

REYNOLDS'; SCENE OF A STRUGGLE:

The recent events at Reynolds, a shoe component factory in Pine-town, provide a striking example of the powerlessness and inefficacy of works committees, and an insight into the way some managers use their power.

The works committee was established in 1972, though it was not registered. It was suggested by Mr. Smith, the manager, after a strike because he objected to such "violent" means for settling disputes. However, while objecting to strikes Mr. Smith, as the details of the events show, is also not prepared to share his decision-making powers with the workers. He seems to believe in the possibility of eradicating conflict by having a peaceful, docile, submissive workforce; he seems to believe that conflict itself is illegitimate.

The cause of the lock-out was the failure on the part of management to satisfy the expectations of workers, who anticipated an annual increase of 2c per hour in April. The anticipation was based on past experience. Taking into account the low wages paid to the workers, and considering the effects of inflation on their real wages, the consternation which this caused the workers is understandable. The factory is covered by an Industrial Council Agreement for the Engineering industry, which was gazetted on March 29, 1974. This Agreement includes clauses for African workers. Most of those involved in the dispute fell under Rate I, which lays down the minimum wage of 32c per hour or R14.40 per week. It is alleged that some workers were paid less than this amount.

The workers decided to send the members of the works committee to Mr. Smith with their complaints; to use the negotiating machinery established at the instigation of management. Neglecting to listen to their complaints, Mr. Smith told them that no increase would be given, and that this information should be conveyed to the workers. When asked how the workers were expected to cope in a situation of rising prices, Mr. Smith said that since the price of raw materials had risen, there was nothing he could do. The members of the works committee called a meeting of the workers, but before they could give their report, the meeting was interrupted by Mr. Smith, who told the workers that if they were not satisfied they must leave. He is alleged to have shouted at the workers and used abusive language. He offered them an ultimatum; work with no increase or be fired. When the workers tried to appeal to him, he told them all to leave the factory, which they did, waiting outside.

Mr. Smith called the police after workers refused to leave the premises. The police told the workers to remain quietly outside. Mr. Smith had also contacted the Labour Department in Pinetown, who would have to inform the Industrial Council of the dispute.

The next day, Tuesday the 21st May, the workers returned to the

factory. Mr. Smith told them to collect their wages at 9.00pm. that morning, and if interested to return at 4.00pm., when he would consider their re-employment on merit basis. He had employed 28 new workers that morning, but required some more machinists and operators. The workers interpreted this action as a denial of their right to negotiate. Because of the employment of replacement workers, 28 of the former employees could not be re-employed - only those needed by the company to make up their normal work force. When the new workers were informed of the conditions behind their employment, they expressed disinterest being interested only in the fact of being employed.

Instead of collecting their wages at 9.00pm., about 60 workers went to consult with the Acting-Secretary of the General Factory Workers' Benefit Fund at Bolton Hall, to which most of the workers belong. He said that he was willing to assist them and suggested that no workers apply for re-employment. They unanimously rejected the individualistic principle of selection on merit, opting for the principle of solidarity - all of us or none.

The workers did not perceive the Labour Officer as a representative of their interests. No workers were interviewed by officials of the Department during the dispute, and there was no active intervention by officials. The implication from official statements made was that they would only intervene on the request of workers. The view of the workers was that the absence of liaison with the Department of Labour was a result of the failure of Mr. Smith to comply with section 7(c)2 of the Bantu Labour Relations Regulations Amendment Act. Because he had failed to register the works committee, there had been a lack of liaison between the Chairman of the works committee and the Department. The members of the works committee felt that had liaison been an accepted principle, the Chairman would have contacted the Labour Department whose intervention might have prevented the employment of replacement workers. However the Department had only been in contact with Mr. Smith, accepting his interpretation of the events.

The Acting-Secretary of the Benefit Fund, at the instigation of the workers drafted a petition which the workers signed. This petition stated that Mr. Smith should re-employ all the workers, and meet their demands for an increase of 2c per hour. The watchman the factory took the petition to Mr. Smith who reiterated his ultimatum as the only acceptable solution. The workers then decided to return to Bolton Hall for consultation.

The Acting-Secretary phoned Mr. Solomon Ngobese, the Urban Ambassador appointed by the Kwazulu government to handle labour disputes. Unable to contact him, he then phoned Mr. Barney Dladla, Kwazulu Minister of Community Affairs, to ask him to on behalf of the workers. Mr. Dladla phoned Mr. Smith who once again reiterated his decision. Mr. Ngobese phoned on Friday and is reported to have said; "A company official told me that if the situ-



ation had been handled properly, there would never have been a strike." (Daily News) Thus there was dissension within management over the manner in which the dispute had been handled.

Given Mr. Smith's intransigence, the workers were unable to do anything further. They unanimously decided that they collect their wages and sign themselves off, and that no workers should be re-employed. However, a week later, 11 workers who were standing outside the factory, were approached by Mr. Smith who asked them why they did not want to work, since the majority of their fellows were re-employed. On the basis of this misrepresentation of the facts, these workers were seduced into working at Reynolds again.

On Friday, the workers once again congregated at the office of the General Factory Workers Benefit Fund. A statement and legal affidavit were signed. The workers decided to lay a charge against management alleging that management had;

- a) violated the Bantu Labour Relations Regulations Amendment Act in that the Department of labour was not notified of the existence of a works committee at the factory.
- b) had unfairly dismissed workers involved in the dispute. This dismissal took place in effect when replacement workers were employed before the old workers were signed off.
- c) had failed to allow the works committee to function in the manner envisaged by the Act by interfering in a committee meeting and acting in an insulting way.

Workers appealed to the Department of Labour to prosecute the person responsible, and to demand immediate reinstatement, pending the outcome of the Department's investigations. If the Department substantiated the charges, the workers demanded that they be referred to the Public Prosecutor.

Throughout the dispute the workers perceived the situation as a lock-out, whereas management and the Department of Labour perceived it as a strike. A spokesman for the Department, revealing his distantiation from the workers' viewpoint, was quoted as saying; "If the workers come to us, we would be happy to guide them and keep them out of trouble. That's what the Bantu Labour Officer is for. But as it stands now, they are subject to prosecution because the factory covered by an Industrial Council Agreement. They have stopped work without going through the prescribed conciliation machinery". (Daily News) In terms of the Bantu Labour Relations Regulations Amendment Act, african workers are only permitted to strike after the intervention of the Bantu Labour Officer has failed to settle the dispute. How is one to explain the contradiction in the perceptions of the situation? Either the ultimatum was an illegitimate one to make in which case the work stoppage was imposed by management, or the response by the workers was illegal. But management's ultimatum besides revealing their attitude to negotiation with workers, was illegal. Rather than "work without increase or be fired" it should have

been "work without increase or be fired with notice or notice pay". The workers did not decide to stop work; this decision was imposed upon them by Mr. Smith who told them to leave. However, it is significant that management "chose" to perceive the situation as a strike. Such a choice reflects a belief in the social legitimacy of all managerial actions and the inherent "troublesome" nature of workers. The actions of Mr. Smith reflect the arrogance with which some managers use their power; his ignorance of the law and his belief that a conflict over the conditions of employment is illegitimate; workers must accept the conditions determined by Management. However, disregarding the few who were blackmailed, the workers were just as united in their belief that they would only work if their demands were met. The commitment of their stand is highlighted by the fact that at present most of them are having to face the difficulties of unemployment.