, bus building and tyre sectors. Given the existing strains over national bargaining, such a proposal appears light years away from employer thinking.

Numsa proposals also incorporate various methods in which to increase the union's sphere of influence.

These are merely proposals. Nevertheless, they are well thought out, cohesive and clearly identify the style and nature of the industrial society the trade union and movement wishes to create.

Employers would be well advised to consider such philosophies and thinking in developing their own strategies as they seek to develop an acceptable face of capitalism against the major political change in the society in which they operate.

Stone is senior partner at Andrew Levy and Associates. This is an edited version of an article in the latest edition of IR Date.

Simon Barber is on leave until mid-June.

Supermarket
Strike 25/5/93
strike talks

in the offing

By Paul Bell
Labour Correspondent

Mediation is expected to begin today between the strike-hit Shoprite/Checkers group and the SA Commercial Catering and Allied Workers' Union (Saccawu) (151)

This emerged last night as the strike by between 6 000 and 10 000 Saccawu members employed by the chain ended its 17th day. The strike was sparked by management's termination of a nine-year recognition agreement.

Strike action had been escalating since May 8, with the union claiming widespread and growing community support and threatening a consumer boycott.

Saccawu spokesman Jeremy Daphne said last night: "My understanding is that both parties are exploring the possibility of mediation on Tuesday. It is apparently under discussion now but there has been no definite confirmation."

Shortly afterwards a company spokesman said "There are indications that the union is prepared to abandon its demand for the unconditional reinstatement of the recognition agreement."

Star 28/5/93
15
15

Checkers, union strike talks fail

Mediation between management and striking workers at the Shoprite/Checkers chain has failed and the SA Commercial Catering and Allied Workers Union said yesterday the union would intensify its industrial action. Management had hoped that SACCAWU would drop its insistence that the recognition agreement terminated by the company, be reinstated before negotiations on a new agreement can resume. But efforts over the past two days to mediate on this have failed. — Labour Reporter.

Comrades coverage threatened by staff

MEMBERS of the SA Broadcasting Staff Association (Sabsa) are threatening to disrupt the screening of Monday's Comrades Marathon following a wage dispute with the SABC. (15)

The 1 600-strong union, representing workers in technical and skilled positions, voted this week to stage a six-day "walk-out" ending on Tuesday, after the SABC refused to accept a demand for a 10,5 percent salary increase. ARG 29/5/93

The SABC has threatened a lock-out and to withhold May salaries of Sabsa members if its 7,5 percent offer is not accepted.

Potwa members ballot over strike

Sawetan 2/10/93

By Ike Motsapi

■ **THE DEMANDS** Review pay rises,

drop unfair dismissals and revise plans:

MORE THAN 25 000 members of the Post and Telecommunications Workers Association began balloting for a national strike yesterday after wage negotiations with management collapsed

Mr Shakes Gonyane, Potwa's media officer, said the union declared a dispute with management after their demand for a salary increase of more than five percent was turned down

Dr David de Villiers, a spokesman for Telkom, said the company did not have enough money to offer bigger salary increases

He said. "We told Potwa officials during salary talks that we can only offer increases of up to 5,8 percent across the board and also restructure wages of low earners"

(151) A spokesman for the South African Post Offices, Mr Henne van Staaden, declined to comment.

Gonyane said Potwa rejected the Telkom offer and decided to go ahead with balloting for strike action to determine whether the union members approve of the intended action.

He said. "The last bid by Potwa leadership to avert a strike action in the post and telecommunications industry failed as bosses dug in their heels

"The current situation in the industry comes after wage negotiations deadlocked

"The resolution to ballot emerged from Potwa's national working committee held on May 22," said Gonyane.

Potwa's demands are that.

● Telkom and Sapo adjust their final offer of 5,8 percent salary increase,

● Managements of both companies reopen salary negotiations and to also have an audience with Minister of Posts and Telecommunications Dr Piet Welgemoed,

● All unfair dismissals be reviewed and a moratorium on the application of the controversial disciplinary procedures be declared, and

● The introduction of cellular telephones be halted pending negotiations that will involve Potwa, the African National Congress, the Congress of South African Trade Unions and other shareholders.

Union set to review strike

Bus-day 216199
ERICA JANKOWITZ

THE SA Commercial, Catering and Allied Workers' Union national strategy committee will meet today and tomorrow to "re-evaluate" the Shoprite/Checkers strike involving about 10 000 workers which started on May 8, spokesman Jeremy Daphne said.

He said the union expected increased community support and intervention now that mediation had broken down.

Daphne said there had been a huge increase in police harassment and arrests of picketers in outlying towns.

As a result, the union had called off picketing and was communicating with the authorities to ensure the safety of participants before picketing would be resumed, Daphne said.

Trade unionists go back to school

Advised 4/16 - 10/6/93.

151

1225

*Why are missiles called peacekeepers when they're aimed to kill
Why is a woman still not safe when she's in her home*

Trade union officials and ordinary members are learning negotiating skills — and other relevant courses — at Cape Town's Workers College. FERRAL HAFFAJEE reports

Omar and Kader Asmal have all taught at the Workers College)

The lecturers are paid by the college, but usually return the money. "If you don't pay, you can't criticise," says Coetzee

TRACEY CHAPMAN has a lot to do with the New World Order, you'll find out at the Workers College at the University of the Western Cape

Lecturer Martin Jansen uses the words to one of her songs on an overhead projector, and a variety of mediums like cartoons and role-playing to take about 20 workers through a course on international political economy

It is part of a carefully planned six-month programme to train trade union leaders, including union officials and shop stewards. The course, which is run in two three-month blocks, comprises modules in organisational development and leadership training. It also includes sections in trade union studies and political economy.

The Western Cape Workers College was established in February 1991, in line with a Congress of South African Trade Unions' education and training resolution

Although it is a Cosatu initiative, the college is "inclusive" of other federations and trade unions, says co-ordinator Michael Coetzee. In practice though, Cosatu rules the roost.

The National Council of Trade Unions (Nactu) has two out of 11 trade union trustee positions on the Workers College's board, there is one representative of an independent union and the rest are from Cosatu-affiliated trade unions.

The board is elected by the College Council, in turn comprised of representatives of all participating trade unions.



Learning the trade ... Students at the Workers College

Photo: ERIC MILLER

The college is totally funded by overseas sources though it realises that self-sufficiency is a challenge and is investigating sources of support in the country

Students at the college are drawn predominantly from the western Cape, although applicants from the eastern Cape "will not be turned away", says Coetzee. Attendance is open for any trade union in the region with at least 500 members. Unions with between 500 and 5 000 members send two delegates and two more are allowed for every additional 5 000 members.

Criteria for attendance are two years' experience, basic shop steward training and a commitment to return to the

labour movement.

The Workers College syllabus is interesting for its range and currency. In addition to professionally run courses in labour law and collective bargaining, there are also short courses on the history of the working class and on the collapse of Eastern European socialism.

International trade unionism covers topics like international funding agencies, the New World Order and new methods of work organisation being practised in Japan and the United States.

There is a strong emphasis on regional trade union links to develop regional trade union solidarity.

Local topics include Cosatu's

Reconstruction Accord and scenario planning sessions. The Mont-Fleur scenarios and Nedcor's scenarios are introduced "even though we teach a Marxist approach", says Coetzee. The economic crisis in South Africa plus the role of women in the economy are other study blocks

It's not all sociology and politics though; the course planners also put in time management, media as well as writing and reading skills

Lecturers are drawn from universities, trade unions and organisations like the Centre for Southern African Studies and the International Labour Research and Information Group. (Lummaras like Jay Naidoo, Dullah

A rigorous application process puts potential delegates through their paces. They are short-listed and interviewed and their progress monitored. Coetzee says Workers College graduates are easily spotted: they become more articulate in negotiations and are more visible in trade union meetings.

Selectors are also sensitive to keeping a gender balance in courses and also ensuring that there is no urban or rural bias. There are usually equal numbers of union officials and workers

Already, two shop stewards have been employed by their trade unions as organisers after attending courses at the college. Soon, an ex-students forum will be launched

Denver Joseph, a South African Clothing and Textile Workers' Union shop steward, this week said he learnt "when to talk and what to talk". He feels better equipped for congresses where "mostly advanced shop stewards speak".

A former student, Rachel Visser, said of her course at the college. "I learned to love myself and accept myself as is. In a conference I stood up and gave an input. Everyone thought I was an official and could not believe that this was worker leadership."

Workers College students graduate during UWC's graduation ceremonies with gowns and the works. Coetzee says that certificates of attendance (there is no pass or failure) are all displayed prominently and proudly in students' homes.

Checkers dispute

■ **MEDIATION** this week failed to solve the month-long strike at Checkers/Shoprite by South African Commercial, Catering and Allied Workers' Union members. (S) (S)

Instead, the Congress of South African Trade Unions is gearing up to put its weight behind calls for a consumer boycott.

W/mwp
4/6-10/6/93.

Rationalisation

talks with union

BUSINESS DAY 11/6/93
ERICA JANKOWITZ

SHOPRITE/Checkers will meet the SA Commercial, Catering and Allied Workers Union today to thrash out the company's rationalisation plans involving a limited number of store closures and job losses.

The company said the strike, now in its fifth week, had "aggravated already adverse trading conditions in some areas". This had forced Shoprite/Checkers to consider closing some stores and retrenching workers "in the long-term interests of the majority of employees, suppliers and their employees and the wider community".

"The union was advised early in May that such events would be a direct consequence of strike action," the company said.

The union said the company had indicated two stores would be closed on June 12 and about 2 500 workers would be retrenched from other stores.

The company also informed the union it would unilaterally implement a wage increase which Saccawu labelled as indicating a "dictatorial attitude which would further aggrieve workers".

The union said it had received notification of store closures in March, and interpreted the company's announcement as "a strategy to apply pressure on the union".

Meanwhile, industrial action would continue until today's meeting, the union said.

NEWS Electricity supply tariffs normal

news in brief

Sowetan 9/16/93
Clover denies claims

MANAGEMENT of Clover Dairies in Mayfair, Johannesburg, yesterday denied allegations that a white supervisor had poured toxic acid into a tea urn used by blacks.

On Monday more than 800 workers downed tools demanding the dismissal of the supervisor. Company chairman Mr Ronnie Botha said the store supervisor, Mr Johan Berger, had washed the urn with citric acid.

Sowetan 9/16/93
Bid to end strike

MANAGEMENT of Checkers/Shoprite stores and the union representing striking workers will meet today to try and resolve the five-week long industrial action.

Spokesman for the SA Commercial, Catering and Allied Workers Union Mr Jeremy Daphne said yesterday "The

Sowetan 9/16/93

meeting will be held to address the total situation that centres on the present dispute." A management spokesman confirmed the meeting.

ANC on death penalty

THE African National Congress has warned the Government not to reimpose the death penalty as the organisation marks the 10th anniversary today of the execution of three MK cadres.

Jerry Mosololi, Simon Mogoerane and Marcus Motaung were executed at Pretoria Central Prison on June 9 1983 after being convicted of treason relating to attacks on the Wonderboom police station in Pretoria and the Orlando and Moroka police stations in Soweto.

The ANC said "Mosololi, Mogoerane and Motaung were part of MK's Transvaal urban machinery involved in guerilla operations which instilled confidence in our people."

(151)



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CNA strike ballot

WORKERS at CNA will conduct a strike ballot today after they recently declared a dispute over wages, the SA Commercial, Catering and Allied Workers' Union confirmed yesterday CNA refused to comment.

Meeting on strike

SHOPRITE/Checkers and the SA Commercial, Catering and Allied Workers' Union will meet today in an attempt to end the month-long strike by about 10 000 union members over the company's cancellation of their recognition agreement. Last month mediation failed to resolve the dispute.

REPORTS Business Day Reporters Sapa

Six unions to report on talks with Govt

By Paul Bell
Labour Correspondent

Six Cosatu-aligned public sector unions which have announced their intention to strike if the Government does not accede to certain wage demands will meet today to discuss their negotiations with State departments.

In the meantime, those which have declared disputes — among them the Post and Telecommunication Workers' Association — are apparently bound by a 30-day cooling-off period which will delay action until after mid-July, says Potwa general secretary Mlungisi Hlongwane.

Today's meeting will be attended by representatives of Potwa, the National Education, Health and Allied Workers' Union, the SA Mu-

nicipal Workers' Union, the Police and Prisons Civil Rights Union, the Union of Democratic University Staff Associations and the SA Democratic Teachers' Union.

