

Victory for NEHAWU workers

Within a month of the HWU strike in Cape Town, workers organised by the National Education, Health and Allied Workers Union (NEHAWU) embarked on strike action. Many of the demands put to the TPA mirrored those of the Cape workers, reflecting the poor conditions of employment in the public health sector nationally. A NEHAWU member reports.

On the 10th May 1990, after 10 days of strike action by over 12 000 hospital workers (from 18 hospitals) and intense bargaining by NEHAWU, workers won an historic victory. The TPA has agreed to the de facto recognition of NEHAWU. Recognition will certainly open channels of negotiation between the workers and the TPA and although the agreement notes that any arrangement decided upon by the TPA and NEHAWU does not commit or bind any other Public Service Department, it is clear that the victory will be felt and noted by workers in other parts of the public sector.

Although no immediate wage increases were discussed, the agreement states that negotiations around wages will commence within seven days of the signing of the agreement. Issues such as salaries, security job creation and training for 1990 will be dealt with in this way. The TPA also agreed to abolish the "temporary status" of all workers (who are NEHAWU members) employed for over 3 months and the agreement includes the right of women workers to keep their posts when pregnant. In cases where a labour dispute cannot be resolved by the union and the TPA, the agreement includes the right to arbitration. Other demands, such as access of union officials to the hospitals, stop-order facilities, a 40 hour week, and the elimination of discrimination were also won.

As regards the TPA's statements on privatisation, NEHAWU reserves its response but notes the TPA's undertaking that, in the event of privatisation or contracting out of service, employees will not lose their jobs nor benefits acquired and will be given the option of remaining in public service or joining the private enterprise. If workers choose to remain in the public service, the TPA must find alternative employment for them.

The TPA agreed that no disciplinary action nor victimisation of any worker involved in the strike would occur. The TPA would make favourable representation to the South African Nursing Council to ensure that this would apply also to those nurses who participated in the strike.

NEHAWU's demands

- **Living wage:** R1 100 per month minimum wage and an across the board increase of R400. (The recently announced 10% increase was rejected as not being in line with current rate of inflation nor cost of living.)
- **Parity on conditions of employment.**
- **An end to temporary employment status.**
- **Recognition of NEHAWU:** This recognition should lead to the establishment of a centralised collective bargaining structure.
- **Inclusion of all workers into an equitable labour legislation:** all workers in the public sector should be included into the Labour Relations Act which will allow the union to bargain collectively for better working conditions.
- **Desegregate health services.**
- **An end to racist employment practices in the health services.**
- **A demand for full rights and access to:** democratically elected representatives, freedom of association, collective bargaining, stop-order facilities and equal pay for equal work.
- **An end to the process of privatisation, which will result in mass retrenchment, unemployment and increased costs of health care.**

TPA refused to listen to the workers

The strike was a culmination of many years of dissatisfaction with working conditions in the health services. Over this period, NEHAWU has made numerous attempts to bring these grievances to the attention of the hospital authorities. The authorities, however, have used the fact that hospital workers fall under the Public Service Act of 1984, which makes no provision for the recognition of trade unions, as an excuse not to address the workers' problems. In response to a detailed memorandum presented to the TPA, the Director-General of the Witwatersrand Hospital Services replied that: "In terms of the provisions of the Public Services Act, 1984 only the Commission of Administration may recognise staff associations. Consequently this Administration is not in a position to formally recognise or enter into a recognition agreement with a trade union". Issues such as temporary employment, collective bargaining and privatisation were, according to the Director-General, "under consideration/investigation".

The memorandum was also submitted to all hospitals in South Africa where NEHAWU is operating. Already, there are indications that agreements will extend to other provinces.

On the 28th March NEHAWU wrote to the Minister of Administration and Co-

ordination and to the Minister of Health and Welfare, proposing a meeting to discuss the above demands but the union received no response.

The decision to strike was a painful one!

Given the desperation of the workers - many taking home a salary as low as R250 per month - a decision was taken to engage in industrial action in order to pressurise the authorities to respond. Workers, understanding the problems involved in health workers embarking on strike action, decided to restrict their protests to tea and lunch time demonstrations in order not to disrupt services.

Baragwanath, Hillbrow, Johannesburg, Natalspruit, Thembisa and J.G. Strijdom hospitals were involved in this action.

