

Information

labour action

WESTERN CAPE

Company: African Spun Concrete Company
(Blackheath)

Date: 25 July - 1 August

Workers: About 170

Union: General Workers' Union (GWU)

The GWU has been attempting to negotiate with this company for several months, without success. Workers struck, demanding that management meet with representatives of their union.

Another strike, by GWU members in this area, took place shortly before the strike by workers at this company (see below). In both cases workers demanded recognition of their union. Reports suggest that GWU membership in the area might be strong enough for workers to come out in support of their striking fellow workers if the demands are not met.

Workers returned on 1 August, on condition that negotiations for recognition would begin. Talks, lasting four hours, were held that day, but no agreement was reached.

Company: Cape Town Iron and Steel Corporation (Kuils River)

Date: 18 July

Workers: About 175

Union: GWU

GWU has been involved in recognition talks with this firm for 15 months. Workers struck, expressing dissatisfaction at the length of time being taken to conclude the agreement. The company (a subsidiary of ISCOR) said it would begin recruiting new workers if they were not back at work the next day.

No further news.

EASTERN CAPE

Company: Checkers (Grahamstown)

Date: 30 May

Workers: ?

Union: Commercial, Catering and Allied Workers' Union

Employees at this store stopped work at 08h00 because they had not received their May wages. CCAWUSA officials met with management, and management offered R10 as an IOU to each worker. The offer was turned down. Management then phoned the bank and promised the workers that they would have their wages at 11h00. This was accepted and the workers returned to work at 09h30.

Subsequent to the stoppage, negotiations between the union and management resulted in the latter agreeing that workers should get their salaries in time in future. If any problems were to arise management undertook to pay the workers their full salaries from petty cash.

Company: Provincial Roads Department.
(Karoo region)

Date: 19 - 22 May

Workers: 500

Union: Farm Workers' Union (FWU) and GWU

A three-day strike was staged to protest against a white supervisor who had allegedly called workers 'kaffers' and 'baboons', and tried to reverse a heavy truck into them while they were connecting a compressor machine to the truck. One of the workers, Frans Nqono, was dismissed for allegedly laughing at the racial insults. Officials of FWU and GWU took up the issue. The matter had to be referred to the Cape Provincial Administration in Cape Town.

This is the second strike by road workers in the Karoo region since last November. Last year when the FWU and GWU approached the Cape Provincial Administration they were told not to

interfere. The strike in November last year followed the dismissal of two fellow workers. According to a spokesperson for the CPA the administration negotiated only through 'our workers' committees and our officials. The General Workers Union and Mr Essop (of the FWU) have no say in the matter and we do not negotiate with them' (EP Herald, 09.06.83).

The workers returned to work, but the situation remained tense. They would not back down on their demand for the reinstatement of Nqono, and threatened further strike action. A meeting between the workers and the CPA's Loubser took place on 16 June to discuss the reinstatement. Both the FWU and GWU officials who arrived to attend the meeting were barred from doing so.

Meanwhile, a committee elected by the workers, the National Road Workers Committee of Ten, was allowed to attend. According to their chairman, Mathayi, the meeting achieved nothing. The workers planned another mass meeting scheduled for that weekend, when they would decide what further action to take.

There has been no further news available to us.

NATAL

Company: Corobrik (Effingham)

Date: 21 June

Workers: About 500

Union: -

Workers went on strike when a colleague who had been ill and sent to a factory clinic died and was given a 'pauper's funeral'. They demanded an explanation as to why the worker's family had not been notified of his death. The managing director, BK Waberski, denied knowledge of the worker's death.

No further news.

Company: Nampak Products Ltd (Mobeni)

Date: 4 June

Workers: About 400

Union: SA Allied Workers' Union (SAAWU)

The strike at this firm was in support of demands for a refund of workers' pension fund contributions and for the recognition of their union (SAAWU). The workers refused to talk to management, and insisted that negotiations be through SAAWU.

