

# ISI SEBENZI

NO. 1. APRIL 1974.  
(ENGLISH TRANSLATION)

## SORROWS IN THE RAILWAYS

On Thursday 14.2.74 workers of the S.A.R. & H., employed at Shop 9, Mechanical Section, Pietermaritzburg, were asked to work overtime. Half of the workers wanted to know what the overtime rates were to be. Because they asked this question they were suspended from work. Two workers from the other half of workers who had not been suspended asked that the suspended workers be re-instated. They said that they would not work until this was done. This was not done so they refused to work. The police were called in, which is the normal routine of employers who have no effective means of communicating with the workers.

The workers claimed that they had never refused to work but had simply asked what the overtime rates were. They wanted those who had been suspended for asking this, to be re-instated with pay and all charges lifted.

On the following Saturday a meeting was called at the Metal & Allied Workers' Union Office and a memorandum was drawn up. This memorandum is as follows, and was signed by the workers and is endorsed by all the S.A.R. & H. workers.

### MEMORANDUM

17.2.74

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We, the undersigned employees of the S.A.R. & H. employed in Shop 9, Mechanical Section, Pietermaritzburg, do hereby enumerate the several problems that we consider call for relief, and bring to your attention, so as to ensure peaceful and satisfactory labour relations:

1. That certain workers on Thursday, February, 14th, 1974, refused to work overtime, and consequently were suspended from duty without pay. On the same day, fellow workers who had not been affected by the suspension order, approached two foremen and requested that the suspended workers be re-instated. Until they were re-instated, the workers were not prepared to work. Since we considered it unjust for the Railway authorities in the first place, not to have considerations applicable to overtime work, more specifically the exact rate of pay for overtime, and the method of calculation thereof.

We hereby call upon the Administration to state clearly in writing to all workers:

- (a) The overtime rate and method of calculation thereof.
- (b) Whether or not overtime work is optional or compulsory.

- (c) That the pay slips must clearly state the number of hours worked, the hourly rate, the number of hours overtime and the rate paid for overtime.
- (d) The authority for the above.

2. We further wish to state that the present wage is insufficient in the light of the escalating cost of living. We ask the Railway authorities to advise us immediately when the wages will be reviewed, and to give us an undertaking that we will be consulted in this regard.

We further ask the Administration to state clearly in writing the deductions made, and the reasons for the deductions made.

3. We further request that we be given written advice as to the terms and conditions under which workers may be suspended and that copies of the relevant legislation be made available. We respectfully call for the establishment of a judicial enquiry into the whole question of hiring and dismissal of employees, and to all relevant matters concerning workers, so that we might have the opportunity of explaining our position.
4. We call on the Administration to refrain from victimising our leaders, to recognise our democratically elected leaders, and to permit them to operate on Administration properties.

We categorically state that under no circumstances are we prepared to accept the workers who are our so-called representatives recognised by the Administration at present. We wish to know under which law these elections are held, the constitution governing the present worker-management communication system, and whether minutes of their meetings are kept. If so, we call for copies thereof.

5. We call upon the Administration to issue to all workers, copies, in English and Zulu, of the rules and regulations governing the pension scheme operated by the S.A.R. & H.
6. That workers injured on duty have to wait a long time for Workers' Compensation to be paid.
7. We wish to know the regulations governing sick leave and sick pay; in particular we wish to know whether we have the right to visit our own doctors and whether the Administration will nevertheless pay sick pay in terms of the regulations.



We consider this one of our major grievances, other than the whole question of wages, since the Railway doctor in Pietermaritzburg does not really attend to workers, and we do not get paid for the time spent away from work due to illness.

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On the Monday the workers assembled at work and presented the Memorandum. It was received by an official of the Railway C.I.D. It was later returned with the instructions that its contents were understood but that it was unacceptable. You may judge for yourself whether you feel the proposals to be unacceptable or not.

The officials claimed that they could do nothing but they said Pretoria, Head Office, was looking into the matter. It was believed that an official had arrived from Pretoria. The workers therefore decided to return to work on the belief that the memorandum was being examined and a reply would be given. Thus it is evident that the workers did not wish to cause unnecessary trouble and were content to wait for an answer.