Last month the unions threatened strike action if the Government did not lift its 5 percent ceiling on wage increases.

This was the result, said Hlongwane, of a Supreme Court ruling against the National Union of Metalworkers which established a precedent in terms of the Labour Relations Act.

Hlongwane said Potwa had been advised that it was now prohibited from balloting members on a strike until after July 2.

The SA Post Office and Telkom have agreed to meet Potwa tomorrow for discussions.

~~10/12/195~~
CNA action ballot

THE SA Commercial, Catering and Allied Workers' Union will be conducting a strike ballot of members at CNA next week over a wage dispute it declared with the company earlier this week. The union's demand is for a R230 across-the-board increase, about 18%, compared with the company's 12% offer of R160.

REPORTS Business Day Reporters Sapa-Reuter

(10/12) (10/12) (15/1) (10/12)

report for work

Council sacks striking workers

■ Contracts revoked after strike:

Sowetan 10/16/93

THE Springs Town Council has sacked about 900 striking workers, *Sowetan* learned yesterday. A spokesman for the council, Mr Frans Swart, said the workers, members of the SA Municipal Workers Union, had participated in an "illegal" strike since June 2. (152) (151)

He said the main reason for the strike was a demand for voluntary arbitration after the dismissal of four Samwu shop stewards. (151)

The union was also demanding the dispute be settled by an independent arbitrator instead of customary arbitration by the Industrial Court.

Swart said the council's management committee had agreed last Friday to the appointment of an independent arbitrator on condition the workers reported for work on Monday, failing which their contracts would be revoked. They did not return to work on Monday — *Sapa*

Star 11/16/93

Checkers, union talk for 2 days

Labour Correspondent

Mediation between Shoprite/Checkers and the SA Commercial, Catering and Allied Workers' Union, representing about 10 000 striking employees of the chain, continued for a second day in Johannesburg yesterday. (151)

Neither side issued statements yesterday, but while the talks were expected to continue into the evening, there were apparently no plans to continue into a third day.

The chain has terminated

its recognition agreement with the union and announced plans to retrench about 2 500 union members. (151)

The parties have been in dispute for more than six months, the strike is now in its fifth week, and a consumer boycott has been called against the chain. (151)

There is no indication of a result from this week's talks but the fact that they have endured through the scheduled two days suggests some progress has been made

Bill alters public servants' rights

CAPE TOWN — The new dispensation provided by the Public Service Labour Relations Bill would enable SA's 420 000 public servants to take part in conflict resolution procedures, the Minister responsible, Sam de Beer, told Parliament yesterday.

It was an exceptional piece of legislation which was the result of negotiations between state representatives and public service employee organisations, he said while introducing the Bill, Sapa reports

"Behind us lie two years of intense negotiations, joint drafting and bilateral talks," he said

The Bill aimed to democratise the civil service further, establish collective bargaining structures and estab-

lish mechanisms to settle disputes. It would improve the position of Public Service Act personnel and create job security, as well as introducing the test of fairness against which all disputes would be measured.

Gordon Thomas (NP Matroosfontein) said the Bill gave public servants access to the legal world, like the Industrial Court.

Jannie Momberg (Ind Simon's Town) said a new government would be urged to scrap the Bill Cosatu had been unable to persuade the NP to extend protection to all workers

Roger Burrows (DP Pinetown) said the DP wanted to amend the Bill. Service personnel, magistrates and teachers were excluded from the Bill, and the question arose why everyone

else had to be cajoled into a central bargaining chamber

On this, Burrows and Louis Stofberg (CP Sasolburg) said medical practitioners should be granted a separate bargaining chamber.

Medical Association of SA Federal Council chairman Bernard Mandell said in a statement the Bill would leave state doctors without bargaining powers and dispute resolution rights, GERALD REILLY reports

In a dispute involving finance the employee had to have the support of at least 50% of employees before having access to arbitration. Doctors were a minority among public servants and therefore their chances of obtaining the right to strike over issues affecting them were slight

B/Day 11/6/93 (151)



LABOUR

Checkers strike was avoidable

Bungling on both sides led to a strike that could have been averted at Checkers/Shoprite,

reports **FERIAL HAFFAJEE**

w/mail 11/6-17/6/93.

ONE of the saddest things about the month-old strike at Checkers/Shoprite by 10 000 South African Commercial Catering and Allied Workers Union (Saccawu) members is that it was avoidable

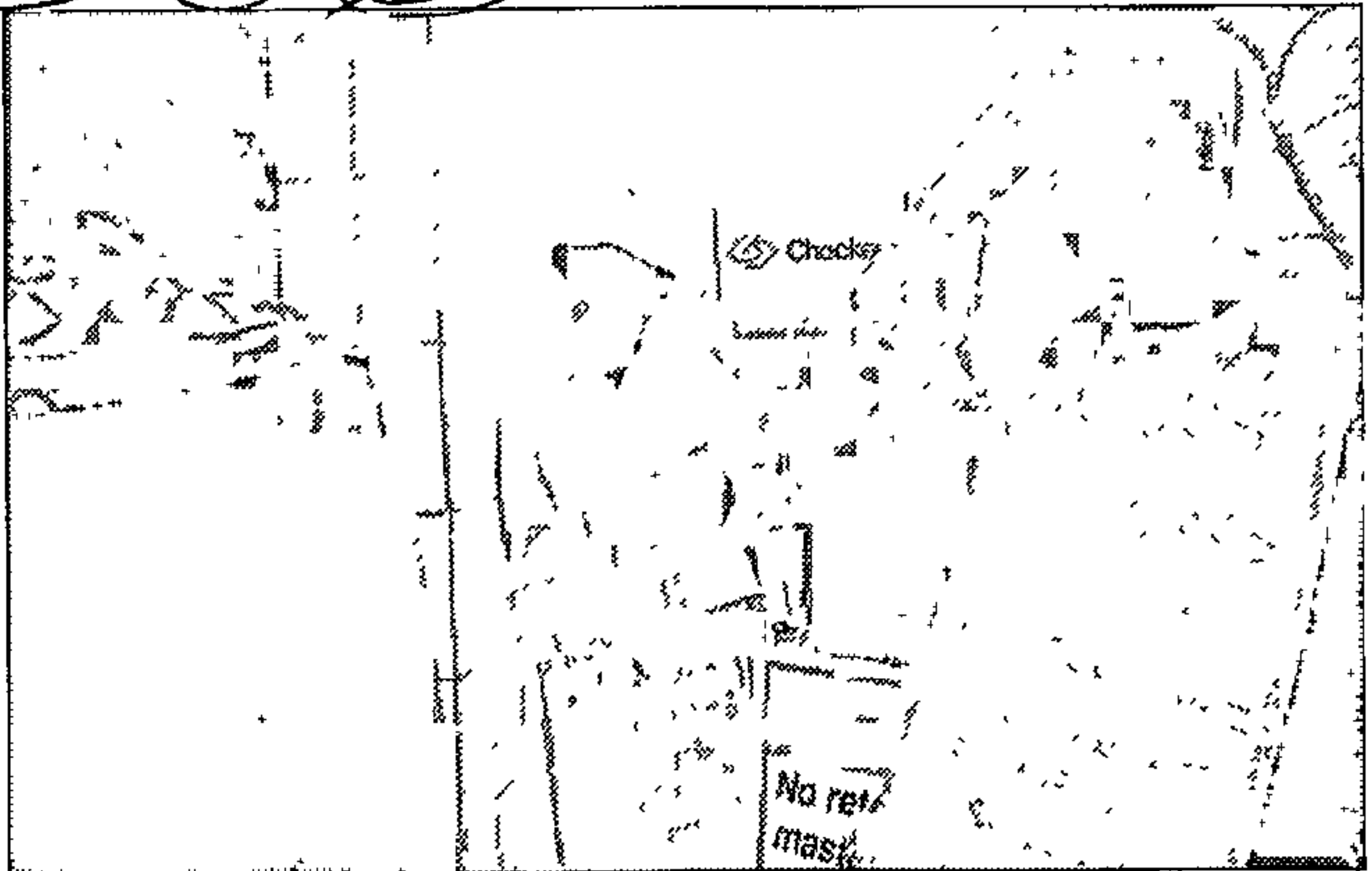
If negotiation — the golden rule of good labour relations — had been adhered to, a strike could have been averted. Instead, the strike is a tale of bungling, both by the newly merged retail chain and by the union.

The union and the company were yesterday involved in a last-ditch bid to resolve the situation. Checkers/Shoprite announced on Monday that it would retrench 2 500 of the striking workers and close two stores later this month. It also announced that it would apply to the supreme court to have the strike declared illegal and will implement salary increases.

The Checkers/Shoprite management team erred by unilaterally cancelling a nine-year-old recognition agreement it held with Saccawu — a majority union. It was an unfair labour practice which threw the union into disarray.

Saccawu was suddenly stripped of its majority union status, its stop-orders were not deducted, its officials were denied access to stores and a negotiated grievance procedure was ignored.

Coming soon after the buy-out of Checkers by Pepkor and the merger with Shoprite — which had brought reduced pay packets and a less progressive labour relations regime in its wake — it



French revolution ... Strikers at Checkers Hillbrow try to persuade a shopper not to enter the store. Their notices are in French to get the message across to the many immigrants from francophone Africa in the area

Photo: LUANNE CADD

made an insecure workforce militant.

But the union was informed of the company's intention to scrap the recognition agreement in September last year and failed to take the lead in negotiating a new agreement and limiting the damage before differences became irreconcilable. (The union acknowledges that the merger requires new recognition agreements.)

Instead, Saccawu was wracked with internal politics and diverse strategies.

Early last year, an industrial court judgment ordered the company to negotiate store closures

with the union and was promptly overturned on appeal. After a year of conflict, involving retrenchments and threatened store closures, the union called for a national boycott of Checkers in November last year.

The day after this announcement, Saccawu general secretary Papi Kganare sent out another statement denying the boycott.

Faced with a trade union that obviously did not have its act together, Checkers/Shoprite exploited the gap. It cancelled the recognition agreement and dug in its heels.

Sources suggest the company intended to lead the union into strike action to affect its restructuring needs. They point to a Checkers/Shoprite announcement this week that bad trading conditions dictated the retrenchment of 2 500 workers and the closure of two stores.

And, although Saccawu had many months to challenge the cancellation of the recognition agreement and the change in working conditions in the courts, it did not.

The dispute was only really taken up concretely when Saccawu chief negotiator Jeremy Daphne returned from sabbatical in April.

Daphne this week denied that the union had been led into a trap. He said: "The company did not believe Saccawu would conduct industrial action on the level and intensity which we have (This has) impacted on their trading and image."

The union's leadership had been mandated to continue with the strike, despite the fact that the union has no strike fund and no relief money is being collected by strike support committees.

This illustrated the degree of "militancy and aggrievement" of the Checkers workers, said Daphne.

Countdown to a strike

●1983: Recognition agreement concluded between Saccawu and Checkers. Prior to this strike, there has only been one other six-day strike at the company by Saccawu members.

●October 1991: Checkers workers picket to protest against the sale of the grocery chain to Pepkor.

●December 1991: Two months after the sale, the union alleges key shop-stewards are being systematically dismissed.

●January 1992: An industrial court judgment compels Checkers to negotiate all store closures with Saccawu, but is overturned when the company seeks an urgent review.

Checkers says some rationalisation is imperative. The company lost R8,3-m. in 1991, at the time 40 stores were in the red and 10 of its warehouses were unprofitable.

●March 1992: Checkers proposes a wage freeze saying that 130 stores are running at a loss.

●September 1992: Checkers/Shoprite asks Saccawu to its plans to cancel the recognition agreement.

●October 1992: The dismissal of workers who went on

strike to protest against a "racist campaign" at the company's Heidelberg store sparked nationwide industrial action.

Workers at the store, alleged that the manager displayed a photograph of himself in full Afrikaner Weerstandsbeweging regalia in his office and unfurled an AWB flag to incite them.

Managers' offices, till points and cash offices around the country were occupied, while most stores were picketed.

●November 1992: Saccawu announces a nationwide boycott of Checkers/Shoprite, but its general secretary denies this in a public statement.

●January 1993: Checkers/Shoprite unilaterally cancels a recognition agreement with Saccawu.

●May 8 1993: National strike by Saccawu members begins at Checkers.

●June 8 1993: Strike is intensified after a month of sleep-ins, arrests, the break-up of pickets by police and in one case, the use of prison labour at a Checkers/Shoprite store.