By 8 June management had met with worker representatives and it was agreed that the strikers would return to work.

However, when they did not return to work management announced that they had been fired.

The following week Nampak began re-employing the workers. It was reported that about half the workers refused to accept re-employment. A union spokesperson said that this was because they were being taken on again on condition that they accepted the group's pension scheme - which meant they had to agree to be repaid their contributions only if they left their jobs.

No further news.

Company: Natal Thread (Hammarsdale)

Date: 27 June - 7 July

Workers: Over 300

Union: National Union of Textile Workers (NUTW)

A legal strike was staged in support of higher wages. The NUTW stated that it had gone through all the various steps which culminated in a legal strike. Negotiations over pay increases had reached deadlock. Management refused to increase wages by more than 6%, and negotiations over the increase had been taking place over a period of five months. The union then held a strike ballot in which 315 members voted in favour and eight voted against. The strike took the form of a ban on overtime, effectively cutting production time by 27,5 hours per week. A strike fund was also set up by the workers. Notwithstanding the legality of the strike, police reinforcements with dogs were present throughout the period.

The strike was called off when management agreed to an increase amounting to 8% over a year. It was the first legal strike in South African labour history since workers at Armourplate Safety Glass struck in 1976. Workers staging a legal strike, however, are still liable, as are illegal strikers, to be dismissed by their employers. The official dispute-settling machinery is so cumbersome and time consuming that it appears hardly advantageous for workers to make frequent use of it.

Company: Ocean Manufacturing Ltd (Pinetown)

Date: 20 July

Workers: About 235

Union: Metal and Allied Workers' Union (MAWU)

The workers downed tools at 15h00, demanding increases of 50c an hour. Management had earlier refused to pay

this increase, offering an incentive bonus instead, for workers who exceeded their daily target. When the workers refused to return they were dismissed on the grounds that they had broken their contracts of employment.

Company: Universal Lace and Fabric Mills
(Pinetown)

Date: 11 July

Workers: About 200

Union: NUTW

Demands for a R20 weekly increase in wages were made by striking workers. They were demanding this over their R28 weekly wages, which were described as 'starvation wages'. Negotiations between the NUTW and management began, but no agreement was reached.

No further news.

Company: WB Camerons (Pty) Ltd

Date: 29 June - 6 July

Workers: Over 300

Union: MAWU

A wage increase of 40c an hour was demanded during a strike. Workers were rejecting management's offer of 16c an hour, and were also articulating the demands of metal workers at other Natal firms who had downed tools in demand for increases above those offered by the Steel and Engineering Industries Federation of SA (SEIFSA). According to a press release by MAWU on 1 July, a number of workers at other factories had also gone on strike for this reason.

At other Natal firms negotiations took place and increases were secured without strike action. At Pillar Naco, Glacier Bearings (Pinetown) and Forbo Krommenie (Jacobs), MAWU negotiated a 15c an hour increase, a R2 minimum hourly wage, and a 30c hourly wage, respectively (SEIFSA's minimum wage increase for the lowest-paid worker is 10c an hour).

It was reported that the workers at WB Camerons returned to work on 6 July. No details of their increases were available.

The strike at WB Camerons, which is a Barlow's subsidiary, occurred at the same time as the strike at Barlow's Kew plant (see below). According to a MAWU spokesperson, workers at both plants agreed to return to work on the basis that they would try and negotiate recognition agreements.

TRANSVAAL

Company: African Explosives and Chemical Industries (AECI) (Alrode)

Date: 4 - 6 July

Workers: About 350

Union: SA Chemical Workers' Union
(SACWU)

Dissatisfaction with a wage increase sparked off the strike at this company. Management refused to grant workers higher increases than laid down in the wage agreement of the industrial council. On 7 July management dismissed the strikers because, they said, the workers had ignored a return-to-work deadline. Management also claimed that the workers had not adhered to the grievance procedure contained in the recognition agreement between AECI and SACWU.

