



Labour

This was the year the state officially declared war on the trade union movement: the year of the Labour Relations Amendment Act, large-scale detentions, and widespread attacks on union offices. But it was also the year of the largest, longest stayaway in South African history, a highly successful trade union congress and countless demonstrations of worker resilience. INGRID OBERY and SHAREEN SINGH report.

Was this the year the labour movement came of age, or the year it felt its age?

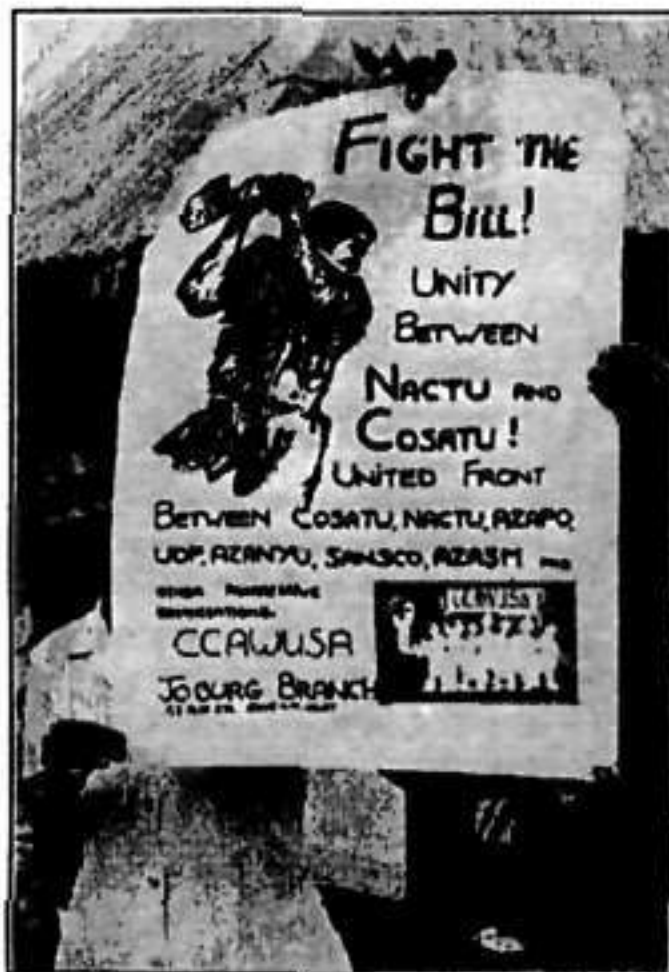
Strike action was down almost 80%, indicating a certain war-weariness after the turbulence of 1987, particularly following defeats in the metal and mine sectors. But there were also signs of a more cautious, strategic approach by unions - a move away from head-on confrontation to the pragmatic use of worker power.

There were no signs that the state was scaling down its onslaught on trade unions: repression and new legislation took their toll on the labour movement's struggle for worker rights.

As with political organisations, several unionists went 'missing' and have yet to be traced. Hundreds of workers were detained, some indefinitely but the bulk to be put on trial for strike action: 129 Ppwawu and Fawu members detained during a demonstration against the labour bill and released on R100 bail each; 100 Sacwu members arrested during a strike at Sasol and released on R1 000 bail each; 97 Bamcwu members arrested at a regular union meeting and released on R30 bail each - incidents like these put an immense strain on union resources.

At least ten union offices were bombed, and more than 20 raided by police or broken into by anti-union forces. Police presence and intervention at union meetings increased, particularly during strikes. Notable examples of this included the Ppwawu strike at Afcol, the metal strike, the Soweto municipal strike and, most recently, the hotel dispute, where a Harwu member was shot dead by a policeman during a lock-out at the Johannesburg Sun.

Direct confrontations between unions and the state became more regular as unions took on more 'political' roles after the February 24 restrictions on organisations like the UDF. By default



The new Labour Relations Amendment Act provided the major focus for worker protest this year.

rather than design, Cosatu - itself restricted in February - found itself having to fill the gap left by the UDF's restriction. The last eight months have thus been fraught with tension between pressures to take up campaigns around June 16, 'Save the Patriots' and the municipal elections, and restrictions on political activity.

State actions against the planned anti-apartheid conference organised by Cosatu included detentions, severe restrictions on individuals, harassment of delegates who arrived in Cape Town, and a final ban on the gathering.

