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BLACK LABOUR

The recession of the South African economy in the past year has thrown some confusion on the Government's labour policies. On the one hand there have been observable indications from Government circles that its tough labour policies need to be reviewed to accommodate national economic demands, though coupled with some hesitancy to give a lead to industry, while on the other hand industrialists have been wanting to improve the status of black workers (most of them to reduce their overhead expenses), but at the same time not quite knowing how far they could go without offending the Government. During 1975/76 there has been greater evidence of white labour shortage than ever before. This shortage, which hit a number of industries in the sphere of skilled work, brought about several calls for the promotion of blacks into the skilled labour ranks.

The advance of African workers into skilled jobs called for an intensification of African training in the various artisan skills. A Government White Paper published five years ago on the report by the Inter-Department Committee on the Decentralisation of Industries said, *inter alia*, that Africans should be trained only in the Bantustans for artisan work. Since those days the attitude of the Government has changed significantly. In a speech opening the 1975 National Convention of the Institute for Personnel Management (Southern African) the outgoing Minister of Labour, Mr Marais Viljoen, said, "The Government is aware that it would be to little avail if new and more advanced work opportunities were to be created for non-white workers, and they were not equipped to take advantage of the opportunities because of lack of suitable training. It is for this reason that quite apart from the extensive industrial training facilities it already provides for black workers (African) in the homelands and Border areas, and for the

other population groups in the rest of the country the Government recently appointed an inter-departmental committee under the chairmanship of the Secretary of Bantu Education (now late Mr Van Zyl), whose recommendations have led to the creation of special training facilities for black (African) workers in certain work categories in white metropolitan areas.”¹

For the implementation of approved recommendations of the Van Zyl committee referred to by the Minister, a committee known as the Permanent Committee for In-service Industrial Training for Bantu Employees in white areas was established. Apart from the State Department concerned, the new Committee consisted of representatives of eight large employers’ organisations and two large employees’ organisations. Outlining this in a speech in Parliament, the Deputy Minister of Bantu Administration and Education, Dr A. P. Treurnicht, explained that the employers’ organisation must assist in advising and establishing in-service training needs, the employees’ organisations must guard against the introduction of training projects which might cause labour unrest.²

Asked to comment on the new developments, a spokesman for the Black Allied Workers Union said that the provisions of all legislation on labour in this country were primarily meant to preserve white interests. The black workers were almost only tolerated, the spokesman said, citing that no provision for black worker representation had been made in the establishment of an organ to take care of in-service training for black workers, but rather white workers’ interests were protected by their representatives whose role was to ensure that no training concessions that could jeopardise their privileged position were allowed to Blacks.

The Government, however, went on to establish centres for in-service training of African workers in major townships around white metropolitan areas. But because of the feeling that business needed to play a major role in the training of its workers, there was a directive to the effect that the running costs of the training centres would be financed through levies on industrial and commercial employers of the workers attending the centres. The Government was believed to be drawing up the necessary legislation.³ By May 1976, four training centres were reported to be in operation, in the townships of Bloemfontein, Krugersdorp, Vereeniging and Pinetown. The Port Elizabeth centre was due to open soon, and the ones planned for Benoni, Pretoria and Potchefstroom were awaiting building tenders.⁴ It was learnt that the Bloemfontein centre had already applied for the government levy on local employers who benefitted from the worker training, and the governing councils of three other centres were considering applying for the same.

Labour observers in South Africa believed that the advance of black workers into skilled jobs was pressurised by the shortage of white workers to fill the jobs. In the past, shortage of white skilled man power was kept sufficiently in control by the admission of skilled white immigrants. In recent years labour demands have been such that in spite of job reservation, black workers have climbed higher and higher on the ladder. A 1975 Department of Labour publication, *Manpower Survey No. 11*, gave some indication of the movement of Coloured and Indian workers into skilled jobs. According to the *Survey*, in 1971 there were 33 500 Coloured artisans and apprentices and by 1975 the figure had risen to 42 800. During the same period the number of Indian artisans and apprentices rose from 6 200 to 7 300. Although there were no previous figures to compare, the 1975 survey listed 6 500 Africans as artisans and apprentices.⁵ The figures indicated that very little consideration had been given to the training of the vast African labour force for skilled work.