Company: African Explosives and Chemical Industries (AECI) (Sasolburg)

Date: 30 June - 13 July

Workers: Over 350

Union: SAAWU

A strike by over 350 workers employed at AECI's acetylene and carbide plant in Sasolburg was sparked off by an explosion in which two workers were killed. Striking workers refused to return until management gave them acceptable assurances that the factory was safe. Union sources claimed that 'there have been four deaths in the plant since November. Predictably, workers are worried and they say they will not return to work until the factory is proven safe'.

While SAAWU is not formally recognised by AECI, there is negotiation between the two parties, and management and shop stewards were involved in talks over the factory's safety. Worker demands included the provision of first aid training on an extended basis, better protective clothing, the establishment of a health and safety shop stewards committee, and the inspection of factory repairs by furnace operators and shop stewards.

After protracted negotiations, workers returned to the plant on 13 July, although it remains unclear which of their demands were agreed to. The union is, through its legal representatives, monitoring the outcome of an inquiry into the explosion, held by a factory inspector in terms of the Factories Act. The union is also closely watching the outcome of a police investigation into the blast which killed the two workers.

In a recent development, the union has demanded that workers be paid for the duration of the strike. They argue that workers were unable to work until the factory was declared safe, but nonetheless held themselves available to return as soon as acceptable assurances had been received. While SAAWU has not received a response to this demand from AECI, the company has a policy of 'no work, no pay' regarding strike action. If they adhere to this policy it is possible that a legal dispute may be looming over this strike, one of South Africa's first over occupational safety.

Company: Asea Electric (Rosslyn)

Date: 24 June

Workers: Over 300

Union: -

A strike occurred in protest at the dismissal of a union official.

Management confirmed that the strike had taken place due to disciplinary action taken against the worker.

Company: Associated Spinners (Randfontein)

Date: 23 - 28 June

Workers: Over 500

Union: Textile Workers' Union (TWU)

Demands for a 50c across-the-board wage increase led to strike action at the Patons and Baldwins subsidiary. The workers demanded that these increases become effective from 1 July.

Management's response was that they were only prepared to make the increases effective from 1 September. They told the workers that their present wage offer was the result of the recession in the country. Workers' response was that the recession was due to no fault of their own. Management countered that wage increases from 1 July would lead to retrenchment. The workers said that they would be willing to work short hours if management agreed to their wage demands.

The Sowetan quoted a statement by management which said that, after long talks with the union leaders, 'everything was cleared up'.

Company: Barlow Manufacturing (Kew)

Date: 28 June - 6 July

Workers: About 500

Union: MAWU

At this plant workers downed tools demanding a 50c an hour increase. The company claimed that the recognition talks between themselves and the union had been broken by the union in

February, and that they (management) had unsuccessfully attempted to resume negotiations. A union source contradicted this claim, stating that it was management who had constantly rebuffed the union's attempts to settle the dispute through negotiation.

Negotiations were resumed after the strike began. MAWU demanded the conclusion of the recognition agreement, with wage negotiations to follow. According to a union spokesperson there seemed little chance of an immediate signing of a recognition agreement because the agreement that Barlow's wanted to sign was so restrictive as to grant workers few rights other than a say in basic wages.

On 6 July the workers returned reluctantly. They had not gained the wage increase, but decided to return so that the union might continue to negotiate a recognition agreement.

On 13 July 450 workers were dismissed from the plant, as a result of their refusal to meet a return-to-work deadline. They had downed tools after 12 of their colleagues had been fired for allegedly intimidating other workers during the wage strike. It was felt that they had been given neither a proper hearing, nor had the company followed the correct dismissal procedures.

The following week, after negotiations with MAWU, management agreed to reinstate the striking workers, giving them the same wages and benefits they had enjoyed before the strike. However, they refused to employ the 12. MAWU has stated that it is considering taking legal action against the firm over their dismissal.