We, the Administrating Officials of the Metal and Allied Workers' Union and the General Workers' Benefit Society, sent a draft of the memorandum to the Systems Manager, for Natal, Mr. Engelbrecht. At the time of writing, the 20.3.74, no reply had been received.

As a result of the problem encountered by the workers, they decided to hold a meeting at Umbali on the 12.2.74. About 300 workers turned up to voice their grievances and elect representatives. The General Workers' Benefit Society was asked to chair the meeting, with the police present.

#### MORE SORROWS

The S.A.R. workers employed at the Municipal market, reported at the staff office to complain about the bus fare increases. The workers spend an average of 56 cents a day which makes about R13.00 per month on travel alone. This must be paid from an average salary of about R54.00. What angered the workers, was the fact that two years ago they were promised a travel allowance because the market was moved.

What the workers wanted was for the S.A.R. to provide transport from the main station to the market. This was refused, so every day the workers appeared at the Staff Office to complain. They were issued an ultimatum - go to work or be fired - this was the S.A.R. method of negotiating. The workers therefore presented a memorandum on 7.3.74 to the Systems Manager. At the time of writing nothing has been done (20.3.74).

Another incident occurred with the workers of Y-Section Stores of the S.A.R. & H. The Stores Superintendent suspended 30 workers for 7 days, after he had demanded that they report to him with their clock cards at 12.25 p.m. and they had refused.

asking him to state his reasons and to present the ruling which required them to do this. The police were called in as they were approaching a foreman as a body and asked him about this ruling. He said he would only speak to the elected representative. The workers pointed out that the elected representative was no longer working with them and so they had come as a body. The foreman did not listen to their case and charged the workers for being absent from work from the time they first went to the foreman.

The workers appealed to the Administrators of the General Benefit Society. They in turn contacted a lawyer who wrote to the S.A.R. Officials wanting to know the regulations which required the workers to clock in at lunch time and what the charge of suspension was.

The S.A.R. Officials replied that the workers had adequate, competent channels through which they could air their grievances and that they must use them.

The workers were then informed that they were suspended for 7 days with no pay. They were charged and found guilty of not following proper instructions from competent authorities. They were each fined R3.00.

Here we can see the manner in which the S.A.R. Officials negotiate with workers. No attempt seems to be made to insure that both sides are given a fair hearing.

The S.A.R. Officials repeatedly insisted that the workers in the S.A.R. have an adequate system of communication and the right to air grievances to elected officials who would communicate them to the proper authorities. They claimed that all cases were handled with sympathy and prompt action was taken. By the above facts of what occurred it would seem that this is not the case.

Firstly, in the majority of cases the representative was elected by the foreman, not the workers and that the workers had to vote for the nominated man. The workers claimed that no one listened to their grievances as the representative was not truly representative. Therefore they held the meeting to elect their own true representatives.

The workers are angered because the white workers are allowed trade unions through which they can negotiate wages and air grievances. The black workers are not allowed trade unions and therefore have no effective voice in the management of their affairs. Another complaint of the workers is that no matter what their qualifications they are classified as labourers. The wage scale is as follows:

1st year of work	-	R45.00	(lowest)
2nd	"	"	" - R48.00
3rd	"	"	" - R54.00
4th	"	"	" - R57.00
5th	"	"	" - R60.00 onwards



Would the man who works as a shunter be classified as a labourer? Or the Operator, would he be classified as labourer? The black workers receive approximately 5 cents an hour overtime, whilst Saturday is not considered as overtime.

However the major complaint of the workers is the treatment or rather lack of treatment given by the doctor. The sick room has no attendants or nurses to look after the men who are sick and they have to be attended by their fellow workers. This seems to be a fault of the management, who should see to it that the health of their workers is cared for. Perhaps the S.A.R. Officials will look to this matter and provide adequate facilities.

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### UNEMPLOYMENT INSURANCE ACT

The unemployment Insurance Act is a law which gives the following benefits to workers who are entitled to it:

1. Money if they are unemployed.
2. Money if they are off work due to illness.
3. Money if they are off work due to pregnancy.
4. Money to the widow and dependent children of a worker who has died.