It appeared that the greatest threat to the Government allowing or encouraging radical changes in its job reservation policies was the possible white worker action at election time. The new Minister of Labour, Mr Fanie Botha, opening the Congress of the Confederation of Labour in Johannesburg in June 1976, said that the Government did not want confrontation with white labour. "We won't introduce legislation without prior consultation. Any developments in the future will be something we plan together", said the Minister. He added that the white workers had no reason to fear that their work security would be endangered by the movement of black workers into better jobs. He gave an assurance that job reservation would not be abolished. It's role was to prevent competition between workers of different races and to assure workers of their careers and entrepreneurs of their labour force. In his presidential address, Mr Attie Nieuwoudt, the President of the Confederation, warned the Government that white unions influenced some 500 000 voters. "If the white worker begins to lose his trust in the Government, we can't say where we will be driven."

Amongst the voices that called for the advance of black workers in the past year, was that of the Bantu Investment Corporation chairman, Dr S. P. du Toit Viljoen, who advocated the scrapping of the whole system of job reservation. Dr Viljoen said that job reservation limited the use and training of black workers and served only a political and not an economic function.⁶ He said that South Africa would need at least 3,5 million black employees by the year 2000 and that such a massive development called for fundamental changes in South Africa's educational, managerial and policy making systems to bring them in line with the realities of the society due to emerge in the next thirty years.⁷

According to projections of the Economic Development Programme, more than 200 000 Blacks would be moving into the labour market during the six years between 1975 and 1979 reflecting substantial changes in the role of black labour. This was stated by the Deputy Economic Advisor to Premier John Vorster's office, Dr Simon Brand, who said that a comparison between black/white labour ratios in the 1963-69 Economic Development Programme with those projected for 1974-79 showed a 0,74% growth per annum in the number of Blacks.⁸ The black/white labour ratios in the major sectors showed that in 1973 for every one white worker employed there were 26,54 Blacks in agriculture 10,41 in mining, 3,77 in manufacturing industry and 2,14 in services. Figures released by the Department of Statistics in Pretoria indicated that by April 1975 the total number of employees in the manufacturing, construction and electricity industries, in mining, in the Post Office and South African Railways was 2 740 442 of whom 1 751 778 were Blacks and 589 070 were Whites. Ten years previously, in April 1965, the total employed was 1 987 513. The number of Blacks was 1 504 536 and Whites 482 977. This brought the increase of black workers in ten years to 646 836 against the white worker increase of 106 093 — roughly 6:1.⁹ In reply to a question in Parliament the Minister of Bantu Administration and Development disclosed the following numbers of South African and foreign African workers registered in each category of labour:

	<i>South African</i>	<i>Foreign</i>
Agriculture	531 334	15 230
Mining and Quarrying (including labourers employed by mines affiliated to Chamber of Mines)	298 603	348 086
Manufacturing	731 695	12 409
Construction	411 240	8 727
Wholesale and Retail trade	341 679	3 668
Government Service (including SAR, Government department, semi government organisations, local authorities and provincial administration)	448 989	10 220
Domestic Servants	603 386	10 417
Miscellaneous (including private transport, storage, accommodation and catering services, financial institutions, insurance and private businesses)	317 563	5 829

These figures were given as at 30 June, 1975. In terms of these figures there was a total of 3 684 489 local African workers registered in the Republic as well as 414 586 foreign African workers. However, on 5 May 1976 the Minister of Bantu Administration and Development

gave the following figures of foreign African workers in terms of their countries of origin:

Angola	623	Mozambique	150 738
Botswana	37 016	Rhodesia	8 895
Lesotho	152 188	Swaziland	16 390
Malawi	39 308	Zambia	914