Company: Bitcon Industries (Boksburg)

Date: 9 - 13 June

Workers: About 160

Union: SA Boilermakers' Society

The entire workforce was fired by this company when they demanded to return to a five day week instead of four days. They were also protesting against the dismissal of 36 fellow workers.

One of the workers explained how they had approached management asking to work at least 45 hours a week, once they had realised that the workload was increasing.

Management's response was that there would have to be retrenchments in order to meet this demand. When the workers returned to work the following day the company called out a list of names of those whom it would still

employ - the rest were dismissed. At this stage the workers approached their union to intervene on their behalf.

Management undertook, after negotiations with the union, to re-engage all the striking workers.

Company: Checkers (Southdale, and about 12 other outlets of this chain)

Date: 1 June; 3 June

Workers: About 400

Union: CCAWUSA

Work halted for a short while on 1 June in protest against an alleged assault on a worker by the store's manager.

A union spokesperson said the workers' demands also centred around other grievances, including claims that their workload was too heavy, and that they were forced to work overtime without proper notice. The work stoppage lasted an hour, with workers returning after they had called in the union.

On 3 June another strike was staged. This second stoppage was as a result of management's non-compliance with an agreement with the union after the first stoppage - to investigate the conduct of the manager and either move or dismiss him. When it became apparent that management had taken no action against the manager, the workers stopped work again. Workers at over ten other Checkers outlets, including Eastgate, Benoni, Krugersdorp and Potchefstroom, stopped work in a sympathy protest.

On 6 June about 400 workers gathered outside the CCAWUSA office, where general secretary, Emma Mahinini, told them that the manager would be sent on two months' leave. The workers refused to accept this. Checkers finally agreed to demote the manager, giving an undertaking that he would not be allowed to manage any of the stores, and the workers returned to work.

Company: Checkers (Killarney and 20 other outlets)

Date: 1 - 10 July

Workers: 700

Union: CCAWUSA

Seventy workers struck demanding that the manager be suspended. They had listed their grievances against him and were demanding an investigation by the company. Allegations included the manhandling of a cashier who refused to work overtime, firing pregnant women when they left to have their babies, and displaying a racially

insulting poster on his wall.

The following week the strike had spread to more than eight other branches, involving another over 400 workers expressing solidarity with the Killarney branch. Further grievances about pay and bad treatment were being taken up by the strikers. Demands included an R80 across-the-board increase and an alleged unfair labour practice.

Negotiations between management and CCAWUSA were deadlocked on 7 July. The following day the support for the Killarney workers had brought 600 workers at 20 outlets out on strike, with another 100 joining the next day.

The company issued a statement saying it was using 'casual' labour to cope with the staff shortage.

Additional demands at this stage were payment while on strike and the reinstatement of a dismissed worker at Checkers head office.

Management remained firm in its stance: refusal to take any action other than to give a verbal warning to the manager at Killarney. Lists of branch by branch grievances were ignored by management - they merely promised to look at them later. Negotiations on the R80 increases would also take place later. The workers remained adamant that they would not return to work until their demands had been met.

Agreement, however, was finally reached on 10 July, and the workers returned the following day. Their basic aim had been achieved, which was that the manager be moved to another department in the same store where he would not be responsible for any of the workers. Agreement was also reached that when Checkers managing director returned from overseas the company would consider proposals for pay talks.

According to CCAWUSA officials a date for wage talks had been arranged for 2 August.

The company refused to pay the workers for the time that they had been on strike, but promised that nobody would be victimised.

This strike was extensively reported on in the press, mainly in connection with the alleged racist poster which the manager had displayed in his office. Emma Mashinini, CCAWUSA general secretary, denied that the poster receiving the publicity was the poster that the workers had been objecting to. Most reports stressed that the poster sparked off the strike, and offered this as an instance

of worker manipulation by the union. According to union officials it was not the poster which was the central issue but the general attitude of the manager which the workers had objected to.