The Unemployment Insurance Act covers all workers earning less than R82.00 per week. It covers all African factory/shop or office workers whose basic wage - (i.e. without overtime or bonuses) - is more than R10.50 per week. Those Africans earning less are not covered by the Unemployment Insurance Act, also farm labourers, workers in rural areas (except factory workers) domestic servants and government employees.

### HOW UNEMPLOYMENT INSURANCE ACT WORKS

Money is deducted each week from workers who qualify for unemployment insurance and their employers, and this money goes into an Unemployment Insurance Fund. The Government pays into this fund as well. The money is used to pay out the above mentioned unemployment benefits.

All workers who are covered by the Unemployment Insurance Act must be registered by the employer, with the Unemployment Fund Office in Pretoria. The employer must do so within one month of his labourer beginning to earn more than R10.50 per week. The law demands that the employer carries this out.

When a worker has been registered, an Unemployment Insurance Fund contributor's card (blue Unemployment Insurance Fund card) is made out for him. This is sent to the employer who keeps it until the worker leaves his service; then the card must be given to the worker. It is against the law for an employer to keep the workers blue Unemployment Insurance Fund card after he has left his services. If an employer does not give the card, then the worker must report it to the Department of Labour immediately.

WHAT TO DO IF YOU, A WORKER, BECOME UNEMPLOYED

1. Get your Unemployment Insurance Fund card before leaving the factory. You will only get one if your basic wages are more than R10.50 per week. See that the card is filled in by the employer, showing how long you contributed to the Unemployment Insurance Fund while you were working and the reason why you left the services of your employer. There are three official reasons for leaving and these are numbered 1, 2 and 3:
  1. Resignation.
  2. Reduction in staff.
  3. Any other reason.

NOTE:

A worker may sometimes be dismissed before his employer has received his Unemployment Insurance Fund card. When this happens, the worker must ask for a letter explaining the case. This letter can be shown when the worker finds other employment. If the firm is still applying for the card, then the worker must make arrangements to collect it from the firm, or have it posted to the Union Offices,

Allied & Metal Workers' Union &  
General Workers' Benefit Society,  
P.O. Box 8131,  
PIETERMARITZBURG.

where he can collect it.

2. You must register immediately for work at the Bantu Affairs Department. You will be issued a work-seekers permit.
3. When you have your work-seeker permit you must apply for unemployment benefits at the Department of Labour or Magistrates office whether you have your Unemployment Insurance Fund card or not.
4. If you cannot be placed in employment, you will have to produce your Unemployment Insurance Fund card or obtain it as soon as possible. If your previous firm is still applying for it, you must tell the Unemployment Insurance Fund Office.

Remember: You are allowed to apply for unemployment money without your Unemployment Insurance Fund card, but will only receive money when you produce the card.

5. The Claims Officer at the Department of Labour will investigate your claim and if satisfied will authorise the payment. You must prove to him that you are capable of and available for work and that you have been actively looking for work.
6. You will have to go to the Unemployment Office regularly to sign the Unemployment Register and collect unemployment money.

No unemployment money will be paid to you, the worker, unless:

- (a) You are available and capable of work.
- (b) You gave money to the Unemployment Insurance Fund for at least 13 weeks in the year before you became unemployed.
- (c) At least one week has gone since you applied for unemployment money and you are still unemployed. (You will not have to wait this one week if you were unemployed on another occasion at least 9 weeks before your present unemployment).

NOTE:

If the Claims Officer thinks you resigned from your job for no good reason, or have been sacked through your misconduct, you will not receive any benefits for the first 6 weeks, starting from the date you applied for unemployment money. After 6 weeks, if you are still unemployed you will receive your money each week.

APPEALS

If your unemployment benefits have been refused or the Claims Officer has imposed the 6 week penalty, you may appeal to the Unemployment Benefit Committee. This Unemployment Benefit Committee is made up half by employers and half by Trade Unionists, and meets once a month. Your appeals must be in writing and must reach the office of the Department of Labour within 21 days of you having heard the decision of the Claims Officer.