●June 9-10 1993: The parties meet to attempt to resolve the strike by mediation for the second time in two weeks.

●See PAGE 14

Fm 11/6/93

Wanted: an employer-friendly climate



Lawrence McCrystal is CEO of Pro Regno Insurance brokers and chairman of the Confederation of Employers of Southern Africa. This is taken from his speech last month to the confederation's 34th conference.

We are now at a point where jobs are needed to stabilise the country and save the economy from collapse. With international markets opening for us and foreign businesses trying to penetrate the SA market, we have new challenges: international productivity standards, quality, price and service excellence. Outdated constraints should be eliminated and the economic system should be open to free competition to ensure that SA becomes internationally competitive and encourages foreign investment.

National bargaining forums promoted our unions and over the years we have become one of the most unionised countries in the world. Employers are dealing with radical unions and socialist demands for a so-called living wage, national minimum wage, paternity leave, the right to strike without being dismissed, even to be paid during strikes.

This has frightened investors away. They have many countries where they are welcomed and do not have to deal with all these negative factors — Hong Kong, Singapore, Chile and Taiwan.

The truth is that those unions that are making daily headlines with their demands have only 1,5m members, a minority of our 6m-strong employed work force. They also do not represent the nearly 6m unemployed or underemployed people in the country. The fact is that it makes no economic sense to strive for a policy of minimum wages when there is massive unemployment.

The unions' objective appears to be to make the country ungovernable or at least to obtain for their limited number of members a short-term dispensation that takes no account of the needs of employers or the country, or the long-term interests of their own members.

In our pursuit of a just society we should also remove discriminatory practices. In 1924 the industrial-council system was devised to protect white artisans against black labour. That original objective has fallen away but now the councils have gained a new form of protectionism — to protect the parties to the agreement against nonparties and the unemployed. Councils are even entitled by law to extend their jurisdiction to nonmembers and thereby eliminate "unfair competition." Nonmembers are forced to pay levies to the councils and adhere to high minimum wages and standards, which effectively prevent them from competing with members.

Studies of small businesses around the world show that one of the few advantages they have is their conditions of employment, including lower wages. Take this away and a

major element in their competitive position is lost.

The industrial-council system should be transformed into a job-creation — friendly, democratic and voluntary system with a sensitivity for the unemployed. It should also accommodate government initiatives for job creation. We should consider the fairness of those regulations that are applicable, but over a long period have not been enforced in the informal sector, where more than 3,5m workers are employed.

We should again commit ourselves to the basic rights and freedoms of employers to

- Trade without interference as set out in the preamble to the constitution,

- Protect the freedom of association and disassociation of employers and employees as set out in the Convention of 1948 of the International Labour Organisation;

- Convince the Minister of Manpower to withdraw the councils' jurisdiction over non-members, and

- Point out to the Minister of Law and Order that industrial councils should not misuse the police to intimidate employers.

For a successful employment-creation programme, we need the co-operation of all players. There is clearly a need for employers to communicate continuously with their workers to promote an understanding of the free-market system and to oppose the rhetoric of the radical elements. We have to promote a positive climate that will convince entrepreneurs, both local and foreign, to invest in SA.

Shoprite/Checkers dispute 'nearly over'

SINAI 14/6/92

ERICA JANKOWITZ

HOPES are high that a settlement can be reached soon in the dispute between Shoprite/Checkers and the SA Commercial, Catering and Allied Workers' Union. Both parties expressed optimism that talks which resumed over the weekend would resolve the five-week, countrywide strike by about 10 000 workers. Neither side would comment on how the meetings had gone, but both hoped a settlement could be reached early this week. (152)

The meetings were chaired by Independent Mediation Services of SA panelist John Brand, but were not officially de-

scribed as "mediation". However, full mediation could be invoked later.

Sapa reports that a march by several hundred Saccawu members to the JSE on Friday went off peacefully. A memorandum was handed to a JSE representative demanding reinstatement of a cancelled recognition agreement; that planned store closures not lead to job losses; that the company negotiate in good faith; and that it recognise Saccawu as the sole bargaining union. (151)

Strike at Shoprite/Checkers ends

BIDAY 15/6/93

ERICA JANKOWITZ

THE five-week Shoprite/Checkers strike has ended, with the company and the SA Commercial, Catering and Allied Workers' Union reaching agreement on Sunday after a marathon mediation process.

Saccawu spokesman Jeremy Daphne said the 10 000 striking workers were scheduled to return to work on Thursday but would be paid from tomorrow.

The agreement, described by the union as "a victory for the working class", includes the reinstatement of certain clauses of the cancelled recognition agreement, covering union recognition, access, shop steward and negotiation rights and industrial action provisions. (151)

The company also agreed to recognise Saccawu as having the right to bargain directly on wages and not on a shared platform with minority union the National Union of Distributive and Allied Workers.

Wage negotiations are expected to resume early next week. The parties are also scheduled to meet on the question of store closures and retrenchments.

The company said the settlement contained the union's "commitment to the negotiation of a new recognition and procedural agreement". It said the reinstated

□ To Page 2

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□ From Page 1

clauses were an interim measure to facilitate this process. "The interim agreement, through agreed new provisions, fully addresses the company's major concerns with particular provisions of the now defunct old agreement." (151)

The parties have four months to conclude negotiations on the new agreement.

Agreed return-to-work provisions include the removal of all temporary and casual workers employed during the strike, and that the company will not prosecute strikers unless for "gross miscon-

duct". Any disagreement on "gross misconduct" would be decided at arbitration.

Saccawu estimated Shoprite/Checkers experienced a 60% downturn in business during the boycott action supported by Cosatu, but the company refused to comment. A rough calculation of lost earnings pointed to about R13m, but Saccawu said its members had been prepared to forfeit their pay to push the point that "employees won't tolerate management's dictatorial attitude for lousy jobs". (151)

● Picture: Page 3

Strikers will go back to work

Sowetan 15/6/93

■ **DISPUTE RESOLVED** Mediation service

referees talks between Saccawu and Pepkor :

By Ike Motsapi

THE strike by more than 10 000 Shoprite-Checkers workers is over and they are expected to return to work on Thursday. Pepkor management, which is the holding company of Shoprite-Checkers stores, and the South African Commercial Catering and Allied Workers Union reached agreement on Sunday after hours of negotiations.

The talks were refereed by the Independent Mediation Service of South Africa.

Members of Saccawu have been on strike since May 8 over the termination of a recognition agreement by management.

Pepkor cancelled the agreement in December 1992 after it took over control of Checkers stores. Shoprite-Checkers spokesman Miss Adele Gouws and Saccawu's Mr Jeremy Daphne said lock-outs, consumer boycotts and the industrial action would end immediately.

The settlement included the following:

- Reinstatement of the recognition of the union; (151)
- Reinstatement of the major sections of the recognition agreement which included access to company facilities, shop steward rights, negotiation rights and industrial action provisions.
- Wage negotiations would now proceed between the union and the company without the National Union of Distributors and Allied Workers. Management previously insisted that Saccawu and Nudaw jointly negotiate on the same forum during wage talks.
- Interim, grievance and disciplinary procedures, involving quick processing of grievances and appeals against discipline, had been established until new procedures were negotiated.
- Anti-victimisation clauses which also cover casuals.
- A return to work on June 17 and that workers be paid from June 16.
- All scabs employed during the strike be removed.

By Paul Bell
Labour Correspondent

Ten thousand striking Shoprite Checkers employees will return to work on Thursday following a major climbdown by the chain after a five-week battle with the South African Commercial Catering and Allied Workers Union (SACCAWU).

In a statement, Shoprite Checkers — which mostly refused to comment on the strike — confirmed the settlement, saying it hoped the resolution of the strike would restore “a healthy industrial relations environment for the benefit of the company, its employees and customers”.

The strike has seen at least 600 arrests; clashes between strikers, police and in some instances, right-wing activists; as well as a consumer boycott which, Saccawu claims, saw chain trading volumes slump by up to 60 percent.

The union has won its battle for the reinstatement of the recognition agreement management terminated six months ago, but the question of retrenchments — the chain has warned of its intention to close stores and let go 2 500 of Saccawu's members — remains subject to negotiation.

Soft-pedal

The union expects, however, that Shoprite, having taken a drubbing, will soft-pedal on this issue.

The chain and the union entered mediation last Wednesday and Thursday, resumed on Saturday and pursued their negotiations — despite a temporary collapse — until 8 am on Sunday when a deal was struck.

The two sides are expected to enter wage negotiations within a week — but this time without the National Union of Distributive and Allied Workers, a Cape-based minority union from the Shoprite side of the chain to whose presence in wage negotiations Saccawu had taken strenuous exception

The basis on which Saccawu members will return suggests a significant victory for the union. The agreement includes anti-victimisation clauses and loan facilities to workers, who are estimated to have lost up to R13 million in wages.

Disciplinary action against strikers will be handled “with sensitivity and understanding”

The union will in turn allow management's approach to guide its attitude towards its own allegations of misconduct by some managers.

An exhausted but “extremely satisfied” Saccawu strike team said the union had achieved all its major objectives.

Union claims Checkers victory

metro

15/16/93

Strike at Shoprite/Checkers ends

Biday 15/6/93

ERICA JANKOWITZ

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● Picture: Page 3

Review/Case in
W/Map 18/6 20/6/93

THE Premier Group has become the first signatory of Adrasa's alternative dispute resolution pledge. The Alternative Dispute Resolution Association of South Africa (Adrasa) is encouraging commerce and industry to sign the pledge, which is a non-binding commitment by signatories to explore ADR when faced with a dispute. Signing the pledge is a step towards making negotiations rather than litigation a part of corporate culture.

● For inquiries about the pledge contact Linda Macan at (011) 484-1763. (15)

Deadlock (151) Star 8/6/93 looms in wage talks

By Paul Bell
Labour Correspondent

The National Union of Metalworkers of South Africa (Numsa) has put employers in the steel and engineering industries on notice that failure to make a satisfactory wage offer will "snuff out" progress towards the development of an industry-wide consensus on the rebuilding of this sector.

At a Johannesburg press conference last night, negotiator Les Kettle das outlined what Numsa — which represents nearly half a million workers — regards as slow progress in its wage talks with employers in the steel and engineering, auto, tyre and motor industries.

These industries have limited their wage offers to between 4,8 and 7 percent. Numsa is seeking increases of between 9 and 11 percent (140A)

Numsa says its wage talks with the steel and engineering sector, which has offered 6 percent, are "heading for a deadlock". This would also affect discussions in other working groups dealing with skills and training, work organisation, job security, industry bargaining and industrial restructuring.

It has scheduled report-backs at plants for Wednesday — a week before the current wage agreement expires — to seek a mandate from members. It is asking employers to make facilities available for holding the report-backs during company time. (211)

Australian-born negotiator Chris Lloyd said Numsa was committed to a long-term approach aimed at enhancing the steel and engineering industry's competitiveness in global terms "Either this approach is adopted and negotiated over the next three years, or industrial relations will return to the era of the baseball bat."

Shoprite/Checkers *Star 18/6/93* strikers return to work

Labour Correspondent

Employees of the Shoprite/Checkers chain, who have called off their strike after five weeks, have returned to work.

A chain spokesman said the chain was conducting business as usual, although reports reaching union and management offices earlier yesterday suggested there had been a degree of confusion in some stores about the return to work.

SA Commercial, Catering and Allied Workers' Union strike co-ordinator Jeremy Daphne has meanwhile complimented the Independent Mediation Service of SA for its work in mediating between the parties.

The process had, he said, "opened up communication channels in a situation where a highly antagonistic relationship prevailed between the parties, and where meaningful dialogue was almost impossible".

(151)

June 19 to June 23 1993

Employers, South Africa 1916-23/6/93 unions can get along

RELATIONSHIPS between trade unions and the companies at which they represent workers do not have to be stormy.

Metal and Electrical Workers Union of South Africa (Mewusa) shop steward at Power Engineers, Mr Ashraf Samaai, said since the union was recognised at the Epping company in 1989, conditions between management and the union have been rosy.

"We have received lots of benefits for the workers, for example an Emergency Distress Fund has been set up where workers in financial difficulty can come to the union for assistance," Samaai said.

He said the good relationship between the company and Mewusa was a direct result of improved communication between management and shop stewards.

"A more open attitude prevails and decisions aren't taken unilaterally anymore," he said.

Mewusa has successfully negotiated for arbitration to be compulsory during a dispute, and the establishment of a Death Benefit Fund.