For CCAWUSA the ten-day strike was a major demonstration of worker unity 'and of great impact in conscientising other workers to stand and fight for your rights' (said Emma Mashinini).

Company: Coca Cola Bottling Company
(Devland, Leagland and Denver Depots)

Date: 27 June
Workers: Over 200
Union: -

More than 200 sales personnel, truck drivers and delivery staff from three depots went on strike. They gathered at the main Benrose depot in an attempt to hold talks with management. Benrose workers were allowed into the depot, but the workers from the other three depots were locked out. A work stoppage at the Benrose depot also took place.

The strike was in protest against the dismissal of three workers who had stayed away from work on 16 June.

Agreement was reached on 28 June, with management agreeing to reinstate the three workers. Furthermore, the company has undertaken to treat 16 June as a holiday for all its Soweto staff. It has committed itself not to take action against any african worker who stays away from work on 16 June. The company has said, however, that this would apply only to workers living in Soweto and that in other cases they would use their discretion.

Company: Coca Cola Bottling Company
(Vereeniging)
Date: 13 - 15 June
Workers: About 300
Union: Sweet and Allied Workers' Union
(SFAWU)

Production was brought to a halt when about 300 workers went on strike in support of higher wages. They were demanding an increase in the minimum weekly wage from R68 to R115. The workers lowered their demand to R96 after negotiations, but management was only prepared to pay R77.

The workers returned because of a statement issued by management to the effect that all negotiations had been suspended until further notice.

Workers returned, hoping that talks would then resume.

No further news.

Company: Coca Cola Bottling Company
(Vanderbijlpark)

Date: 15 July
Workers: 350
Union: SFAWU

Striking workers at this plant were also demanding wage increases. They had been offered increases from R68 to R77 per week, but were demanding R103.

By the fifth day of the strike negotiations were still deadlocked. Two days' wages had been deducted from the strikers for the days they had not worked during the previous week.

No further news.

Company: Consolidated Wire Industries
(Pretoria West)

Date: 9 July
Workers: About 200
Union: -

200 workers staged a work stoppage at this company. The reason for the stoppage has not been reported (Star, 09.07.83).

Company: D and DH Fraser (Heriotdale)
Date: 30 June
Workers: 196
Union: CCAWUSA

Demands for higher wages led to this strike. According to the workers, their wages were amongst the lowest in the country. They were rejecting management's offer of a monthly increase of between R3 and R20, with effect from the end of July. The workers also claimed that the company spends money on computers and sponsoring sports events, while pleading poverty.

Fraser stated that it was prepared to negotiate with workers over wages, but that if they did not return to work by 5 July they would be fired. However, the union and management agreed on a wage increase and the workers returned.

An increase of R50 was given to all workers earning the minimum monthly wage of R190. Workers who, at the time of the increase, were earning R240 or more, received the following increases, over and above the R3 to R20 offered before the strike: R240, a R10 increase; R245, a R7,50 increase; R250, a R5 increase.

According to a union spokesperson, the union intended approaching management to begin recognition negotiations.

Company: Danish Confectionery (Pritchard Street, Johannesburg)

Date: 1 - 2 August

Workers: 7

Union: CCAWUSA

Seven workers, some of whom are union members, walked out of this branch of Danish Confectionery, and were then dismissed. The workers claimed that the owner's wife used abusive language in dealing with employees.

After the union had intervened in the dispute the workers were taken back, and the owner agreed to talk to his wife about her use of abusive language.

Company: Dunlop Industrial Products (Benoni)

Date: 13 - 14 June

Workers: About 400

Union: Chemical Workers' Industrial Union (CWIU)

The entire workforce downed tools after the company cut working hours from 45 to 37 hours a week. Worker representatives met with management shortly afterwards, but the talks between the parties reached deadlock. The workers returned, although the dispute had not been resolved.