These figures reveal a total of 406 072 foreign Africans employed in the Republic of South Africa. They could be employed on contracts not exceeding periods of two years.¹⁰ It could be assumed that there was a great number of other local and foreign African workers 'illegally' employed without registration because of the stringest regulations involved in the registration process. All these workers were up to now not regarded as employees in terms of the Industrial Conciliation Act's definition of employee, which accommodates only white, Indian and Coloured workers. The main point against the inclusion in the definition of African has always been the Government's refusal to allow recognised trade unions for African workers. According to a news release issued on 9 February 1976 by the Department of Statistics in Pretoria, there was a total of 307 771 Coloured and 92 448 Asian workers registered in six major sectors as at November 1975. The totals were derived from the following sectors:

	<i>Coloured</i>	<i>Asian</i>
Mining and Quarrying	6 815	619
Manufacturing	223 500	83 500
Construction	51 900	3 800
Electricity	1 100	—
Transport and Communication	18 836	1 659
SAR & H and Post Office	5 620	870

The data in respect of manufacturing, construction and electricity were based on a sample survey covering private establishments in manufacturing, construction and electricity (including ESCOM). With regard to Asian employees in the electricity sector, the news release specified that the figure was too small to publish.

Building Industry

Developments in the building industry in so far as the labour situation is concerned followed the general pattern of apparent easing of job reservation, especially during the earlier part of the period under review. However, as was the case in similar instances in other industries, the relaxation of job reservation in this industry came rather cautiously and with clever safeguards against jeopardising white interests.

Probably in response to requests by leading employer groups in the building industry, in the Transvaal especially, it was announced in

October 1975 that with effect from 1 November, the building industry in that province was to give official recognition for the first time to skilled jobs being done by Africans, which were previously done by white and Coloured artisans. Discussing the move, the Secretary of the Industrial Council for the industry, Mr D. P. Ehlers, said that he had received about 300 applications from companies to have African builders classified in the operative grade. For the first time Africans would be allowed to lay bricks and blocks as long as they would be covered by plaster. Other skilled and semi-skilled jobs opened included *carpentry and joinery*: to cut and assemble rough timbers to a templet and to fix rough timbers, corrugated iron, roofing tiles to a gauge; *drain laying*: the laying of pipes to falls; *plastering*: all plastering including the preliminary finishing prior to the final trowelling; *tiling*: the cutting and fixing of tiles excluding the setting out and marking out operation.¹¹

It was revealed that the number of artisans employed in the industry in the Transvaal had steadily been dropping from 12 000 to about 9 000 in 1975 of whom less than a thousand were Coloured and the rest all Whites. The new agreement was seen as a move towards curtailing inflation by making use of cheaper African labour in skilled operation. Mr Ehlers disclosed that the minimum pay rate, stipulated in the industry, of 50c an hour—R22,00 for a 44 hour week, for African labour, was generally applied. The new operatives, as reclassified through the new agreement would be paid ±R1,00 an hour. The minimum rates for building artisans (Coloureds and Whites) was R1,92 an hour, R76-R80 for a 40 hour week; and maximum rates of R2,42 an hour—R96,80 a week.¹² Coloured artisans in the Transvaal made up only 10% of the available force, while in the Western Cape they took up 85-90% of the jobs, with Asians having 60% of the jobs in the Durban area.¹³

The newly created African operatives were supposed to act as skilled hands to the artisans in the industry. Strict control regulating the ratio of the operatives to the number of artisans would be applied, with surveys being conducted every three months to ensure that there was no unemployment of white artisans. Further guarantee for white security was the R1 million unemployment fund for Whites which would ensure full pay for 20 years.¹⁴

However, with the decline in the prospects of the building industry believed to be brought about by the political situation in Southern Africa, unemployment in the industry increased seriously at the beginning of 1976. Labour retrenchments were reported on all fronts and many small contractors were having difficulty obtaining work. A number of white artisans had to lose their jobs with the result that a corresponding number of African labourers were hit by the retrenchment. Mr Frank Mohlala, organiser for the Building and Allied

Workers' Union (formed in 1975), reported that about 100 labourers and 15 drivers had been laid off by Roberts Construction alone.¹⁵