Mewusa, Samaai said, was also happy about Power Engineers' commitment to training workers.

Mr Jim Lappin, managing director of Power Engineers, believes his company's philosophy is different from that of other businesses.

"We believe in working towards a common goal. When it is achieved, everyone benefits," Lappin said.

Lappin said the company tried to make employees aware of the need to be productive and competitive.

Through this philosophy, Lappin said, Power Engineers are a success.

"As a result, in the past four years, we have had no retrenchments and we even employed a further 100 people," he said.

According to Lappin, both management and the union are firm but have a fair approach.

"The union keeps us on our toes," Lappin said.

Pyrrhic victory for Saccawu

ERICA JANKOWITZ

WHEN management at Shoprite/Checkers reviews the five-week strike which ended this week, they may well conclude they have allowed the union to claim a "victory for the working class" not borne out by the facts.

The claim by the SA Commercial, Catering and Allied Workers' Union (Saccawu), however, is undisputed because management, as so often during the lengthy and acrimonious strike, will not comment. Saccawu may be battered and bruised, but it clearly won the media war.

The union portrayed the company's cancellation of the recognition agreement as a "union-bashing" exercise. It claimed its rights had been violated and said the strike was a matter of principle.

It conceded that members had lost about R13m in wages during the strike, but said it had been worthwhile. In the words of strike co-ordinator Jeremy Daphne, "how do you quantify principles?"

Journalists were invited by the union to numerous briefings and it issued statements on a regular basis. The union made claims of intimidation and harassment, arrests and detentions, boycotts and community support. It even suggested company turnover was adversely affected, saying trading dropped by about 60%.

In response to these allegations the company remained silent. Its general comment was "no comment", and statements issued were curt. No background was offered, no questions answered and no initiative taken. So a distorted

picture of the strike was presented. The company allowed Saccawu to convey the impression of having defeated it by "winning back all its cancelled rights."

Union officials were jubilant at a briefing on Monday, saying the company had underestimated members' resolve on the issue of the unilateral cancellation of the recognition agreement. They said the strike unified membership within Saccawu in the form of solidarity action by workers at other companies.

Saccawu was racked by factionalism a few years ago and has never fully recovered. But on Monday it presented a unified front in claiming its "victory".

The fact is that both parties agreed more than a year ago that the nine-year-old agreement was outdated, cumbersome and no longer appropriate to the new company structure. Negotiations on a new agreement started, but the union's proposals were very different from those of management.

As a result, talks broke down and, in an attempt to force the union back to the table, management gave three months' notice of termination of the agreement. It was entitled to take this step in terms of the agreement and made numerous attempts to sit down with union representatives within the notice period to thrash out a new agreement.

After the old agreement expired, the company still granted Saccawu access and stop order facilities, recognised shop stewards and

so on. At no stage had Shoprite/Checkers withdrawn recognition of the union or substantially changed rights contained in the old agreement.

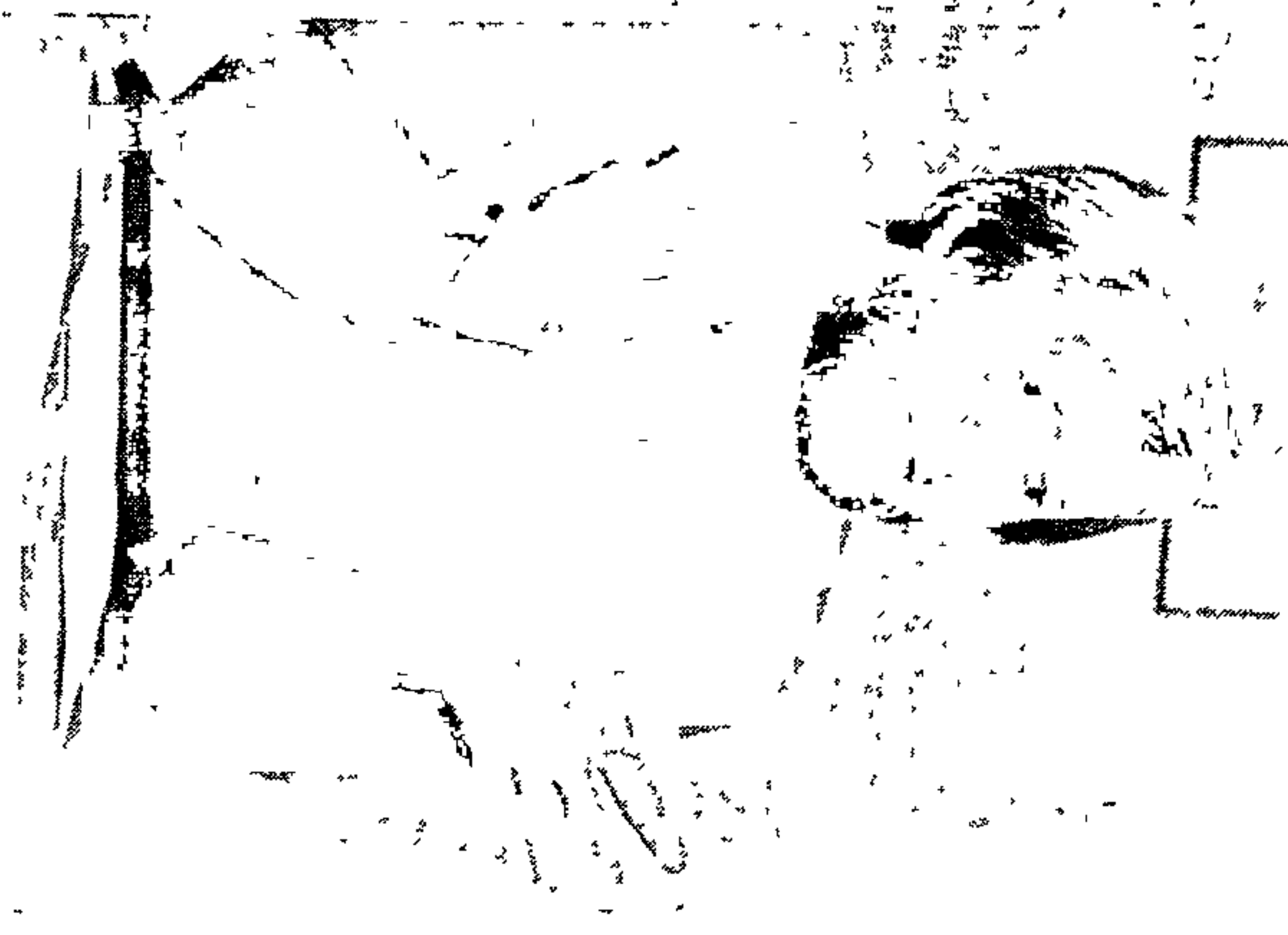
And so, after 34 days on strike, has Saccawu actually emerged victorious? A source close to the company said the details of the agreement, reached in the early hours of Sunday morning, would suggest the strike had achieved little, if anything. In terms of the settlement, some insignificant clauses of the old recognition agreement will be reinstated for a period of 120 days. Within this period a new recognition agreement will be negotiated by the parties.

The interim agreement does not cover the issue of retrenchment — about 2 000 jobs are set to be lost over the next couple of months. Two stores closed at the end of last week. More store closures are said to be in the pipeline.

The interim agreement also covers a new disciplinary and grievance procedure which is far less cumbersome than the old code. Management will, therefore, spend less time hearing petty disciplinary matters.

The source says these concessions could have been made five weeks ago — before the acrimonious strike which saw about 600 arrests, pickets, sleep-ins, intimidation and lockouts throughout the country.

The effect of the consumer boycott is difficult to gauge. However, the union's costs are easier to assess about R13m in lost wages, admission of guilt fines paid on behalf of arrested members and a financially weaker company even less able than before to offer improved wages and working conditions.



Saccawu's Jeremy Daphne addressing a news conference earlier this week. Picture ROBERT BOTHA

Strike clause in spotlight

INTERPRETATION of one of the clauses of a recognition agreement between the Post and Telecommunications Workers' Union (Potwa) and Telkom will be in the spotlight when the two parties meet this week.

Potwa president Kgabiso Mosunkutu said last week

WILSON ZWANE

Telkom had threatened to withdraw the recognition agreement, ostensibly because the trade union had "abused the spirit" of one of its clauses.

According to Mosunkutu, the clause in question stat-

ed that management could not take disciplinary action against workers for unprocedural strikes of less than 24 hours duration.

He said workers had embarked on a number of short unprocedural strikes.

Mosunkutu said the union's regions began debates on the clause last Monday.

The union would meet Telkom this week "to finalise the interpretation of the clause", he said.

Telkom said in a statement problems being experienced regarding the implementation of the recognition agreement would be discussed at regional level.

"If this proves successful, Telkom will review its decision to withdraw the recognition agreement on July 7," the company statement said.

Angels dancing on pinhead

THESE are, in the main, no angels in an industrial dispute, The Star wrote in a leader on Wednesday. There is, I discover, an exception when they dance on a pinhead.

The dispute between Shoprite Checkers and the Allied Workers' Union, which ended last week, was full of pins and dancing angels.

Arch among the angels was the recognition agreement, the termination of which by management last December offered, ostensibly, the *casus belli* for a 34-day strike that was very damaging to the chain and cost the union's members up to R13 million in lost wages.

The dispute over the recognition agreement has masked a much deeper conflict between Shoprite Checkers and Saccawu, since the two-chain merger in March 1992, over the new Pepkor-owned group's turnaround imperative and the union's attempt to protect its members' jobs.

Unnecessary

Some observers believe the strike was unnecessary, given the relatively narrow importance of the *casus*

bell, the recognition agreement. Even so, the agreement has been the cause of claim and counter-claim by both sides in the aftermath of settlement, as to whether "victory" or "defeat" can be construed in its resolution.

The angel that danced (so inelegantly) on the pin is more or less as follows: Both sides had agreed up to a year ago that the recognition agreement was outdated. But when negotiations failed to produce a new one, management gave notice in October of its intention to terminate in three months. Throughout that time the union did nothing.

Management terminated the agreement in December. The union demanded its reinstatement, saying management had attacked its rights.

Early in the strike, during the first round of mediation, the union indicated that it would water down its demand that the agreement be reinstated in its entirety, saying it would accept verbatim reinstatement of certain clauses instead.

Management did offer verbatim reinstatement of certain clauses but not on others. In the settlement that fol-

Labour Correspondent PAUL BELL reviews the recent bitter dispute between the SA Commercial, Catering and Allied Workers' Union and Shoprite Checkers.

lowed, management accepted verbatim reinstatement of all the clauses it had no problem with.

Who climbed down? Was it a climbdown? In retrospect, these are harder questions than they seemed at first. Certainly, the way in which the propaganda war was waged has much to do with the answer.

After the weekend mediation which resolved the dispute, the union held a press conference on Monday, offered an exposition of its "gains" and claimed victory.

Management, which had offered very little to the press throughout the strike, issued a subdued three-sentence "joint statement" that morning, worked out with the union as part of the weekend agreement and intended to be the sole statement from the

parties, saying settlement had been reached, all industrial action had ceased, and negotiations would continue with a view to restoring harmonious industrial relations.

Later in the day, surprised by Saccawu's independently issued "victory" statement, and construing this as a breach of the weekend agreement, the chain attempted to undo the impression that it had, by implication, suffered a "defeat".

It issued another statement, more upbeat, saying the interim agreement reached with the union fully addressed the company's major concerns with particular provisions of the defunct old agreement.

But the damage had been done. The company — having managed its publicity throughout the strike in a manner described by observers as naive, and on the basis of "the less said the better" — found itself outplayed once again by a union well versed in self-promotion.

Far more distressing, however, is the fate of the workers, who were hostages to intransigence by both their

union, with its own history of fission between moderates and militants, and their employer, a troubled company whose new bosses must make tough cost-cutting decisions if their charge is to be returned to profitability.

Observers of the dispute say the strike should never have happened, and that while it may have been folly for the union to claim victory, the damage to Checkers has been huge.

But for an explanation of the "dour, gladiatorial stand-off" that developed between the two sides, they testify to the "outdated, cloth-cap class-struggle rhetoric" that marked Saccawu's attitude throughout the clash, and to the "rights-oriented, Thatcherite hard line" of the Cape managers.

Who cracked? The union when its members had gone without pay for five weeks, without pay for five weeks, stores were already closing, and retrenchments coming? Observers say the union was desperate to settle.

Prognosis

Or was the company becoming increasingly concerned about the violence at many stores, the drop in custom, which it has never quantified, although the union claimed a 60 percent drop in sales volume, and the longer-term prognosis for the financial health of the chain?