Company: Dunswart Iron and Steel

Date: 24 June

Workers: 1 100

Union: MAWU

Dunswart announced that 85 workers were to be retrenched by the company. This led to a brief stoppage. The workers were demanding that management negotiate with MAWU on the retrenchments. The company agreed to hold talks with the union and the workers returned.

Company: Garankuwa Hospital

Date: End of June

Workers: 500

Union: -

Student nurses at the hospital boycotted their canteen's food. After two weeks of boycotting the facilities, the nurses agreed to go to the dining room, but splashed their food all over the canteen walls. According to the hospital superintendent the nurses were more dissatisfied with the way the food was prepared than with the type of food that was served. He said that at present the patients' and staff's food was prepared together and that the problem might be solved when the nurses moved into their new dining hall where they could serve themselves.

The nurses resolved to return to the

dining hall the following day to check if there were any improvements in the food and cleanliness, and resolved to continue their boycott if they were not satisfied.

A group of nurses who had gone to check the food reported back to the others that there had been no improvement in the quality. The boycott, then in its fourth week, gained the support of the entire nursing staff. The student nurses claim that with the support of all hospital staff they could force the authorities to hasten the building of the new dining hall, hire better cooks and improve the food and the surroundings.

No further news.

Company: Golf Steel (near Kettlehong)

Date: Early July

Workers: 200

Union: ?

Management's refusal to listen to demands for higher wages led to a strike at this company. The workers were persuaded by management to return to work on 4 July.

Company: Grand Bazaars (Rosettenville)

Date: 3 - 7 June

Workers: 90

Union: CCAWUSA

Workers struck in protest against the dismissal of a shop steward who had approached management for wage increases. Management offered the workers the option of either the reinstatement of the shop stewards, or payment for the period they were on strike. They voted in favour of the shop stewards' reinstatement.

Company: Jet Stores (Sasolburg)

Date: 8 - 11 July

Workers: 10

Union: CCAWUSA

A three-day strike in protest against the dismissal of a shop steward was staged at this store. Union shop stewards threatened to bring out all workers at Edgars, Jet and Sales House stores if the shop steward was not reinstated.

Management agreed to the reinstatement and the workers returned.

Company: Krost Brothers (Cleveland)

Date: 1 - 3 June

Workers: 1 300

Union: MAWU

The entire workforce downed tools over the retrenchment of 130 workers the previous week. They were also protesting against the fact that management had not

previously discussed the retrenchments with themselves or their union (MAWU).

MAWU claims that white workers joined in this retrenchment strike at the plant. Management has denied that this occurred. If the white workers were in fact involved, it raises the question as to whether retrenchments might prove to be the one common cause between white and black workers.

The stoppage lasted three days. Management agreed to reinstate the 130 workers. However, they said they would still be laid off for a month. During this period they would be kept on the payroll, which meant the company would continue to pay their unemployment insurance contributions. Permits of migrant workers, whose services were terminated, would be restored to enable them not to break their service.

Further talks between management and shop stewards over the issue were arranged.

Company: Lebowa Transport Company (LTC)
Date: 28 June
Workers: About 200
Union: -

LTC drivers refused to work demanding that management unconditionally reinstate a dismissed colleague. The drivers claimed that management had several times ignored their requests for reasons for the dismissal before they had resorted to strike action.

The strike left commuters stranded, despite the fact that bus inspectors and workshop employees took over from the drivers on that day.

The following day some of the drivers did not return to work. Management stated that they were considered to have 'suspended themselves', and denied having fired any of them. The drivers concerned, however, consider themselves to have been fired by the company.

No further news.

Company: Liberty Life Insurance Company
Date: 13 - 19 July
Workers: Between 90 and 150
Union: Insurance Workers' Union of SA

The strike occurred in support of higher wages. The personnel were also demanding that management negotiate with their union. According to reports, management refused to recognise the union which is a blacks-only union, saying that it was company policy only to recognise multi-racial unions (RDM, 16.07.83). They said they were prepared to talk

to representatives of the workers, but the representatives should be chosen from the whole company, which had a multi-racial staff.