Some of the individual hospitals' superintendents responded to the action by telling workers the government will never recognise NEHAWU as it has links to the ANC; by claiming they had no NEHAWU members at their hospital (Edenvale) and hence were not obliged to receive the memorandum. At one hospital workers were threatened with court interdicts and the superintendent snatched workers' placards, threatening to call the police. Workers were accused of being drunk and told they would lose their jobs (Johannesburg Hospital). Workers at some hospitals were baton-charged by police.

When these demonstrations did not elicit a response, workers at Baragwanath took the painful decision to finally embark upon strike action. They were soon joined by



Defiant hospital workers outside the Johannesburg Hospital.

workers from Hillbrow, Johannesburg, Natalspruit, Willem Cruywagen, Lynville, Middleburg and Boksburg-Benoni Hospitals. Coronation workers went on a one-day work stoppage. On the 30 April 1990, workers from HF Verwoed hospital joined and workers from at least seven other hospitals were poised to join the strike.

On the 2 May NEHAWU and the TPA met at Baragwanath Hospital and a joint agreement was signed committing the TPA to begin negotiations with the MEC, the TPA and NEHAWU.

On the 3 May, Nelson Mandela and President de Klerk urged the Minister of Co-ordination and Administration to urgently meet with NEHAWU. This meeting took place but the issue was referred back to the TPA despite the TPA being unable, according to law, to recognise NEHAWU. During the following days, NEHAWU and the TPA embarked on intensive negotiations and on 10 May, the historic agreement was signed.

The media misrepresents workers as uncaring and irresponsible

The media, and in particular the state controlled SABC-TV, has misrepresented the situation in an attempt to discredit the workers and to detract from their legitimate grievances. The SABC-TV, in particular, attempted to turn public opinion against the workers by portraying them as irresponsible, uncaring people with no regard for patients' lives and wellbeing. This attitude from the authorities and the media applied also to the HWU strike in Cape Town.

In fact the workers went to great lengths to address the issue without strike action; it was only when their attempts were ignored that they were forced to take this difficult decision. Even then, the union made an effort to ensure that a skeleton staff was available for the provision of emergency services. NEHAWU met with progressive health sector organisations such as NAMDA, SAHWCO, SABSWA, CSW and OASSSA* to assist the union in identifying key areas in the hospitals that should remain unaffected. These were theatres, intensive care units, canteens providing food for patients, casualty and dispensaries.

NEHAWU went to great lengths to ensure workers from certain essential areas did not leave their posts, despite strong appeals from these workers to join the strike.

Furthermore, when workers from Paadekraal, Leratong and Sterkfontein hospitals expressed a will to strike, NEHAWU intervened, persuading workers that sufficient hospitals were already affected.

The media and the authorities also claimed large-scale intimidation by union members, of workers not wanting to strike. NEHAWU dissociated itself from such acts and intervened in the isolated incidences where intimidation did occur.

* Please refer to list of abbreviations on the back cover of this booklet.

Admin use patients as a weapon against the workers

These positive initiatives made by the union were ignored by the authorities and the media. In contrast to the union, the TPA displayed an uncaring attitude both to the workers and to the patients by using the patients' wellbeing as a weapon to prevent the workers striking, while continuing to ignore their grievances. Knowing the workers would be reluctant to strike where patients could be affected, the TPA believed it could avoid addressing the workers needs. It is interesting to note, however, that many of the patients affected by both the Cape Town and the Johannesburg strikes supported the workers and could be seen toying alongside those on strike. While nurses in some hospitals joined the strike (particularly at Thembisa, Hillbrow and Natalspruit hospitals), progressive doctors, nurses and other health workers also expressed their support for the workers through joint press statements made by their organisations such as NAMDA, SAHWCO, OASSSA, SABSWA and CSW.

Gains for NEHAWU

Aside from the specific agreements made between the union and the TPA, the strike achieved the following important gains:-

- illustrated the essential contribution made by non-medical health workers to patient care;
- exposed the appalling conditions under which these workers have been employed;
- revealed the extent of support for NEHAWU and the lack of credibility of the staff associations;
- ensured that issues of great concern to workers, such as privatisation, will not proceed without challenges from the workers;
- strengthened workers' confidence in their ability to organise and negotiate;
- increased the number of organised workers;
- demonstrated the ability of the organised working class to implement progressive structural changes in the health services - as seen, for example, in the TPA's agreement with NEHAWU to desegregate all hospitals;
- brought together a wide range of health workers, from general assistants to nurses to doctors, in the struggle for recognition of workers' rights;
- forced the government to make public statements on positive steps towards changes in the health services, for example on privatisation and desegregation;
- the government has agreed to negotiate with the union on a national level.