

# Metalworkers win 6 months paid maternity

Workers in the metal industry have scored a major victory after they won six months paid maternity leave at national level. It is the first time that maternity rights have been won across an entire industry. Agreement has been reached with SEIFSA, the metal employers association, for both pay and job security for six months for women going on confinement. The parties have now requested that the agreement be sent to the Minister of Manpower for gazetting. The parties are requesting that the agreement be extended to non-parties within the industry.

According to the Metal and Allied Workers Union (MAWU) this victory comes in the wake of a huge campaign around maternity rights in 1986. Pamphlets explaining the union's position were distributed at all factories, and discussions around women's demands were held. Two Transvaal shop-stewards councils were held specifically on this issue. During the 1986 negotiations MAWU's demand for "six months paid maternity" was strongly supported by the other metal unions, particularly those under the South African Council of the International Metalworkers Federation (IMF). The parties at the Industrial Council agreed to settle pay and leave separately.

## Pay

During the talks MAWU demanded that women should get pay for six months under the established Sick Pay Fund. This fund had originally provided for three months pay for women going on confinement. Many metal workers however were not even aware of the fund as they simply continued to withdraw money from the government Unemployment Insurance Fund (UIF). SEIFSA eventually conceded to the unions' demands for additional payment. The position is as follows:

- \* A woman must be employed by a SEIFSA company in order to qualify.
- \* She must have contributed to the fund for at least two years.
- \* She must not have claimed for more than one pregnancy in the past, ie. there is a maximum of two claims per woman.
- \* If the above conditions are met, the woman will receive payment for 26 weeks, the amount calculated according to the workers wage.

Workers in the lowest earning category, R114 per week and lower, will receive R50 each week for the six month period. Workers in the highest earning bracket, over R287 per week, will receive R114

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each week while on confinement. Taken together with UIF payments the agreement means that a woman will receive at least three months leave with payment close to her full salary. According to the union, it is now up to the plant level negotiators to bargain to make up the difference.

### Leave

The principle of job security was established early in the negotiations. Employers however wanted women to resign and then be re-employed when they came back. At first even the request for a six month leave period was strongly resisted. After some struggle the unions accepted the idea of "re-employment", but important protections were added. There are special protections for leave and leave bonus pay. Employers have also undertaken that a woman returning from confinement will be taken back in the same or a similar job. Women on maternity leave will be entitled to any increases which have been awarded nationally, and will not be prejudiced for purposes of promotion and/or merit increases. Employers have also undertaken to sign a written guarantee of re-employment which will be given to the worker from the date on which leave is taken, and which will clearly state any benefits she is entitled to under the Sick Pay Fund or any other Fund. All relevant claim forms must be handed to the worker. Management has agreed to a form of job security for workers employed for under two years. These workers will be given preference when they re-apply for their jobs. The agreement allows employers to seek temporary replacement workers whilst women are on leave. MAWU is now encouraging plant level negotiators to ask that women be allowed to find their own replacements, or alternatively that workers previously retrenched from the company be given these temporary jobs.

The union has also reluctantly accepted, in principle, that a woman on maternity leave may be retrenched, provided that she would have qualified for retrenchment anyway. It is also agreed that in any retrenchment programme temporary workers will be fired first.

The metal workers' victory must be assessed in terms of the nature of the metal industry and the stubborn resistance from employers united in the employers association to concede to maternity rights up until now. In the 1987 demands MAWU has taken the battle for maternity rights a step forward by including an additional demand for 14 days paid paternity leave after the birth of the baby.