The union claims that black workers are discriminated against at the company. National organiser, Jeff Lengane, said it was precisely for this reason that the workers went out on strike. He said, 'If our members were part of the multi-racial policy of Liberty Life they would not have had grievances' (Sowetan, 20.07.83).

On 15 July, management informed workers that they would not be paid while they were on strike and that they were risking losing their jobs by not returning to work.

The workers returned to work on 19 July, after management had met with union officials. Management sources claimed they agreed to look into the workers' grievances, but refused to recognise the union. The company also refused to pay workers for the period they had been on strike. Union sources, however, claim that despite the fact that the workers had returned, they would continue to demand recognition of the union. Workers also denied having promised to submit a list of their grievances to management, and were demanding to be paid for the period they were on strike.

On 20 July the union sent a letter to management saying they would declare a dispute if those demands were not met within seven days.

Management replied to the letter, demanding certain information about the union. The union has supplied the information and is waiting for a response. In the meantime, the union has three courses of action open to it - the matter can either be referred to a conciliation board, or to the industrial court, or they can approach an outsider to mediate between the two groups.

Company: Litemaster (Wadeville)
Date: 7 July
Workers: 260
Union: MAWU

Workers downed tools because the company had allegedly not followed retrenchment procedures laid down in an agreement with the union. In negotiations with MAWU prior to the retrenchment of 44 workers, the company had failed to satisfy demands for those workers' payout benefits.

Litemaster accused MAWU of intimidating

the workers into striking. The company said some of the workers who struck would be summarily dismissed, while others would be interviewed to determine whether they would be re-employed. By 13 July MAWU had succeeded in securing the re-employment of all except 78 workers.

Company: Prima Fine Meats (Doornfontein)

Date: 1 July

Workers: 250

Union: ?

Workers downed tools in support of a demand for higher wages.

No further news.

Company: Salcast

Date: 9 June

Workers: Between 200 and 300

Union: MAWU

A stoppage lasting a few hours was staged at this firm. The striking workers were protesting against the sacking of 13 colleagues, demanding their reinstatement. Salcast undertook to hold an inquiry into the firings and the workers returned to work, according to management.

However, according to a union spokesperson management agreed to reinstate all the fired workers.

Company: Siemens (Pretoria)

Date: 4 July

Workers: 12

Union: -

Workers downed tools after disagreeing with their supervisor. They returned to work the following day after listing their grievances to management.

Company: Silicate and Chemical Industries (Germiston)

Date: 9 June

Workers: 90

Union: ?

The entire workforce walked out when talks between management and their union deadlocked over the workers' demand for the dismissal or suspension of a white foreman. Workers refused to return during further negotiations, stating that there would be no return to work until the foreman was fired.

No further news.

Company: Spar (Discovery)

Date: 2 August

Workers: 19

Union: CCAWUSA

Workers employed at the Discovery branch of the Spar supermarket walked out,

claiming the following grievances: their wages were usually paid late; rubbish bins were housed in their canteen; Sunday work was demanded of them without overtime rates being paid; a number of them were not registered with the administration board; some workers had been assaulted by management, who also used abusive language when talking to workers; employees with long-service records had not received wage increases.

After negotiations between the union and management, it was agreed that workers employed for more than a few months would receive wage increases at the end of August, and that the other grievances would be rectified.

While CCAWUSA, the union involved, has no formal recognition from the Spar chain, informal discussions were held between both parties earlier this year.

Company: Supreme Mouldings (Robertsville)

Date: 18 July

Workers: Over 50

Union: Paper, Wood and Allied Workers' Union (PWAU)

Shop stewards belonging to the PWAU presented a letter to the management, introducing the union and requesting talks between the two parties. Management responded by calling all the workers to a meeting. Seven police with dogs, summoned by management, kept a close surveillance on the meeting.