WHAT TO INCLUDE IN YOUR APPEAL:

1. Your name and address.
2. Your identity number.
3. The name and address of the firm where you were last employed.
4. The date you applied for unemployment benefits.
5. The address of the office where you applied e.g. Bantu Affairs Commissioners Office.
6. The date you were told of the Claims Officer's decision.
7. What the Claims Officer's decision was.
8. Why you are appealing against this decision.
9. The letter must be signed by you.

NOTE:

You may ask to appear before the committee to give oral evidence. If the committee will decide and send its decision to you in writing.



If you are not satisfied with the Unemployment Benefit Committee's decision, you may appeal to the Unemployment Insurance Board. This appeal must be made in writing in duplicate and must reach the Unemployment Insurance Board, P.O. Box 1851, Pretoria, within 14 days from when you hear the decision of the Unemployment Benefit Committee.

WHAT TO INCLUDE IN YOUR APPEAL TO THE UNEMPLOYMENT INSURANCE BOARD

1. Your name and address.
2. Your identity number.
3. The name and address of the firm at which you were last employed.
4. The date you applied for unemployment benefits.
5. The address of the office to which you applied.
6. The date when you were notified of the Unemployment Board Committee's decision regarding your first appeal against the Claim Officer's decision.
7. What the decision of the Unemployment Benefit Committee was.
8. Why you are appealing against this.
9. This letter must be signed by you.

HOW MUCH YOU, AS AN UNEMPLOYED WORKER, MUST RECEIVE

Depending upon your basic weekly wage (i.e. not with overtime and bonuses) during the year before you became unemployed, you will receive the following amounts, each week you are unemployed.

If you used to get the following weekly basic wage:

Under R4.50

Between R4.50 and R7.50

Between R7.50 - R10.50

" R10.50 - R13.50

" R13.50 - R16.50

" R15.50 - R19.50

" R19.50 - R22.50

" R22.50 - R25.50

" R25.50 - R28.50

" R28.50 - R31.50

" R31.50 - R34.50

" R34.50 - R50.00

Will get the following amounts per week while unemployed:

R2.45 (or  $\frac{3}{4}$  of your former wage, whichever is the less)

R3.50 (or  $\frac{3}{4}$  of your former wage, whichever is the less)

R4.55

R5.60

R6.65

R7.70

R8.75

R9.80

R10.85

R11.90

R13.30

R15.40



HOW LONG WILL YOU RECEIVE THESE PAYMENTS?

The longer you paid money into the fund before you became unemployed, the longer you will receive payment whilst unemployed. You will receive one weeks benefits when unemployed for every six weeks during which you paid into the fund since you started working. You will not receive unemployment money for longer than 26 weeks in one year no matter how long you contributed to the fund before. (The year in this case is calculated from the date on which you applied for the Unemployment Insurance Fund benefits).

Next issue will deal with WHAT TO DO WHEN YOU, THE WORKER, IS OFF SICK

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COMPENSATION MONEY TO BE CLAIMED BY WORKERS

If you are a worker who is owed compensation money, be sure to look in the newspaper "Ilanga" which will be publishing a list of the workers who can claim. There will also be a list of names of those workers, who have money owing to them, at the Trade Union Offices, Community Centre, on the first floor, corner of Church and Thomas Streets.

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CORONATION CRISES

At the large Coronation Brick Works it seems that the workers are being treated with little respect by the management. Workers claim that employees in certain sections are not given a lunch break and that generally workers work excess quotas which, in turn are fixed randomly.

Another problem which seems to have escaped managements notice, for they have done little to help it, is the fact that the workers in Pietermaritzburg are compounded from migratory labour from the Transkei and therefore need housing. At present they are living in very bad conditions and with an average wage of R16.50 per week the situation does not give rise to contented workers - the workers are naturally angry at the conditions they are expected to work under and be productive.

Perhaps the management will attempt to remedy this!?

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ITMA STORY

The management at the Itma textile factory seemed to be in the front when it came to employer-employee relations. They accepted the Textile Union representative, who was elected from the workers by the workers. They also introduced a new wage scale but this was unsatisfactory to the workers. They therefore asked the representative to tell the management their grievances. The manager's reply to the representative was that he knows exactly what each worker's capabilities are, and what work he does. The representative returned and asked the foreman if he could hold a report-back meeting. He was given time after lunch to do so.