The conference aimed to bring a wide range of organisations together, and would have looked at the nature of their alliance, and the way forward for anti-apartheid organisations. Key issues are still to be resolved within the unions on this proposed alliance: how far worker organisations can compromise to accommodate the politics of the middle ground; and the relative power and leadership of worker organisations within this popular front.

The union federations have increasingly found that they must deal with the political issues of the day. And on the ground, unions are faced with rank and file whose militancy and anger seem largely untouched by years of union-bashing and emergency rule.

Unions continue to grow, particularly after large, widely-publicised strikes. Although Nactu's membership has declined to 144 418 paid-up members, Cosatu has almost doubled in size since its formation, with a membership of almost 850 000. Numsa's paid-up membership increased from 167 000 to 183 000 within three months of the metalworkers strike this year; thousands joined Sarhwa after the SATS strike last year; the recent transport strike in Durban will probably net the union about 18 000 new members; Potwa's membership has increased to 16 000 since its strike in 1987; and Ppwawu and Fawu membership has risen significantly this year.

While the spirit is strong, and gains are often made - Sats' agreement to negotiate national recognition after the Durban strike is one example - these workers, often totally new to unionism, lack the experience of organisation evident in older, more established union members. Many strikes reflect the spontaneous reaction of thousands of dissatisfied workers, rather than carefully planned action aimed at a particular goal.

National conditions do not lend themselves to long-term organisational consolidation: a directionless government is anxious about the rise of the white right and the virtual collapse of the tricameral system. Employers fear sanctions and their effects on future economic growth and stability. And severe economic decline, potential disinvestment, and the psychological, physical and economic effects of both the internal and the border war add to a general climate of instability.

The June 6-8 stayaway involved the most significant working-class action of the year. Despite widespread initial scepticism about its potential for success, this was the longest and largest stayaway ever, with between 2,5-million and 3-million people staying away from work on each day. This action reflected massive protest against the Labour

Relations Amendment Act (LRAA), the state of emergency, and the February restrictions on 17 organisations.

The protest action was proposed at a Cosatu special congress held on May 14 this year. This congress was notable for its open debate and strategic assessment of conditions - unlike Cosatu's second congress in mid-1987, which was marked by divisions between different political tendencies in the federation.