Management then told the workers to choose between 'working for the union, or working for the company'. All but two of a staff of over 50 workers chose to belong to the union. Those who chose the union were ordered to leave the premises.

The PWAU decided, on 19 July, that if the workers were not reinstated within 24 hours legal action would be taken. According to the union the dismissals amounted to victimisation and, they would argue, constituted an unfair labour practice. The union also intends to lay a formal complaint against the police involvement in the matter, if the workers are not reinstated.

No further news.

Company: TW Beckett (Isando)

Date: 27 - 28 June

Workers: About 300

Union: Sweet, Food and Allied Workers' Union (SFAWU)

A strike in solidarity with two fired fellow workers occurred at this company.

The two workers had been fired for their alleged poor performance at work. One of the workers was reinstated and the workers returned, pending further negotiations.

Company: Uniewinkels warehouse

Date: 26 - 27 July

Workers: ?

Union: CCAWUSA

Four workers were retrenched at this store, prompting fellow workers to stop work in support. The striking workers returned to work although they did not succeed in securing the reinstatement of their colleagues.

Company: United Breweries (Garankuwa)

Date: 30 June

Workers: 500

Union: -

Five hundred employees at the brewery staged a boycott of their canteen food. This occurred after three of their fellow workers were rushed to hospital for suspected food poisoning. The hospital superintendent said that they had been suffering from stomach trouble resulting from having eaten stale food. One of the workers returned to work after being away for four days.

The workers' boycott was still continuing by 14 July, with the workers adamant that they would not return to the canteen until they were satisfied with the quality of the food.

No further news.

INDUSTRIAL COURT DECISIONS

Three recent decisions of the industrial court (IC) have dealt with some of the core issues in the labour field - recognition, dismissals and substantive employment terms and conditions - and have consolidated and extended the trend emerging in earlier cases.

In Van Zyl v O'Okiep Copper Company, the IC held that a diesel mechanic's dismissal was prima facie unfair because certain procedural requirements had not been satisfied.

The IC basically adopted the International Labour Organisation's (ILO) recommendation on termination of employment: 'Before a decision to dismiss a worker for serious misconduct becomes finally effective, the worker should be given an opportunity to state his case promptly, with the assistance where appropriate of a person representing him'.

Van Zyl had not been afforded a proper

opportunity, duly assisted, to state his case and so the court reinstated him. It is interesting to note that the Mineworkers' Union, which represented Van Zyl at the hearing, had no misgivings about expressly using the arguments first developed in a successful FOSATU case, namely that of Metal and Allied Workers' Union v Stobar Reinforcing.

In Matshoba v Fry Metals four workers had been dismissed for failing to attend a disciplinary inquiry after they had refused to work overtime on a weekend. Although contractually bound to perform overtime when required to do so, the court found that a practice had developed whereby such performance could be excused if a worker could advance proper reasons. As the workers in question had been informed of their overtime 'obligations' at very short notice and had incurred private commitments for the weekend in question, it was held that their failure to submit to the overtime instruction was not unreasonable.

Concerning the failure to attend a disciplinary inquiry, the court noted that the terms of the disciplinary procedure were not clear and implied that responsibility for this state of affairs could be placed at the company's door. The workers were reinstated.

In United African Motor Workers' Union v Fodens, and employer charged with perpetrating some 35 unfair labour practices adopted the dubious expedient of tendering certain undertakings at the outset of the court proceedings and then withdrawing from the case. The union then proceeded to lead extensive and uncontested evidence against the company, and the court found for the former on nearly all counts.

On the facts, the court decided that it was an unfair labour practice, among other things:

- 1) not to bargain with a representative union;
- 2) for managerial staff to refer to workers as 'boys' or 'kaffirs';
- 3) to terminate a migrant worker's year-long contract prematurely and without just cause; and
- 4) to retrench workers without consulting with a representative trade union and without adopting fair selection criteria.