Shoprite faces a war in the market with powerful Pick'n'Pay, with an OK Bazaars returning to health

The real work begins now. Management has been accorded its right to manage Workers, in turn, seek greater job protection. Wage negotiations will doubtless initiate a protracted but deeper debate between Shoprite Checkers and the union over the extent of sacrifice management can expect from the workforce in rebuilding the chain. □

THE architect of South African labour reform, Professor Nic Wiehahn, has been rapped over the knuckles by a Labour Appeal Court judge for conduct during negotiations which constituted an unfair labour practice.

Judge raps lawmaker

Nic Wiehahn has found himself on the receiving end of legislation he helped create. By GAYE DAVIS

25/6 - 117193.

The court found that Wiehahn, acting on behalf of Clinic Holdings Limited, had adopted "a rather superior and haughty attitude" during meetings with the National Council of Trade Unions' National Union of Public Service Workers (NUPSW). "This conduct constituted an unfair labour practice," Mr Justice Joffe said in a judgment handed down last month.

Under cross-examination Wiehahn said he had seen his role as that of a mediator.

The company, the judge ruled, had "blown hot and cold" by suggesting negotiations were still in progress while firing workers.

He was retained by the Department of Manpower to co-ordinate research into the functioning of the industrial court and was appointed president of the industrial court in Transkei.

The judge found that the initial court findings had been "charitable to the respondent" The NUPSW had put demands on the table and was entitled to expect negotiations would follow after supplying the motivation requested by company.

While Clinic Holdings had told the union Wiehahn had been asked to make himself available for negotiations — leading the union to believe he had authority to negotiate and conclude an

agreement on union wage demands — he "on his own evidence .. did not have a mandate", the judge said.

Wiehahn, an *ad hominem* professor at Unisa who now heads a mediation agency called the Resolution Board, chaired a watershed 1977 commission of inquiry into labour legislation. It was on the

basis of his reports to government that black trade unions were allowed to register under the Industrial Conciliation Act and that the industrial court, with its unfair labour practice jurisdiction, was created.

Wiehahn had rejected this motivation, saying management found it unacceptable as its contents were not substantiated. "The impression is created that like an errant schoolboy, the union was sent home to do 'redo its homework' and produce it in a form acceptable to management," Joffe said

Stating that the strike by union members "would appear to be a reasonable response to the employer's conduct", Joffe ordered the workers' reinstatement.

at Jakaranda Hospital and Nedpark Clinic — both controlled by Clinic Holdings — after a June 1990 work stoppage while wage negotiations were supposedly under way.

of delaying tactics and bargaining in bad faith, referring to his assertion that he had no mandate to negotiate, while the union was under the impression that

negotiations were under way.

The NUPSW had accused Wiehahn of delaying tactics and bargaining in bad faith, referring to his assertion that he had no mandate to negotiate, while the union was under the impression that



Unions set likely date for strike

Star 25/6/93

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By Paul Bell
Labour Correspondent

Six Cosatu-aligned unions representing hundreds of thousands of state and municipal workers have set "the end of July, beginning of August" as a tentative date for a general public sector strike.

Neal Thobejane, assistant general secretary of the National Education, Health and Allied Workers' Union, confirmed this after attending a meeting of the Public Sector Co-ordinating Committee in Johannesburg yesterday.

The unions include health, education, municipal, post and telecommunications, police and prisons workers.

July 30 is a Friday, and the following Monday is August 2, suggesting the latter date as a more appropriate starting point should the

public-sector unions decide on a fullscale confrontation with the Government.

The unions are in the process of declaring disputes with the Government, principally over its 5 percent ceiling on public-sector wage increases, and the union's demand that unilateral restructuring of the civil service cease.

No response had come from the Government other than a suggestion that working committees be set up to discuss the issues, said Thobejane.

Thobejane said regional committees were being established to plan industrial action in their areas from July 17, as a prelude to an all-out strike.

Municipal workers were meanwhile engaged in balloting in major centres around South Africa yesterday. A result is expected within days.

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The company then told the union in April that it was proceeding with wage negotiations on the basis of a multiunion bargaining forum. However, while the retailer may have been on solid legal ground, it broke a fundamental rule by going ahead and scrapping the agreement before a replacement was found, observes Pat Stone of labour consultant Andrew Levy.

Says Stone: "Classical theory is that strikes are unlikely at times of high unemployment, within financially fragile companies which are clearly struggling for profitability. The reality, as this case shows, is that if there is a principle at stake and a union is put under threat, members will make that sacrifice."

Saccawu eventually took to the streets on May 9. Five bitter weeks followed before the deadlock was broken on June 13 by a mediated interim (120-day) agreement. This reinstates much of the old agreement, along with new clauses dealing with issues such as wage bargaining — which will not be on a multiunion basis this year.

Needless to say, views vary on the origins of the strike and its consequences. A Shoprite/Checkers public affairs spokesman says the strike was a direct result of failure of the union to renegotiate the recognition agreement. "In order to restore the group to profitability we need a workable agreement with our employees. Our attitude is not confrontational. However, there was no other choice in this situation."

However, other sources in the Shoprite/Checkers camp put it more strongly. They maintain that the group took a substantially harder line after the Shoprite takeover, in order to reverse the Checkers slide into unprofitability in the past decade. This decline was at least in part brought about by incompetent management, coupled with formidable shop-steward power bases unparalleled elsewhere in the retail sector.

Saccawu campaigns co-ordinator Jeremy Daphne blames management's antiquated labour relations attitudes. "No major retailer has ever terminated a recognition agreement and we don't perceive management's action as constructive industrial relations."

Daphne continues: "It is a bit strong to suggest that the issue was really about who runs the company, though it was proactive action by the union to halt an extremely dictatorial and totalitarian industrial relations regime, which Pepkor had tried to introduce by sweeping away hard-gained rights."

Views are equally divergent in the market. Chris Gilmour of brokers Senekal Mouton & Kitshoff says there is a widely held belief that the strike was well handled by the company.

"The issues are really all about wages and productivity. Management took a hard line, like most industrial concerns these days, and thrashed a reasonable deal out of the dispute. Now that the wage gap has narrowed considerably across the board, productivity is the core thrust that must be reflected in union

LABOUR FM 25/6/93

Checking progress

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The Shoprite/Checkers dispute with the SA Commercial, Catering & Allied Workers' Union (Saccawu) was not about obsolete agreements. It was a battle between management and union over who controls the retail chain. It was also about wages and wage policies, productivity and attitudes between union and management.

Though the war has yet to be won, the price exacted for this skirmish — a five-week strike which affected 160 stores — was more than R10m in lost wages. Checkers says turnover fell by about 13% during the strike; Saccawu claims a figure nearer 60%.

Officially, the dispute revolved on the issue of a suspended union recognition agreement, which included the issue of multiunion wage negotiations. However, this foundation for the strike — involving 7 000 employees (according to Checkers and 10 000 according to the union) — seems flimsy. Both sides recognised the need to replace the agreement concluded in 1984 — long before the Shoprite/Checkers merger in October 1991.

However, after several failed attempts to renegotiate it, management in November served notice of its intention to suspend the agreement — which both sides agree was legally permissible. It was eventually suspended in January. The company insists there was no question of "de-recognising the union" and no privileges or union rights were withdrawn, even during the strike. The union insisted on the reinstatement of the original agreement before resuming negotiations.

CURRENT AFFAIRS

closing of the gap

The answer, says Vianello, is that Shoprite/Checkers must get its act together and become more productive in its own business. It must produce better returns on existing trading space. It must get its sales/m² up to competitive levels — and that means closing more grossly unprofitable stores. "SA is overtraded. OK Bazaars came a cropper first, now it's Shoprite/Checkers' turn."

presentation suggested evasiveness and withholding information. The company argues that this was because the company was in the midst of sensitive negotiations and couldn't say too much.

Vianello says a revelation of wage disparity between the Shoprite division and the rest of the group also created a market perception that the company intended prolonging the dispute in order to delay the inevitable

agreements," says Gilmour.

According to Syd Vianello of Ed Hearn Rudolph "It could be argued that the union won because it attracted attention to the wage problem and the attitude of Shoprite/Checkers management as a whole towards its employees, which, we understand, has bordered on hostility since the merger." Furthermore, he adds, management's response to strike questions during an investor

FM 25/6/93

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Tough talking in pay demands

TOUGH wage bargaining will take place in the next few weeks in the four sectors in which Numsa operates. More than 400 000 workers are involved.

Numsa wants a 16% pay increase in the metal, auto assembly, tyre and motor industries. The union has banned overtime in the motor industry.

Employers are concerned that the union called for the ban before declaring a dispute.

Employer spokesman Dave Kirby says the overtime ban is not expected to have any major effect on the local market.

Star 28/6/93

Metalworkers make new offer

By Paul Bell
Labour Correspondent

The flagging wage negotiations between the National Union of Metalworkers of SA and the steel and engineering industry have been given a boost with the union's presentation of a new set of proposals

Last week, union negotiators were glum about prospects, warning that

if employers failed to make a satisfactory offer, the emerging consensus for a restructuring of the industry for competitiveness would be jeopardised (151)

Offers by the Steel and Engineering Industries Federation of SA range between 4,8 and 7 per cent, while Numsa wants inflation-level increases

Last Monday, Numsa presented new proposals

suggesting an improved wage offer linked to making cash available to change work practices from 1994 (151)

Seifsa was expected to respond on Wednesday, the day before the wage implementation date

Numsa negotiator Chris Lloyd said. "This is ground zero" (151)

Of the employers' initial response, he said "They're interested"

Cosatu to lobby for more rights, says labour expert

Bill 2816/93

ERICA JANKOWITZ

COSATU and other trade union groupings would press for statutory organisational rights and employers would have to "formulate positions in this regard", Professor Peter le Roux said in the latest edition of Contemporary Labour Law.

In the absence of a consistent body of jurisprudence, as well as the period required by the Industrial Court to establish standards, Le Roux said legislative changes were likely to be made to regulate these rights.

Cosatu made a detailed report concerning organisational rights to the International Labour Organisation (ILO) fact-finding commission which visited the country last year. It argued for the inclusion of right of access, stop order and collective bargaining facilities, and the recognition of shop stewards.

Le Roux said access was recognised by the ILO commission as being of crucial importance in SA, where many workers both worked and lived on employers' premises. Denial of access under such circumstances would hinder unions in their recruitment of members, as well as prevent them from having access to members.

In light of an ILO convention, the commission recommended that "access should be granted more freely to unions for the purpose of carrying out normal union activities".

On collective bargaining facilities, the commission said "space for union

business and meetings; time off for union business or training; (and) access to information for negotiation purposes should be accorded to the unions either through national laws, regulations or collective agreements".

However, the granting of facilities should not "impair the efficient operation of the business" and should take into account the undertaking concerned.

The ILO also recommended that the prohibition on stop-order facilities under the present Labour Relations Act should be repealed. Currently, unregistered unions are not entitled to apply for such a facility unless the Minister gives permission.

Le Roux noted the draft Bill drawn up by the National Manpower Commission which is being circulated for comment included this change

ILO recommendations also cover shop steward rights and duties. Victimization and time off for training and to attend to union matters are dealt with as well as access to necessary information

Le Roux said that as the article was wide in application and contained financial implications, the ILO provided for countries, either through statute or collective agreement, to define the "precise extent of facilities and the conditions under which they should be granted".

Pay rise spurned: Pickets may follow

Weekend Argus Correspondent JOHANNESBURG — Delegates to the National Union of Metalworkers congress have unanimously rejected employers' wage offers in the motor, engineering and tyre industries and endorsed a "campaign of mobilisation" to press their demands.

In the motor sector, which includes garages and panel-beating shops, where employers and the union have been at loggerheads for over a year, delegates decided to picket certain garages and harass key industry leaders by telephoning them day and night. Regions have been provided with names and addresses.

Certain members of the SA Motor Industry Employers' Association are accused by the union of trying to break the Industrial Council, which provides a forum for wage negotiations, in order to destroy collective bargaining.

Numsa will also ask Cosatu to put pressure on government and business representatives at Monday's National Economic Forum plenary, to see that the Industrial Council is given the same protection that they are expected to agree be afforded to other existing collective bargaining structures.

These decisions were taken yesterday at the first full day of Numsa's fourth biennial congress, held at the World Trade Centre.