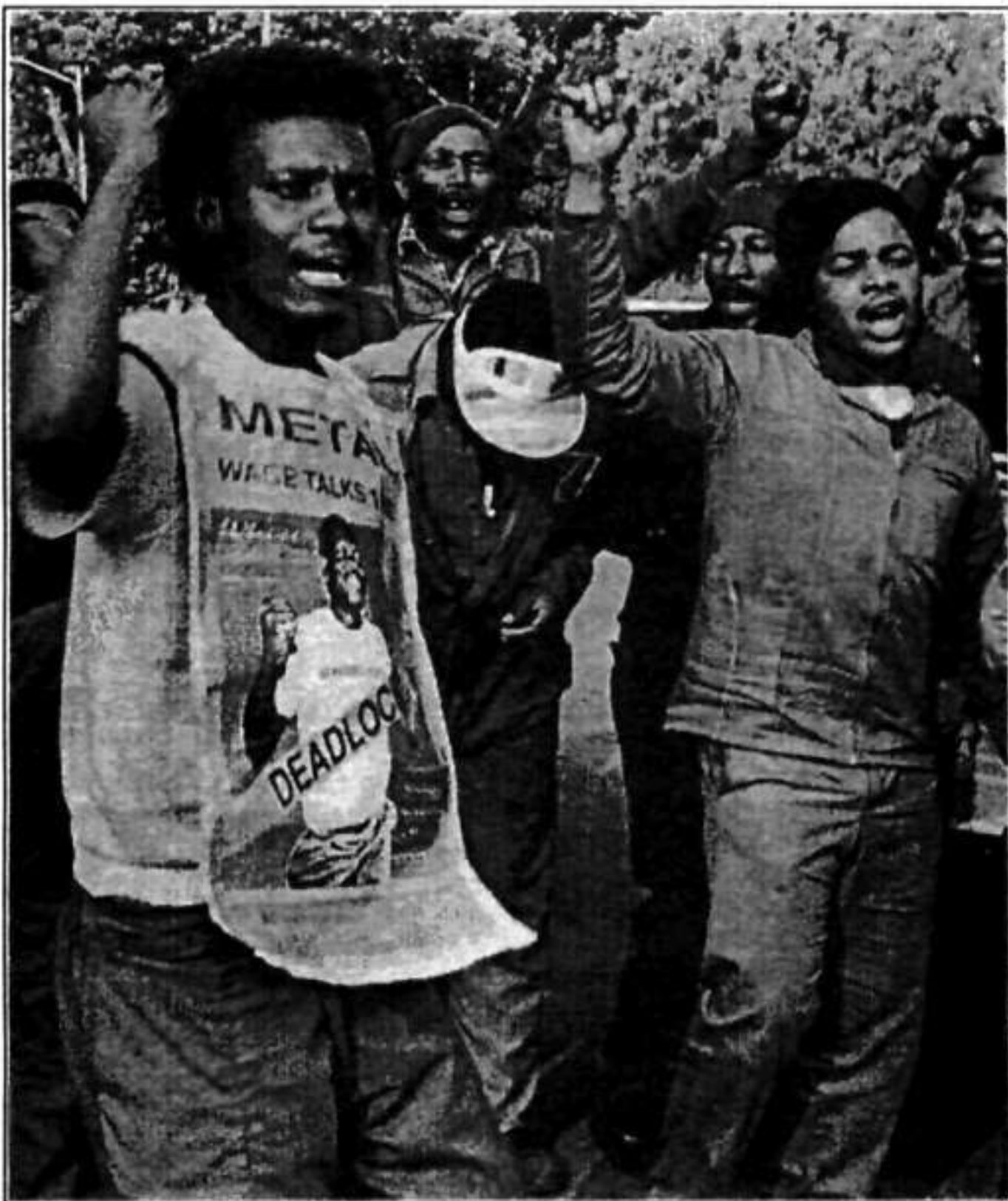
The outcome of this year's congress reflected a healthier balance between the different tendencies and a more democratic approach to decision-making. Cosatu information officer Frank Meintjies put it this way: 'The congress opened up debate on strategy and tactics on the road to socialism - as did the three-day protest and preparations for the anti-apartheid conference'.

The anti-apartheid conference was organised in terms of a resolution adopted at the special congress, where unions committed themselves to the establishment of a broad front of anti-apartheid forces. This took the political fight to the state in an attempt to deny it the opportunity of dividing popular opposition further.

The nature of alliances remains high on the agenda of the labour movement. Several meetings showed union willingness to test the ground for some form of co-operation with capital against the state. A significant gathering of this nature - held over the weekend of August 6-7, involved the leadership of Cosatu, the UDF and various high-ranking business representatives.

The Consultative Business Movement (CBM), an alliance of businessmen willing to 'play a role in the struggle against apartheid' - arose from this meeting. The CBM aims for an ongoing consultative relationship with popular organisations on issues affecting the economy.

The success of the three-day stay-away was based, in part, on union willingness to ally with the democratic movement. After this display of



The metal strike: Numsa's membership increased from 167 000 to 183 000 within three months

worker and community action, Manpower Minister Pietie du Plessis suddenly declared that his 'door was always open', and met with union lawyers to discuss objections to the new labour legislation. The South African Co-ordinating Committee on Labour Affairs (Saccola) initiated a series of meetings with Cosatu and Nactu to discuss the legislation. But Saccola backtracked and the parties failed to agree on a common strategy towards the legislation.

Saccola may have been testing unions' ability or willingness to sustain pressure on business - because on September 1, the bill was promulgated

and became law.

Options open to unions in opposing or dealing with the provisions of the LRAA are discussed in the Briefs section of this WIP. The long-term impact of the new legislation is not yet clear. As Meintjies puts it: 'The months ahead will tell whether trade unions will be permanently weakened by the Labour Relations Act or whether we will find strategies to advance nonetheless'.

The new labour legislation has led to increased joint action between Cosatu and Nactu.

'One-country, one-federation' is still seen as an ideal by some union-

ists. The May 2-3 Harare talks between the ANC and Nactu dealt with this issue, and the parties agreed it was imperative for the labour movement to strive towards the establishment of a single united labour federation.

A leadership with more clearly-defined Africanist leanings emerged at Nactu's August national congress. But general secretary Piroshaw Camay said the federation's general principles remain unchanged, and substantial policy shifts do not seem on the cards at present.

