

FACTORY FLASHES

we are always offered second-class citizenship and it will only be acceptable to that second-rate leadership that think only of themselves and not workers rights.

The government is proposing the following changes that are totally unacceptable to us:

Controls on unregistered trade unions that will in fact make registration compulsory.

Workers and workers alone must decide which unions they want to join - we will fight all attempts by government and employers to decide for workers.

The division of workers - it is proposed that workers from outside South Africa will be deported if they participate in an illegal strike.

This is not only totally unjust it is a totally unacceptable principle - where will it stop? Today it will be Mozambique workers, tomorrow Trankei and the next day those from KwaZulu. This harsh law will not stop strikes but will only encourage clever employers to employ more foreign workers - the old story of divide and rule. Greater government interference in trade union affairs.

More powers are being proposed to control trade union funds, strike ballots, elections of office bearers, political links and to give the power to deregister. Our struggle is for less government interference and not more.

All in all we once again see quite clearly who the laws are made for - companies can get money from overseas, they can give money to political parties, their Registrar has few powers, they can have working conditions that kill workers and they must all have free enterprise without restrictions.

The government has time to think if they go ahead then 1981 marks the end of the Industrial Conciliation Act, if they come to their senses then the chances of stable industrial relation may have some hope.

There seems to be some hope as the Minister has stated that some of the points are being considered.

of the fund but this now seems highly unlikely. The fight for the truth has been tough. Clean-up committee members were suspended from NULW membership, had court interdicts stopping them holding meetings and were pressured by employers. The NULW continually defended its actions by trying to discredit its critics by linking them to FOSATU. However workers didn't seem to see this as a problem at all.

Mr. Gooriah left the show-ground meeting abruptly when he realised he and his committee had been trounced. When contacted by FWN the next day however he was already planning on how to stay on in fund. "I am more than happy to work with the new committee" he said.

Asked whether he would co-operate with an investigation by the new committee he said "I'll have to won't I but its an awful

waste. The fund has already spent R30 000 investigating. That money could have been used for benefits for the workers".

In a tough reply a "clean up" committee trustee Brother N. Naicker said: "One of the first things we are going to do is investigate what that R30 000 was spent on and who authorised the expenditure. We've had much more than we can take and we are not going to leave a stone unturned. Justice is going to be done and seen to be done in the new year".

One worker spokesman summed up the situation in the following way:

"It seems clear now that the older type of conservative trade unionism which rely mainly on the activities of few officials and organisers will be forced to give way to demands of more control from the shop floor by workers".

VICTIMIZATION — EMPLOYER FOUND GUILTY

Finally workers have succeeded in getting at least one employer convicted of victimisation. For years workers have suffered from victimisation but the Department of Manpower Utilization either refused to investigate, or took too long to do so or the attorney generals would not prosecute or the case failed because the law favours employers in victimisation cases.

However, hard work, good labour lawyers and the truth finally won the day after years of trying. In 1977 Angel Makhanya was dismissed by S.A.G. Ceramics on the East Rand. At that time she was a member of an Urban Training Project union. However, they did not take the case up and she turned to FOSATU's Industrial Aid Society.

The first round was lost when a magistrate dismissed the case. However this was taken on appeal to the Supreme Court where we won. The case then went back to a magistrates court as a private prosecution - that

is Makhanya and not the State was prosecuting S.-A.G. Ceramics even though victimisation is a criminal offence. This in itself was a rare procedure.

The trial had its stormy moments. At one stage the magistrate ruled that the trial should be in camera and that even Makhanya should leave the court because she may intimidate witnesses. When she threatened to withdraw her lawyers from the court the ruling was changed.

The final verdict was welcome but even that showed up the weakness of the victimisation laws. S.A.G.-Ceramics was fined R100. However, the State has to pay Makhanya's costs and the costs of the appeal. Makhanya also has a civil claim for damages.

After three years only FOSATU's resources and the experience of their labour lawyers won the day. But it only goes to show that an individual worker has absolutely no legal protection against victimisation. Organisation is the only answer.

Motor Industry - wages continue to be a problem in the giant motor industry. A two day stoppage on the 27th and 28th November at BMW near Pretoria ended in an agreement of R1,60 per hour minimum plus a service allowance. This will be effective from 1st January 1981.

Wage negotiations are also taking place at C.D.A. (Mercedes) in East London.

Veldspun - following the fight for recognition of FOSATU's National Union of Textile Workers (NUTW) and recent successful negotiations, workers at this Uitenhage factory have begun to resign from the TUCSA Textile Workers Industrial Union. At last they feel they have got a real union.

PUTCO Agreement - FOSATU's Transport and General Workers Union (TGWU) recently signed a procedural agreement whereby TGWU will be recognised in all depots where it has more than 50% membership. The agreement is being implemented at Springs and in Natal.

Paper Employers take the wrong line - in a surprising move SAPPI, a major company in the paper industry, has stated that it will only deal with FOSATU's Paper Wood and Allied Workers Union at the Industrial Council level. Big companies should be showing the way not trying to go backwards. It should be clear to everyone by now that the unions have to operate at factory level as well.

Raleigh Cycles - this company seems determined to make a bad name for itself in labour history. In 1974 one of the first serious clashes between the unregistered unions and employers took place. Now again in 1980 the company is taking the same hard line.

Recently two workers were dismissed for alleged fighting. However shortly before this two other workers had not been dismissed for the same thing. Following a breakdown in negotiations between the Works Committee and Management workers downed tools on the 27th November. Management refused to negotiate with the Union and are refusing to take back more than 500 workers.