The congress also endorsed an amended resolution expanding the campaign of mobilisation to include overtime bans and stoppages, confronting employers with the possibility of more direct industrial action from mid-August, by which time the union will have completed a series of mandating exercises at all levels.

Delegates also expressed unhappiness at Numsa leaders' decision to rescind a ban on overtime in the auto sector.

The ban had been lifted following legal pressure from the employers which left the union leadership uncertain on the legality of the ban.

It now seems the ban was illegal and the mood at Thursday's conference suggested that auto workers might opt for its reinstatement.

Concern was also expressed at the fate of up to 50 000 petrol station workers, should the petrol price be deregulated.

The union fears that, as has happened abroad, up to 70 per cent of jobs could be lost following deregulation, through the closure of petrol stations as a result of competitive pricing.

Footwear workers down tools over pay

SHARON SOROUR
Labour Reporter

ARG 9/7/93

THOUSANDS of footwear workers in the Western Cape have downed tools following the breakdown of annual wage negotiations, according to the SA Clothing and Textile Workers' Union (Sactwu).

Union organiser Mr Ronald Bernickow said about 3 000 workers went on strike yesterday because they were unhappy about the wage offer from manufacturers.

Footwear Manufacturers Federation director Mr Dennis Linde confirmed the talks had deadlocked with management offering a seven percent increase.

Mr Linde said of the 23 000 workers in the industry nationwide, about 5 000 were in the Western Cape.

He said while unions had rejected management's wage offer, they had not indicated any wage demands.

Mr Linde said the national council of the National Union of Leatherworkers, which represented the majority of workers in the sector, would meet at the weekend to reconsider management's offer.

Mr Bernickow said the wage offer was tied to a "whole range of conditions, including that wages have to be paid into a bank account and split annual leave".

By yesterday most of the major factories were on strike, Mr Bernickow said

IFP and rightwing 'overlap'

Sowetan 15/7/93

By Abbey Makoe and Sapa

THE leader of the rightwing World Preservatist Movement, Mr Koos Vermeulen, said yesterday there was an overlapping membership between his organisation, the Inkatha Freedom Party and the AWB.

Vermeulen's disclosure follows revelations that the "Vaal Monster", Victor "Khethisi" Kheswa, belonged to both the IFP and WPM at the time of his death in police custody last weekend.

Vermeulen's statement contradicts denials by the IFP that Kheswa's was a member of both the IFP and WPM.

In another development, the Law and Order Ministry said it had launched a special investigation into Kheswa's death.

The ministry said it would investigate Kheswa's reported membership of the WPM and Vermeulen's statements regarding Kheswa affiliation to the WPM.

Also to be investigated was the ANC's claim that the police murdered Kheswa to prevent him from exposing the existence of a "third force".

Top policemen Major-General Piet du Toit and Brigadier Floris Mostert would head the

investigation, the ministry said.

Vermeulen told *Sowetan* yesterday that his members were free to belong to organisations belonging to the Concerned South Africans Group "Our members are free to join the parties of Lucas Mangope and Oupa Gqozo but not the Pan Africanist Congress and the African National Congress," he said.

He confirmed that his organisation had a private army which he declined to name. The army was currently only "defensive" and did not foment township violence "Our army is only there to protect members and the leadership until we are convinced that FW de Klerk and Nelson Mandela are heading for a socialist country, then we will unleash military offensives," Vermeulen said.

He denied the WPM's complicity in the current wave of violence in the townships "At the moment we are giving peace a chance."

Asked about the WPM's black membership, he said it was "not much" but was growing fast. He said he would disclose the exact figures soon.

The IFP yesterday emphatically distanced itself from the WPM spokesperson Miss Suzanne Vos said "The leadership of the IFP knows nothing about the WPM or of any purported involvement that Mr Kheswa may or may not have had with this odious organisation."

● See also page 11.



Victor Kheswa

Mob tried to burn police

Star 15-7-93

Staff Reporter

A police sergeant yesterday told the Goldstone Commission how he and a colleague escaped death after a mob took their firearms, bundled them into the boot of their car and threatened to burn them alive in the vehicle.

Sergeant Joseph Mbongo was testifying before the commission held in Pretoria to investigate attacks on policemen.

Mbongo said he and two colleagues, D A Mokoena and K L Mokoena, were looking for a suspect in Sebokeng when they were forced to stop their car at a barricade of rocks.

A group of youths appeared from both sides of the street and started pelting their car with stones. K L Mokoena, who was hit on the head, got out of the car to seek help on foot. Mbongo turned the car around and headed back in the

direction they had come from, with the youths on their heels.

He drove the car into the yard of a nearby house and the two policemen were allowed inside after they lied to the woman who opened the door that they had been visiting relatives in the area.

Mob

The same mob arrived at the house soon after the men had sought refuge and demanded the door be opened, threatening to burn down the house.

Before the woman could open the door, Mbongo and the injured constable hid their service firearms and appointment certificates under a mattress.

Mbongo said the crowd demanded the keys of their vehicle and wanted to know who they were.

"After we identified ourselves as visitors from Krugersdorp,

we were searched and, when nothing was found on us, we were given the keys back and told we could leave.

"But before we could leave, an elderly man emerged from the house with our firearms and appointment cards. The mob then bundled us into the boot of our car and said they were going to burn us in the car," Mbongo said.

"The mob took our guns and drove us in our car to a spot where we were told we would be burnt alive," he said.

However, the two policemen escaped by jumping through the broken back window of the car, Mbongo said.

Sergeant William Kobela, who also appeared before the commission yesterday, said four policemen were robbed of their firearms in the Vaal Triangle between June and December last year.

Meanwhile, the Vaal branch of the ANC Youth League cate-

gorically denied that slain SACP chief Chris Hani ordered the killing of policemen at an ANCYL meeting in the area.

ANCYL chairman Maurice More was reacting to Tuesday's testimony by a balacava-clad police informer that Hani had ordered attacks on policemen during a meeting at Sebokeng's Eldorado Cinema in June last year.

Discredit

More, who helped organise the meeting, said yesterday that the testimony was nothing more than a campaign to discredit Hani after his death.

"That meeting was called to address internal organisational problems only," he said.

The SACP yesterday called the police informer's testimony "an outright lie" and accused the South African Police of "using the Goldstone Commission as a propaganda platform".

Govt rethink on wage bargaining

From ERICA JANKOWITZ

JOHANNESBURG — The government was seriously rethinking its stand on centralised bargaining as contained in the normative economic model (NEM), Finance Minister special adviser, Japie Jacobs said over the weekend

Speaking at the sixth annual labour law conference at the University of Natal, Jacobs said the government would not intervene in determining bargaining structures, but would adopt a pragmatic approach in allowing the parties to decide which system of bargaining best suited each sector

"Centralised bargaining is one of the systems in use. The government will absolutely not propose legislation to outlaw it, but neither will we pass a statute to make it compulsory," Jacobs said

He proposed a flexible approach to bargaining levels in contrast with the market system approach embodied in the NEM

As Cosatu advocated centralisation as one of its pillars of reconstruction, the government's unwillingness to dictate labour market policy was still an area of debate between the parties, Jacobs said

He said the government could not prescribe economic policy, but should negotiate with the parties involved. As such, Jacobs felt the National Economic Forum was of particular importance as business, organised labour and the government had formed working groups in which major policy decisions were formulated

In Jacobs' opinion, the government had to realise the importance of labour policy on economic growth and performance and, as such, policy decisions could not be left solely to

the Manpower Department

He said the government may have to aid certain sectors during restructuring to ensure their continued survival and international competitiveness. For example, in the automobile, textile and electronics sectors, in which technical renewal and advanced training were required, tariff structures were being investigated

However, Jacobs suggested a quid pro quo from labour in the form of accepting lower wages during training. These would be revised once training was completed, Jacobs said

"This is the component which is missing. Labour is very quick to pass additional financial burdens onto business without taking their full cost impact into account," he maintained

On the issue of labour-intensive production, Jacobs said the ratio of capital to labour costs would have to be taken into account in establishing which sectors were best suited to its

introduction

He said the government could not intervene and prescribe this type of production in all spheres, especially as SA was attempting to end its years of isolation from the world economy

"Government will support labour-intensive production as long as it is cost effective. But on this issue, the labour movement is imposing itself as an arbiter of investment decisions," Jacobs said

Opening the conference, Finance Minister, Derek Keys described the NEM as not being government policy, but being based on the "best economic advice as a basis for finding a solution to our economic problems"

Both government representatives agreed they had a long way to go in finding an acceptable way of "revitalising" SA's current economic reality of structural decline

Road carriers and union in pioneer pact

CAPE TOWN — The country's five biggest road carriers and the Transport and General Workers' Union have pioneered the industry's first national bargaining agreement, union and management spokesmen said yesterday.

This was the first time the union had managed to bind employers to national centralised negotiations, said TGWU national organiser for goods and docks Thulani Dlamini.

20/1/93
Management consultant

Larry Palk said history was made with the agreement, which binds Auto Carriers, C R G, Motorvia, N R D and the Southern Star Organisation to a national negotiating forum.

Dlamini said industrywide talks covering about 3 500 workers were scheduled to start in early August, following the June 22 agreement between the TGWU and the SA Motor Ferry Association.

"This is a milestone for the union."

"We have been working towards the centralisation of the transport industry and this is the first truly national forum in any of the sectors the TGWU organises," he said.

Palk said the agreement committed the parties to tabling their respective proposals by the end of July each year.

Negotiations would then start in August for implementation on January 1.

The new bargaining forum resulted from talks which started in early 1991.

"It was achieved without any dispute or major hitch, which is exceptional. Both parties also hope that their future ongoing relationship takes place in the same manner," Palk said.

Dlamini said the agreement fell short of setting up an industrial council, but the motor ferry sector could form a sub-sector of the proposed national industrial council for the goods transport industry. The industry employs 19 500 workers.

Sapa

Refusal of bargaining rights gives state doctors the needle

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SHARON SOROUR
Labour Reporter

DOCTORS at state health institutions were given a bitter pill to swallow when the government, passing a much-maligned Labour Bill for the public service, refused them the right to bargain for better wages and working conditions

The notion of doctors endangering the lives of the sick by exercising a right not to work is in apparent discord with their image as nurturers of human life

But were they fighting for the right to suspend their services through strike action? Or were they simply demanding the right to another form of bargaining power and a dispute resolution mechanism to address their own concerns?

The fact is, with the Public Service Labour Relations Act which has just become law, thousands of government-paid doctors are left virtually powerless to do anything to improve their working conditions

The Medical Association of South Africa (Masa) slammed the Labour Bill as "rigid and short-sighted" and warned that doctors

would have no option but to leave the public service

Masa federal council chairman Dr Bernard Mandell said the government was now in a position to abuse the traditional calling and integrity of the medical profession by doing nothing to improve working conditions, workload and salaries

"The government is well aware that doctors are legally, ethically and morally bound to continue caring for their patients, regardless of their own circumstances," Dr Mandell said

To resign from public service was their only remaining option

"This will have a disastrous effect on state health care services, which are already barely coping in meeting the needs of the community," he said

Doctors who work long hours in overcrowded hospitals are not only leaving the public sector but the country, according to Masa's profession development director Dr David Green

The "brain drain" of medical talent was enormous, said Mr Mike Ellis, Democratic Party MP and spokesman on health and a member of the all-party stand-

ing committee that debated the Bill before it was passed.

"The majority of doctors who are leaving are white or Indian South Africa is having to import doctors and, basically, they are making a mess of things, not having suitable qualifications or the language ability to do their work properly," Mr Ellis said

"At a time when we are losing doctors for political or other reasons, we again fail to give them the recognition they deserve by catering for their needs in this Bill I blame the government 100 percent"

Masa's main objection to the legislation is that it offers no protection for the rights and interests of doctors through recognised dispute resolution mechanisms

Doctors are not necessarily unhappy about being denied the right to strike — the ultimate bargaining weapon — as the medical profession is deemed an essential service

"As an association we do not believe that doctors should strike, which is different from believing they should have the right to do so," Dr Green said

ARG 21/7/93

Mine hostel breakthrough

THE National Union of Mineworkers secured a breakthrough agreement at the Hartbeesfontein Mine which has agreed to dismantle its ethnically based hostel system and replace it with a housing scheme based on work sections instead.

Hartebeesfontein mine has been the scene of ugly clashes between Mozambican and other miners. More than 100 workers were injured and 19 were killed.

The parties also agreed to set up a peace committee which will have sub-committees at every shaft — the committee will be up and running by end of the month.