In a recent unity development, Cosatu and Nactu have agreed to convene a joint summit before the end of 1988. The summit will center around opposition to the provisions of the LRAA.

While Cosatu is growing and a number of union mergers have taken place in the three years of its existence, issues of unity have not all run smoothly, despite the federation's broad commitment to building one union per industry. Ccawusa and Cosatu have been unable to resolve internal political differences in the commercial catering union, while Gawu and Actwusa have failed to reach agreement over merging.

Many of the bigger, more-established unions came from a tradition of slow, solid shop-floor organisation. But rapid increases in membership and union engagement in broader political issues often prevented consolidation and education of new membership. Moving to consolidate the industrial unions, particularly in Cosatu, is now becoming a priority in current union organising strategies.

This turning inwards has meant unions often limit emphasis on the structures of their federations. Cosatu general secretary Jay Naidoo's comment in his speech to the federation's special congress probably still applies: 'The poor participation of Cosatu affiliates in the federation's structures has meant that forums where our militant shopfloor leaders could meet, plan



'While Cosatu is growing, issues of unity have not all run smoothly'

strategies to implement resolutions, and forge a clear way forward have not been used...'

Many recent union disputes have been handled at national sector level. The campaign over terms of disinvestment initiated by CWIU is an example of this (see Labour trends and Briefs). CWIU has also applied for a conciliation board over the issue of national sector bargaining with the petroleum industry.

The desirability of national bargaining forums is under investigation in a number of sectors. Numsa and three other IMF unions joined forces against Seifsa in the 1988 metal wage talks. No major wage gains were made, but important agreements were reached: a commitment from Seifsa to close the racially-determined wage gap; stop-order facilities to collect membership fees for IMF unions; a procedure to investigate unresolved allegations of racial discrimination; and May 1 and June 16 in exchange for two other public holidays.

While pushing for national bargaining to cover a majority of issues at industrial council level, Numsa also argues for plant-level bargaining over and above the yearly industrial coun-

cil package.

Sector-based shop steward councils are also emerging, supported by a number of unions. Ppwawu and Numsa workers in the Afcol group of companies are represented on a joint shop steward council. CWIU has initiated a similar set-up in the petroleum industry.

This raises the possibility of multi-union blocks negotiating with large multi-nationals. Barlow Rand may be a case in point for the future. In the same vein, a joint shop steward council has been set up by the SA branch of the International Union of Foodworkers for all organised factories owned by SA Breweries. Seven unions are represented.

And in the hotel industry Harwu, CLCTU, NLCTU and Ccawusa joined forces in negotiating wages and substantive issues with Southern Sun. The Southern Sun joint shop steward council represented the four unions - which together have over 8 000 members employed in the group.

Other issues of growing organisational importance include women's and gender issues, the unemployed, the development of co-operatives, and organisation of the farming sector. 'Cosatu's weak areas remain the public sector, where we have begun to make important inroads, and farmworkers where there has been little progress', admits Meintjies.

In August this year Numsa held a large women's conference. The union is in the process of surveying women workers in the metal industry to determine their specific demands and problems. Findings will inform a set of demands to be included in 1989 national wage negotiations.

Ccawusa organised a national women's day in August, the first commemoration of this sort to be organised by the union. Their women's group also includes men. TGWU, CWIU and Ppwawu have also resolved to address women's issues in the coming year, and Cosatu held a women's conference during August.

Nactu has an active federation-wide women's section which is one of eight units which have made up the federation structure since 1982. The unit has focused on issues ranging from shop-floor sexual harassment to legislation affecting married women and families. At the Nactu annual conference one of the issues discussed was the absence of women in the federation leadership. Patricia de Lille was subsequently elected Nactu vice-president.

Increasing retrenchments, and ever-growing numbers of unemployed workers, raise crucial issues for unions: how to deal with scab labour, and how to organise the substantial number of coloured, Indian and white workers who often make up the bulk of scab labour forces. The impetus to address these issues comes particularly from Natal, the Eastern and Western Cape. Cosatu has planned seminars to discuss programmes of action. In the Western Cape the Unemployed Workers Co-ordinating Committee is planning strategies on how to deal with scab labour.

