

# FOSATU WORKER NEWS

Federation of South African Trade Unions



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AT 4.30 pm on Monday June 27 the first legal strike for many years began at Natal Thread at Hammarsdale.

Nine days later the company acknowledged its defeat and negotiated a settlement with the National Union of Textile Workers.

The Natal Thread workers not only won a 15c an hour wage increase with back pay (a wage dispute had been the cause of the strike) but they also won the effective right to strike.

In South Africa, after going through lengthy legal procedures workers can go on a legal strike.

## No dismissal

This means that they do not face criminal prosecution for striking but does not protect them from being fired by the company.

In terms of the Natal Thread victory, the company agreed that in a legal strike it would 'either dismiss all such strikers or none of them'.

It also agreed that 'in the event of the company having dismissed the strikers it would only either re-employ all of them or none of them'.

This agreement is similar to British labour law where workers have won legal protection for strikers.

This agreement protects strikers from dismissal because it is highly unlikely that a company would fire the entire factory as it would have to train a completely new workforce from scratch.

Also, if the company takes back one of the strikers, it has to take back them all.

## First success

This makes the Natal Thread strike the first successful legal strike in recent labour history in South Africa.

The strike was marked by the solidarity and discipline of the 400 odd workers involved.

For five hours a day machines, which usually thudded all day long in the factory, were silent.

At 4.30 in the morning and afternoon, the shift workers closed down their machines.

The machines remained silent until the next shift arrived at 7 and then began the long process of starting machines designed to run continuously.

## Understanding

NUTW branch secretary, Prof Sineke said although the day shift had not been involved in the strike, there had been sufficient understanding among the workers not to cause division.

Through the strike, Natal Thread lost a full week's production - costing the company thousands of Rands.

## Fair bargaining

But the workers won a significant worker right - the right to strike without the fear of selective hiring or firing.

This is surely a step towards a better and fair collective bargaining system. Let us hope that more employers follow the lead set by Natal Thread.



The smile of a winner - Natal Thread workers.

# THE RIGHT TO STRIKE

THE Natal Thread agreement marks another step toward winning an effective and legal right to strike for the workers of South Africa.

As we have seen over recent years workers will strike even when the law says it is illegal if they feel they have no other choice. However a strike is very costly for workers and the decision to strike is never an easy one.

Because the strike is such an important weapon of workers in the unequal struggle with employers they have also to fight to get legal protection. We want to change the moral right to strike into a legal right to strike as well.

This legal right to strike is important because it offers greater protection to strikers and allows them to use the strike weapon with more discipline and less risk of violence.

There are certain very important matters which together would create this legal right to strike. They are:

- The right to free and independent organisation
- Effective collective bargaining procedures that quickly resolve differences and disputes
- The right to picketing during a strike i.e. the right to persuade workers not to enter the gate
- The right and ability to pay strike pay
- Protection against dismissal during a strike.

In South Africa there are two reasons why we don't yet have this right. Firstly the Labour Relations Act procedures are so slow that they encourage 'illegal' strikes. Secondly even though the Labour Relations Act provides for legal strikes in which there can be picketing and strike pay other acts such as Internal Security and Intimidation are used to prevent these provisions being effective.

Despite this gains are made. The FOSATU type recognition agreements with shop stewards, and procedures for grievances, discipline, negotiations and disputes have improved the collective bargaining position of the unions.

The Natal Thread Agreement tackled the problem of dismissal. It is the usual practice of employers in illegal and legal strikes to dismiss all workers and then selectively reemploy those that they want back which usually excludes strong members and shop stewards.

The Agreement prevents such selective dismissal and re-employment during a legal strike so management now have a choice of dismissing all workers permanently or dismissing none.

This is not such an easy choice and gives workers a fighting chance in their struggle for a more equal balance of power in collective bargaining.

**In the first legal strike for many years, Natal Thread workers won a significant worker right**