TGWU pulls out of board

THE Transport and General Workers' Union (TGWU) this week pulled out of the Security Officers Board after an eight-month dispute.

LABOUR BRIEFS

"The board has spent its time and energy setting up an unnecessary and wasteful bureaucratic process of registering all guards, instead of paying attention to the real conditions in the industry," the union's national organiser, Jane Barrett, said in a statement this week.

TGWU will decide whether to call on its members to withhold their registration fees for 1994 which are due in December. It has already suspended the participation of worker representative, Joseph Matshappa, from the board.

Care for stressed workers

THE Sales House chain — part of the Edgars Stores group of retail stores — has introduced a post-traumatic stress management programme for its employees. In the past nine months, Wits University psychologists have trained 51 staffers to counsel their colleagues who have been the victims of armed robberies.

Should there be a store robbery, a team of counsellors is sent to the scene where they "provide the valuable listening and debriefing skills so necessary at the time".

First National Bank has a similar scheme in place for employees involved in bank robberies as well as for customers who happen to be at the scene.

Mining, municipal pay talks in dispute

Weekly Mail Reporter
STRIKES are looming across the

mining and municipal sectors where wage talks have ended in dispute. And though strike action is unlikely in the metal industry, the parties are still a long way from concluding this year's negotiations. **WM 23-29/7/93**
The National Union of Mineworkers (NUM) called Wednesday's third meeting "a crunch meeting" which, if not resolved, could end in a strike ballot.

The spiralling gold price is raising miners' hopes for better increases and the NUM is not likely to move much further from its demand for a 15 per cent increase. The union went into wage negotiations with a 30 per cent increase demand.

The Chamber of Mines is offering an average six per cent increase on coal and gold mines. Negotiations went into dispute in June and the parties held their first conciliation board meeting at the end of that month.

Employers in the metal industry last week increased their wage offer to seven per cent. But the offer was tempered by a number of exemptions.

Employers in the Natal Midlands and the Cape should be able to apply for exemptions to implement increases of less than seven per cent. Employers in the Free State and Cape, whose businesses are dependent on the mining industry, may apply to implement the increases in January next year, while employers in the Border region made a final wage offer of 4,8 per cent.

The National Union of Metalworkers of South Africa (Numsa) has extracted key gains from employers in the industry. It has secured a reduction of work grades from 13 to five. This will be implemented by July 1996. Employers have agreed to narrow the gap between artisan rates of pay and those of lower-grade workers.

Numsa — which has asked for a 15 per cent wage increase over three years — last week rejected the seven per cent offer and said it would not grant wage exemptions or lower wage increases to any employers. Organisations in the industry have provisionally accepted the offer.

Meanwhile the South African Municipal Workers' Union (Samwu) announced that its members would embark on a national strike on August 2. Almost 90 per cent of workers bal-
Municipal authorities have proposed wage freezes in some areas and the highest offer in the sector has been for a wage increase of six per cent. Samwu is demanding a minimum wage of R650 a month and an end to restructuring of municipal services.



Union holed up in talks

By SIPHO KHUMALO

CIPress 25/7/93

THE SA Commercial, Catering and Allied Workers' Union was yesterday still locked behind doors in Durban trying to sort out internal disputes

The Cosatu affiliate held its annual congress at the University of Natal, Durban, amid disagreements over management of funds and the union's pre-election political direction

Earlier this month the Witwatersrand branch executive committee was suspended, purportedly bringing the union into "disrepute"

Saccawu official revealed the issue of the suspension of the Wits branch executive was to be discussed.

Other issues due to receive attention were the future and role of the union in the ANC/SACP alliance and Cosatu's reconstruction accord

The Wits branch wants the relationship with the alliance changed. The union was due to hold a rally from 10 am today at Curries' Fountain

NEWS IN BRIEF

Disputes declared

THE National Union of Metalworkers of SA (Numsa) has declared pay-related disputes with six metal industry manufacturers, Numsa national collective bargaining secretary Les Kettleidas said yesterday. *Bibay 6/8/92*

The affected companies were Highveld Steel and Vanadium, Middelburg Ferrochrome, Metal and Manganese Company, Iscor, Usco and Hulett's aluminium plants in Epping and Maritzburg.

Disputes were declared after in-house negotiations ended in the rejection by workers of final wage offers, Kettleidas said. *(SA) (151)*

Survey highlights black voters' fears

CAPE TOWN — About 14 percent of black South Africans surveyed recently said they would probably not vote in the April elections for fear of violence, the Goldstone Commission heard yesterday.

Addressing a hearing on ways to prevent violence and intimidation during the elections, Professor Laurie Schlemmer of the Human Sciences Research Council also said 2 percent of the respondents claimed they were committed to violence during and after the election period.

This translated to an "awfully large" percentage of the total electorate who had a destabilising, revolutionary attitude, said Schlemmer.

The survey of 8 400 respondents was carried out recently in areas not normally polled,

such as squatter camps, resettlement areas, deep rural areas and the self-governing states.

Three out of every 10 people saw the prospect of violence as the most severe problem surrounding an election.

A third of those surveyed approved of breaking up meetings of opposing parties in areas where these parties were not popular, which indicated a "fairly tough, cynical attitude" to the rights of parties to mobilise support, he added.

Only 54 percent were sure that their vote would be secret — a figure which made this survey group only a little less paranoid than their urban counterparts, who were also surveyed by the HSRC recently.

About 97 percent of ANC supporters expected the movement to win an election, which was

fairly realistic in the circumstances, Schlemmer said.

● The Star's Political Correspondent Chris Whitfield reports that the weekend is shaping up as critical to hopes of an imminent return by the Inkatha Freedom Party and KwaZulu government to negotiations

However, the IFP's Dr Ben Ngubane — who led a delegation which met with the Government for discussions on the issue yesterday — last night cautioned against suggesting that the party would return to the talks at the World Trade Centre within days.

"There has been some progress (in talks with the Government and ANC) but everyone expects a rush now. The issues we are discussing are so fundamental they cannot be resolved overnight," Ngubane said in Durban. — Sapa.

Rovi John

By Robin Star Afr

HARARI southern journalist of Africa independ his home

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Dispute over bid to lay off 200

By Abdul Milazi
Labour Reporter

When Eric Magwaza (46) was promoted to stores manager at the Epic Oil Mills Johannesburg factory a year ago, he knew he could give his family a better life and a better education on an increased monthly salary of R4 000.

Now Magwaza is one of the Epic Oils workers who face losing their

jobs, after the company this week announced its intention to retrench some 200 people today.

About 300 workers at the factory downed tools on Wednesday after management allegedly refused to negotiate the retrenchments with their union.

However, Epic Oils managing director Trevor Wilkinson said his company had negotiated with the Food and Allied Workers' Union (Fawu),

which represents the majority of the workers, but the two parties could not reach an agreement on how the retrenchments should be implemented.

Wilkinson said the company had decided to go ahead with its decision "to get some reaction from the union", which he said had failed to come up with alternative proposals after nine months of negotiations.

Fawu regional organi-

ser Ernest Buthezi has disputed this and said the company was unilaterally implementing the retrenchments. He said that when the union came up with alternative proposals, management issued counter-proposals, making it impossible for the parties to reach an agreement.

The workers have vowed not to return to work until management agrees to negotiate with the union "in good faith".

International

AUCTIONEERS 618-3460 1 2 3

Parents must be heard in education disputes

South

118

11/2/93



DRAFT Legislation containing collective bargaining rights for teachers is to be tabled before parliament. This legislation will give teachers the right to strike and their employers (in most cases the state) the right to impose a lockout.

The Draft Bill has been brokered by the Department of National Education and all major teachers unions and associations and there is broad consensus between the major players



GANIEF HENDRICKS, an industrial relations specialist:

The legislation will contain dispute settlement arrangements allowing for statutory conciliation. If this fails it is clear that irreparable harm will be caused to children's lessons in the event of a strike or a lockout.

It is therefore important that parents have a say in the collective bargaining process to limit the harmful effects the power play between the two disputing parties will have on their children's education.

In a democratic society parents can normally use their influence to put pressure on the state if they support teachers. This can be done by using their representatives in parliament and they can show their anger at a general election.

So checks and balances exist

Parents should have a say in the collective bargaining process between teachers and the state in a transitional South Africa, contends



which parents can use to exercise their influence

However, in the present South Africa, most parents still do not have a vote. There is also hardly any way any parents will be able to influence the powers that be in the transitional arrangements that will soon be in force. So for many years parents will not be able to use the checks and balances that normally exist in a democratic society.

It is therefore important that provision be made in the proposed "Labour Relations Act for Educators" for the statutory protection of the interests of parents to ensure that they have a say in the outcome of any dispute and the effects of industrial action.

Harsh penalties should be imposed on parties engaging in illegal industrial action. Special provision should be made not to indemnify third parties like trade unions if their members engage in illegal industrial action — and the state if it does the same.

The courts must have the right to decide whether it is socially desirable to impose liability, depending on the circumstances.

Dispute settlement procedures should be designed to reconcile the interests of teachers, the state (or other employer) and parents.

An interest-based approach to conflict resolution will help reconcile the underlying interests by focusing on the needs, desires, concerns and fears which lie behind what the three parties say they want.

In this way the parties will take responsibility for the development of processes and procedures that will ensure healthy outcomes.

Strikes and lockouts are powerful weapons and are often aimed at forcing the other party to accede to one or more demands.

Disruption of normal social life is inevitably part of industrial action, particularly if large numbers of teachers are involved.

As an alternative to strike action parties in dispute must look at creative ways to exercise their powers and explore non-confrontational demonstrations of power. If a strike or lockout cannot be avoided there should be statutory strike rules and statutory lockout rules to protect, on the one hand, the interests of teachers and the state, and, on the other, the interests and rights of parents.

This will make it unnecessary for further statutory rights to protect the rights of children in the "Children Act" and for the child's right to education to be included in the proposed "Bill of Rights".

These are all checks and balances we will need in a South Africa in transition where we will require teachers to prepare the young to build a democratic society and where education will be used to redress the imbalances of the past.

Cosatu backs fired workers

Star 9/8/93

■ STAFF REPORTER

The Congress of SA Trade Unions has called for the reinstatement of all sacked municipal workers and has warned of countrywide solidarity action

A detailed report on the municipal workers' dispute was tabled at Cosatu's three-day central executive committee meeting which ended at the weekend in Johannesburg.

Cosatu resolved to support the SA Municipal Workers' Union, a Cosatu affiliate (~~WCUA~~)

The federation said it took particular note of the mass dismissals of municipal workers by employers organised under the Cape Province Local Authorities' Organisation. (51)

Workers paid out

■THE Department of Water Affairs this week agreed to pay almost R500 000 to 14 workers retrenched in June 1989.

The Public Service League, whose members were retrenched, took the unfair labour practice action to the Appellate Division and won the case in September last year.

Final negotiations this week yielded agreement by the department to pay all salaries, salary increases, bonuses, pension benefits, general increases and 50 percent of accumulated leave to the retrenched workers.

(51) WM13-19/89



Two-year wage dispute over

THE two-year wage dispute between the Cape Province Local Authorities Employers' Organisation (CPLAEO) and the South African Municipal Workers' Union (Samwu) has been resolved after 18 hours of negotiations, Samwu has announced.

Striking workers covered by the agreement, which is for both the 1992/93 wage dispute and 1993/94 wage demands submitted by Samwu, will immediately return to work.

Both parties acknowledged the disparate and complex nature of the municipal

sector and reached agreement on three new minimum rates of R404, R497 and R550 a month with effect from July 1, 1993.

The parties also agreed on a common minimum wage for the Cape Province by July 1, 1995, based on about R550 adjusted over the next two years.

The effect of increases on the minimum would compact many scales above the existing minimum, resulting in substantial increases for large groups of workers.

~~25000000~~ (151)

ARC 12/18/93

News in Brief

Black judge chancellor

DURBAN — Prominent Natal advocate and South Africa's first black acting judge, Mr Justice Hassan Mall, has been appointed as the new chancellor of the University of Durban-Westville. CT 20/8/93

Rhodes wage talks stall

GRAHAMSTOWN — Wage negotiations between the administration of Rhodes University here and the National Education, Health and Allied Workers' Union (Nehawu) have broken down. Both parties have agreed to mediation, probably next week. CT 20/8/93

Parachute accident death

PHALABORWA — Sergeant Matthew Dube, 31, of 451 Battalion at Phalaborwa in the Northern Transvaal, was killed yesterday when his parachute failed to open during a training exercise.