Another growing focus is the organisation of the unemployed and the investigation of schemes or projects which can provide subsistence to at least a portion of these workers. NUM has employed a full time co-operatives co-ordinator to examine the viability of setting up productive co-operatives for unemployed mineworkers.

Dismissed Sarmcol workers in Howick, Natal started Sawco, a co-op which silkscreens T-shirts and runs a small farm. In Phalaborwa, 50 dismissed Foskor workers formed a co-op to silkscreen T-shirts. The project is five-months old and orders at this stage are exclusively from NUM. The Thusanang co-op in Brits was started by dismissed B&S metal workers. It has three production units: 14 women in a sewing co-op, five men running a fencing project, and five men in a brick-making project.

While co-operatives appear to pro-

'This year, the campaign against the LRAA overshadowed the Living Wage Campaign'

vide useful avenues for unity and co-operative working, the growing feeling among those involved is that they are not subsistence sources of employment for the unemployed.

Problem areas being discussed include: the fact that projects require huge capital injections; inadequate marketing strategies and techniques resulting in low sales of goods produced; lack of education, training and skills among members; problems of democracy and organisation of projects; and the fact that the projects often cannot pay members subsistence wages.

Wages remain the most volatile issue for workers, and the majority of strikes and disputes recorded concerned wage disputes. Last year, although the living wage campaign did not proceed as originally conceived in terms of building Cosatu structures, it did contribute to one of the biggest strike waves in South Africa's history.

This year the campaign against the LRAA overshadowed the living wage campaign. The campaign against the bill should have formed part of the living wage campaign, but the issues were viewed separately. The living wage campaign is still on union agendas: but while most unions include the rhetoric in their yearly demands, negotiations continue much as before.

The effective banning of many

political and community organisations forced Cosatu to adopt a more overtly political profile. And at no stage were the living wage and political struggles linked organisationally.

And in a serious failing, the concept of a living wage has not been quantified by the unions. With huge disparities in wages - the Labour Research Service in Cape Town calculates a range from R42 to R210 per week - it is unlikely that unions will be realistically able to demand an across-the-board minimum wage in the near future. The problem may initially be addressed through joint shop stewards' councils representing a number of companies spanning more than one sector, but owned by a single multi-national.

Cross-sector pressure again failed to materialise during the year. NUM and Numsa, for example, are logical allies around wage talk time. But once again this year, despite speculation about joint action, the unions in the most strategic sectors of the South African economy failed to co-ordinate their negotiations.

Last year, it was evident that workers in the metal and mining sector wanted a simultaneous strike. Leadership of the two unions have fairly diverse political profiles and this may be at the root of their failure to unify during crucial negotiations. Certainly neither union was in a position to undertake a protracted national strike this year, but evidence of unity in the two sectors would undoubtedly give employers something to think about.

With hardening management and government attitudes, unions' weakened financial resources after 1987 strikes, lowered standards of living for many workers, and an unwillingness to head each wage negotiation towards a strike, unions are often concentrating energies around provident funds, housing, health and safety, and parental rights in negotiations. Examples of this include the metal industry settlement, and the NUM/chamber of



Chris Ledebowski - Afrapix

The Labour Relations Act: It has already provoked countless protests, and will be one of the most testing challenges for the labour movement in 1989

mines settlement where offers around provident fund benefits rather than wage demands prompted the union to settle.

Arising out of its campaign against hostel conditions, NUM has looked at appropriate housing schemes for workers at De Beers, and discussions are taking place at Rand Mines and Samancor; Numsa, together with Metal Box management, is looking at a feasible housing scheme through the provident fund. The union is also exploring schemes at Iscor and Escom.

Most Cosatu unions are examining the benefits of provident funds. The precedent-setting agreement was between Fawu and Robertsons - a jointly-managed fund with the employer as sole contributor, backdated to 1952. And Numsa has proposed that the metal industry pension fund be converted to a provident fund.

The high accident and death rate on South African mines has meant that NUM has taken the lead in health and safety awareness. Its most recent breakthrough was an agreement with Phalaborwa mining which provides for 100 safety stewards elected by miners.

Other notable 1988 agreements in these areas include Cca-wusa's parental rights agreement with Pick 'n Pay which addressed the issue of gender discrimination, improved benefits for expectant mothers and included rights for expectant fathers; the NUM/chamber agreement on improved death benefits for miners' families; and the Gawu agreement with the Eastern Province and Western Province Clothing Manufacturers Association providing for yearly instead of two-yearly wage negotiations.