THE MEETING

At the meeting the production manager arrived and was asked to explain the new wage scale. He asked four individual workers if they were satisfied with the new wage scale; all of them said no. The Production Manager then walked out of the meeting. The workers asked the foreman if he was going to return to give an answer to their grievances. The foreman then phoned the Production Manager and asked him what his answer was. The Production Manager replied - those workers who are not satisfied can leave. So once again the management, who had first established communication channels, failed to use them properly and returned to the ineffectual method of "take it or leave it".

This attitude does nothing to better the positions of both employers and employees and only serves to encourage anger and discontent. The stubbornness of the employers will be the cause of much conflict unless they change their manner.

The workers naturally found the reply of the Production Manager insulting, as it was not their intention to leave but rather to negotiate. All they wanted was a civil reply. They therefore decided to consult the Main Manager. On the way to the management's office they were confronted by the Production Manager who ordered them out of the factory and to send their representatives in. The workers left the factory and sent their representatives in.

The representatives were presented with an ultimatum to tell the workers - return to work in 15 minutes or be fired. Again no attempt was made on behalf of the management to negotiate terms, or to come to an understanding. This is not impossible to do - many other factories have successful meetings to determine wage scales.

The workers representative returned to the workers waiting outside the factory, and began to tell the workers what the management had said. Whilst they were doing this, the management arrived and made a statement to the effect that the workers must return within 5 minutes or be fired. Another example of the management failing to attempt an open discussion which would lead to a friendly settlement.



The workers pointed out to the management that it was not them who had wanted to leave in the first place - it was the management who had thrown them out. The workers asked the Production Manager if he would make himself clear, as it was he who had first ordered them out, and now seemed to be ordering them to return. All the while management was issuing these ultimatums they were angering the workers as it was a blatant example of the management failing to negotiate, which was what the workers wished for.

The Production Manager refused to say anything more and the workers were locked out of the factory. They stayed there from 2 p.m. until 6 p.m. when the night shift joined them.

At this point the Union Representative was sent to the factory in an attempt to negotiate and resolve the situation. He was told that the Union was no longer recognised. The police who had been present during the period that the workers were thrown out, then told the workers to return the next day and attempt to continue negotiations through their elected representative.

At 8 a.m. the next morning the elected representatives went into the factory with the hope of settling the dispute. Outside the gates, the police watched, while the Union representative and workers waited. While negotiations were still going on inside, a truck load of 30 workers just recruited from the Bantu Labour Office arrived and drove into the factory.

This naturally angered the workers as it showed that the management was not really negotiating with the representatives and that they had already arrived at a decision.

At this point the representatives returned and told the workers that the day shift were all fired and that the night shift could return to work. The night shift, in agreement with the grievances of the day shift, decided not to return to work unless all the workers were allowed back. They were then told to return on the Wednesday at 2 p.m. to collect their pay.

The workers arrived and so did the police. Also present was the Union representative. The management then told the workers that they could reapply for work one at a time. The workers asked if all would be re-employed? The answer was no - only those jobs that were not taken by the 30 workers who had arrived the previous day, would be vacant. This was of course not accepted by the workers as it was merely in keeping with managements attitude to labour problems - no attempt to settle with the workers but simply lay down ultimatums. The workers said that all the workers originally sent out must be allowed to return. They therefore marched to the Kwa-Zulu Office in an attempt to obtain help from Mr. Barney Dladla, the Minister of Labour for Kwa-Zulu. The Union official was warned by the Security Branch that if he addressed the workers he would be charged under the Riotous Assemblies Act.

Mr. Dladla, who had successfully negotiated terms for the workers at Danhill Textile in Durban, rushed up to Itma factory. After negotiations between him

and the management, all the workers except for 10 were accepted back. A Union lawyer is at the moment appealing against this dismissal.

It would be interesting to know why it is that management is willing to negotiate with Mr. Dladla when he represents the workers. The success of Mr. Dladla shows that negotiations and open discussion between workers elected representatives and management can and does succeed.

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REMEMBER:

You must be prepared to attend meetings whenever you are called. You must be interested in reading all the pamphlets you receive. Remember unity is strength; strength is ours. Being one, we shall overcome.

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