3 miners die in rockfall

JOHANNESBURG — Three mineworkers were killed and one has been reported missing in a rockfall nearly two kilometres underground at the Leudoorn gold mine on the Far West Rand. CT 20/8/93

'No underwear' picket continues

DURBAN — More than 300 dismissed workers from a chicken factory in Camperdown, Natal, yesterday continued their three-week-long picket in nearby Maritzburg, protesting against having to work without underwear.

(SI)
The women, under the banner of the Food and Allied Workers' Union, were fired from National Chick Farms between April and June because they refused to work without underwear, according to union official Mr. J. J. Ngcobo.

CT 25/8/93
Repeated attempts to reach National Chick Farms' managing director failed yesterday, and a director declined to comment — Sapa

'No underwear' picket continues

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~~(S)~~ ~~(S)~~ ~~(S)~~
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CT 28/8/93
Repeated attempts to reach National Chick Farms' managing director failed yesterday, and a director declined to comment. — Sapa

Union seeks wage hearings

Star 1/9/93

■ BY PAUL BELL
LABOUR CORRESPONDENT

The SA Commercial, Catering and Allied Workers' Union (Saccawu) is seeking conciliation board hearings in its wage disputes with the Metcash and Dion groups, and plans to ballot its members at CNA-Gallo on strike action

In the CNA-Gallo dispute, now several months old, Saccawu rejected an offer of R165 across the board, or 12 percent, and demanded R230. Its 5 000 members will begin a strike ballot next week.

From the Metcash group the union wants R230 across the board, or 20 percent; instead of management's 5 and 11 percent.

The dispute involves about 6 000 workers at 180 outlets, who have already begun industrial action including go-slows and the jamming of tills. A conciliation board hearing is set for September 17 (151)

At Dion, Saccawu's 1 000 members want R220 while the company is offering R136. (356)

Meanwhile, Saccawu has welcomed the establishment of a sister union in Bophuthatswana whose members work mostly for Sun International.

Saccawu initially condemned it as a surrogate of the Bop government. But this was because anti-Cosatu remarks in a Bop government statement were wrongly attributed to a union official.

Saccawu in wage disputes

THE South African Commercial, Catering and Allied Workers Union (Saccawu) is seeking conciliation board hearings in its wage disputes with the Metcash and Dions groups, and plans to ballot its members at CNA-Gallo on strike action.

In the CNA-Gallo dispute, now several months old, the company made what it considered a good offer of R165 across the board, or 12 percent. Saccawu is demanding R230, says organiser Lee Modiga, and its 5,000 members will begin a strike ballot — which the union first threatened three months ago — next week.

~~(S)~~ (S) 4/19/93

Union declares dispute

Star 9/9/93

The Federation of Municipal, Health and Allied Workers has declared a dispute with 12 Transvaal municipalities, demanding a minimum salary of R812, and a 17,5 percent increase for workers earning more than that. The union will meet employers at an Industrial Council meeting today.

According to the union, the municipalities are offering a 5 percent increase backdated to July 1 and a further 2,5 percent from January 1.

The union represents 9 000 workers in the municipalities concerned.

Labour Correspondent.

151

~~151~~

Union declares wage dispute with Game

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) yesterday declared a wage dispute with Game Discount World, a division of McCarthy Retail, with the company offering a R65 across-the-board increase in response to the union's R237 demand. *Biday 9/9/93*

Other issues on the table were a laundry allowance, staff discount and unconditional day off per month, all rejected by management.

Saccawu spokesman Bukani Mngoma warned that if a conciliation

ERICA JANKOWITZ

board could not resolve the dispute, a national strike would be called. The union represents about two thirds of the 1 500 workforce. *(151)*

Meanwhile, Saccawu's Jeremy Daphne said the union was balloting members at CNA in preparation for a wage strike. Saccawu declared a dispute with the group weeks ago, but was unsuccessful in its first strike attempt. *(scribble) (scribble)*

Security workers declare disputes

ERIGA JANKOWITZ

THE Transport and General Workers' Union had declared eight disputes with Springbok Patrols in response to what it called "illegal employment practices and union-bashing", national organiser Jane Barrett announced yesterday.

Barrett accused Springbok Patrols management of unilateral actions including cancellation of union facilities and stop orders, deductions for an "unregistered insurance scheme" and a "rival staff association" and dismissals and retrenchments. The company was breaching a wage determination by not issuing proper pay slips, Barrett said.

The union had approached the Manpower Department to investigate.

Company spokesman Jaap van Zyl said the pay slips had department approval and the offending insurance scheme was a burial fund which was considered necessary because of "the nature of work performed by our employees".

Van Zyl said union facilities had been cancelled after a handgrenade attack on the Security Workers' Association general secretary's home, for which union shop stewards had been arrested.

A court case was still in progress.

Barrett also complained about the company's attempt to register its "in-house staff association as a trade union".

Van Zyl confirmed the association had been registered, but said it had been operating for seven years.

Barrett said the union had applied for conciliation boards to resolve the disputes. If they failed, strike action was ruled out.

She called on Springbok Patrols clients to put pressure on the company to "get its house in order".

Van Zyl said the union's actions might lead to "cancellation of contracts and the unavoidable retrenchment of workers".

Dispute arbitration cost R259 000

ARBITRATION of the council's wage dispute with the SA Association of Municipal Employees cost R259 000.

SAAME members have not been paid increases in terms of the arbitration because the council is waiting for legal opinion.

Exco chairman Louis Kreiner said this in reply to questions by

Arthur Wienburg.
A court interdict against SA Municipal Workers Union members who occupied the Civic Centre executive suite during the August strike cost R10 000.

Mr Kreiner said the lack of a central bargaining forum meant SAAME and SAMWU members could be on different pay scales.

Workers digging in at UWC

SHARON SOROUR
Labour Reporter

WORKERS at the University of the Western Cape are up in arms over alleged maladministration, "subtle" retrenchments and the victimisation of union members

Rejecting the claims, a UWC statement said there was no crisis or retrenchments and blamed the trouble on a small group acting outside union agreements

Last week, cars were delayed at the university entrance as protest action by the National Education, Health and Allied Workers got underway

Lunch-hour protests and pickets continued this week

Wage negotiations, affecting more than 1 000 non-academic staff, are in progress, but workers said the "crisis" did not involve only salaries

Nehawu members at the university said although there was a moratorium on retrenchments, workers were being "subtly" laid off because of "encroaching privatisation"

"More than 20 people, from the campus's security section

(151) ARG 2/10/93
and gardeners, have been retrenched in the past six months alone. The union has not been consulted on these issues," a worker said

Workers also complained that the term "serious offence" had not been defined, and any "so-called breach of conduct is defined as a serious offence"

There was religious discrimination at the university as Indians and Muslims had to take leave on their religious holidays but Christians got paid leave automatically

Workers also wanted the structures of the university to be "democratised" so that all constituencies on campus were represented, and called for a commission of enquiry into the university's financial position

Workers said one of the biggest problems was the absence of a code of conduct for the university

There was also a need for induction programmes to train personnel

Responding to the allegations, UWC said in a statement it had an extensive recognition agreement with the union, which

made provision for procedures of dispute resolution

UWC said it was "confident" it was a fair employer

There could be no talk of a "crisis" as a dispute had not been declared regarding wage negotiations

"The pickets and actions by small groups of workers are clearly outside the agreement, and must be understood in the context of putting pressure on wage negotiations," a university spokesman said

There had been no retrenchments and the university had an agreement with Nehawu that there should be a moratorium on retrenchments

Nehawu could take the university to the Industrial Court if it were to engage in an unfair labour practice, but the union had "made no move to clarify its position in this regard"

"All other matters mentioned as statements of UWC Nehawu members are a blend of vague allegations and half-truths. They could be addressed formally if they were defined and put on the table in terms of the agreement"

Star 12/10/93
Game's wage talks break down

The three-month wage talks between Game retail chain and the SA Commercial, Catering and Allied Workers Union broke down yesterday, following the union's rejection of a final wage offer. (151)
Game MD Dan Barrett said

the company's wage offer ensured that no employee in the bargaining unit would receive an increase less than the inflation rate. In the event of a strike, the "no-work-no-pay" policy would be followed, he said — Sapa.



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Talks over strikes at car plants

Star 9/12/93

■ BY PAUL BELL
LABOUR CORRESPONDENT

Motor manufacturers met the National Union of Metalworkers (Numsa) in Port Elizabeth yesterday in an effort to resolve a dispute that has brought Toyota and Samcor assembly lines to a virtual halt. (15)

The strikes at Toyota in Durban and Samcor in Pretoria entered their third day yesterday. Toyota decided to shut its assembly line three days early; it was due to close on Friday until January 11. (15)

At Samcor, management and shop stewards issued a joint statement to workers this week that production should continue while the matter was being negotiated.

A spokesman said absenteeism yesterday morning had been unacceptably high, and there would be no production yesterday.

Other manufacturers have not been affected.

The issue — workers are objecting to tax deductions from an ex gratia payment — is a hangover from the main agreement between Numsa and the manufacturers on wages and conditions of service, reached in August.

Sowetan 17/12/93

Scab labour row

By Ike Motsapi and Joe Mdhlela

THE FOOD and Allied Workers' Union has threatened to enlist the support of community organisations if Kanhym Fresh Meat Supply of Balfour fail to resolve a wage dispute

The threat follows the alleged busing in by Kanhym management of about 200 scab labourers allegedly from Jeppe Hostel in Johannesburg and Dube Hostel in Soweto — Inkatha Freedom Party strongholds — to replace about 400 workers involved in a legal strike action at the company

The union claims that the company was paying scabs R65 a day while Fawu members were paid a minimum of R20 a day before going on strike

The strike began on December 6 after talks between the union and the company deadlocked following disagreement over the union's demand for increased wages and better work-

■ WAGE DISPUTE Food union

threatens to enlist the support of community organisations:

ing conditions.

Mr Sello John Mapohoshe said workers were demanding — among other things — allowances for people working in freezing conditions and an across-the-board salary increase of R135 a month

Branch organiser Mr Sakkie Kekane said when Fawu complained about the use of scab labour they were apparently told by a factory official that this was "an acceptable practice worldwide" (S)

"Clearly, we are dealing with people who are insensitive to the demands of our people (S)

"We will be left with no option but to involve community structures sympathetic to our cause," said Kekane

Kekane said the strike began last week as a result of the company's failure to raise the minimum wage of R400 a month by R120

Management made an offer of R60 a month, a figure that was rejected by the workers

"How can you convince the workers to accept R60 when they know their counterparts in Germiston and City Deep earn R710 a month as minimum wages?" asked Kekane

Kanhym spokesman Mr Hannes Kruger said the company was involved in serious negotiations aimed at resolving the matter

He said "I am not prepared to comment on allegations that are being made against the company because they will not help us to resolve the problem"

ch agreement ● Lawyer still missing after three weeks

Strike ballot at Coke

By Siphon Zungu

There will be no festive merrymaking for Coca Cola workers as they will be making arrangements to go on strike soon.

This was stated by the Food and Allied Workers Union (Fawu) which is involved in a pay dispute with Amalgamated Beverage Industries (ABI), bottlers of Coca Cola

Coca Cola employees who are members of Fawu met ABI management at the Conciliation Board in a bid to settle their pay dispute but failed to reach agreement

A spokesman for the union said they had compromised and moved from their original demand of a 16 percent increase to 15 percent but the company's offer still remained at 10 percent.

Report back meetings were held at all ABI plants and it was decided to conduct a strike

^{Sowetan 24/12/93}
WAGE DISPUTE No festive merrymaking as workers make arrangements to down tools

ballot

The date set for the strike ballot is next Tuesday and the results of the ballot will be announced the following day

Shop stewards ~~to~~

Mr George Nene, chairman of the Coca Cola shop stewards council, accused the company of being "opportunistic" adding that it could "easily afford a more than 15 percent increase"

He said Fawu was going to ask its mother body, the Congress of South African Trade Unions, civic associations and all progressive formations to support them during "the historic

strike"

Mr Hennie de Vilhiers, head of the personnel department at ABI, said yesterday that he could not comment on the matter and referred *Sowetan* to another ABI executive, Mr Dave Smith, who in turn, said "Fawu will be having their strike ballot on Tuesday

"There is nothing we can do. We were prepared to give, rather the company was prepared to offer a 10 percent increase but we were deadlocked when Fawu demanded at least 15 percent" (15) ~~(15)~~

At the time of going to press the company was preparing to release a statement on the matter