Employee Share Ownership Schemes (Esops) have recently become very popular with managements, but unfavourably received by most union leaders. Many bosses see them as part of the way to building a happy, non-antagonistic workforce, and they continue to make offers.

Anglo American in particular was heavily criticised for unilaterally making share offers to workers without any consultation with the unions. Samcor's share offer to Numsa workers resulted in strike action, with workers finally agreeing to the initial proposal that the shares go into a trust with trustee representatives from both workers and management.

Fawu rejected an offer from ABI saying the sale of shares advanced profit-makers' interests while dividing united action by workers.

A Numsa official said that if management's motive was to get workers

to work harder and strike less, they were offering far too little, and that the repressive context discredited any ideological gains they may have hoped to win.

An issue already affecting workers is privatisation - the 'streamlining, re-organising and restructuring' which most often means retrenchment for large numbers. The municipal workers' strike in Soweto is a case in point (see Briefs).

With government cutbacks, privatisation seems inevitable, and will probably increase in importance for the labour movement.

Several new forms of legislation were introduced this year, most notably the LRAA. Similar legislation - the Sats Labour Bill - was introduced covering employees of the SA Transport Services. It provides for the establishment of a labour council to deal with labour relations in the industry. Legislation affecting post office workers in the same way may be in the pipeline.

The envisaged labour council deals only with officially-recognised unions, and all unions, irrespective of size, and management, have the same number of representatives on the council. Sarhwu has rejected these provisions as undemocratic and these issues will form a central part of their recognition negotiations with Sats.

The industrial court has been fairly busy this year. Unions were pessimistic after the court's judgement against Mawu in the Sarmcol case last year, where 900 striking workers were ruled to have been fairly dismissed. But in the Sacwu vs Sentrachem case this year, the court gave management six months to eliminate racially-based wage discrimination, and ordered it to re-hire 500 workers who had been refused re-employment after a legal strike. Two other cases also resulted in workers, dismissed after a legal strike, being reinstated.

A major case which did not end up in court involved NUM's wage claim against Anglo American for workers dismissed after last year's three-week



'Nactu unions have negotiated wage increases above the Consumer Price Index'

— *Piroshaw Camay*

wage strike. NUM lost the issue at arbitration. Another out-of-court settlement involved Numsa and Iscor, where a dispute arising from last year's wage strike was settled with improved fringe benefits.

There were several major trials involving union members: the treason and sedition trial involving Numsa general secretary Moss Mayekiso and four Alexandra Action Committee members continues and will certainly carry on into 1989; the Kinross Gold Mine hearing ended with Kinross mine and five employees being acquitted on all charges relating to the 1986 mine disaster which claimed the lives of 177 workers; Sarhwu workers were convicted of murder following last

year's Sats strike, and Ppwawu members were detained after the killing of scabs during the Afcoll strike this year.

Despite some setbacks, Cosatu's Meintjies believes that 1988 'has been a good year for the labour movement, despite the restrictions and increased repression.

'On the shop floor we have made great advances with hundreds of thousands of workers taking strike action. Employer resistance to the living wage and attempts to impose the wage freeze have generally not succeeded', he said.

'There have also been important gains and concessions on "benefits" demanded as part of the living wage campaign. Politically the labour movement continues to play a crucial role in putting forward demands for democracy and an end to apartheid'.

Nactu's Piroshaw Camay says that the union federation he leads goes into 1989 'more determined than ever to continue the protection of members in the workplace and the wider community'.

Although the deepening recession has not allowed unions to improve wages in the same way as in previous years, Nactu unions 'have negotiated increases above the Consumer Price Index', says Camay.

Despite increasing employer intransigence and state repression, Nactu argues that it has improved its links with political organisations, churches, students and the aged, and was also able to meet with the ANC, PAC, BCMA and New Unity Movement during 1988.

In Camay's assessment, Nactu has emerged from its recent conference 'strengthened in spirit and with improved structures to build a national workers movement'.

But whatever this year's gains and losses for the union movement have been, 1989 - characterised by a flagging economy, the new Labour Relations Amendment Act, and a repressive environment - promises to be a testing time for the labour movement as a whole.