The Public Relations Office of the Roberts Construction group disclosed that the labour force had been reduced by almost 7%. A survey conducted by the *Financial Mail* showed that the small contractors were having it real rough, while large companies could afford to take on work at a loss. Some 20% of small contractors surveyed had apparently ceased to operate, and those interviewed reported retrenchments ranging from 30-60% of their labour force. According to figures released by the Minister of Labour in Parliament on 28 April, 1976, a total of 9 036 African workers had obtained registration as building workers in terms of the Bantu Building Workers Act by the end of 1975. Of the total, 1 254 had obtained registration in the course of 1975. These figures included workers who were not trained under the Act but who had passed trade tests prescribed in terms of the Act. A further 456 were being trained during 1975. The following numbers of African workers were qualified in the following building trades on 31 December, 1975:¹⁶

Blocklaying	109	Electrical wiring	53
Bricklaying	4 251	Joinery	1
Bricklaying and Plastering	347	Painting	1 043
Carpentry	1 531	Plastering	856
Carpentry and Joinery	54	Plumbing	791

Mining Industry

The South African mining industry is the cornerstone of the South African economy with gold mining being the most important and producing more than 40% of the country's foreign exchange earnings. Its labour force is divided almost exclusively between Africans and Whites, where there are about 352 000 African and 35 000 white miners. nine thousand of the white workers are members of the ultra-right Mine Workers Union and a further 9 000 are members of other unions such as Electrical Workers, Boiler Makers, Woodworkers and Amalgamate Engineers Unions and the remaining 17,000 Whites are officials.¹⁷

Of 397 000 African workers in the mines under the Chamber of Miners there are about 177 000 South Africans and the rest foreigners from black Africa. This figure shows an increase of about 43,9% over the figure for 1975 which was 123 000; and an increase of over 100% on the 1974 figure which was 82 000. In 1930 South Africans made up 60% of the African labour force.¹⁸ By the end of 1974 this figure had dropped to about 25%; now it is up again to 44,5%. The steady increase today can be attributed to an intensified campaign to recruit

local African labour on the part of the Mine Labour Organisation as a result of the apparent insecurity in over-dependence on foreign labour. The general manager of the Mine Labour Organisation which claims to be the largest employment agency in Africa, Mr Antony Flaisher, writing in the biennial mining survey published by the Chamber of Mines, revealed plans of a high powered publicity programme. Touching on internal recruiting, Mr Flaisher said the image of mining as a peasant occupation in a strongly derogative sense had to be changed to attract local Africans to the industry.

Discussing the mine labour situation, the Minister of Bantu Administration and Development, Mr M. C. Botha, said, in Pretoria, that the shortage was caused by certain countries who were holding back their labour while uncertainty existed regarding others. He added that one of the neighbouring states which had been a major source of black labour for the mines had also ended its agreement with South Africa. From those sources, the Minister said, the mines had recruited 76 000 labourers annually. Now that they were no longer available, the recruitment organisations were compelled to look for labour locally. He stated as well that the shortage made it necessary to employ black women on surface work, formally done by black men. The idea was to relieve the men from surface jobs so that they could work underground.¹⁹

The key problems facing the mining industry resulted mainly from the migratory labour system, the black/white wage gap, the employment colour bar restricting black advancement in skilled work opportunities and the denial to Africans of trade union rights for purposes of bargaining.

Migrant Labour

The migratory labour system which occurs on a large scale in the South African mining industry is a system whereby Africans are recruited to take up contracts with industrialists in far away metropolitan areas, where they work for what-ever contracted number of months (often 9-12) at the end of which they go back to the 'reserves'. Such workers may not live freely in the urban townships around the cities because of the restrictions brought about by the laws governing African influx to the cities. They are often kept in single men's quarters in compounds. Such compounds are usually built around the mines by the mining companies as well as in African townships by Bantu Affairs authorities and/or municipalities for workers employed in other sectors.

Many people inside and outside South Africa have attacked this system as responsible for family break-ups in the rural areas and many other evils that are reported to occur in urban areas. Most of these antagonists claim that any migrant worker who is a father can only be

with his wife and children for spells of time limited to a matter of weeks in any given year. This situation prevails for almost all his economically active years of life.

The South African Government has for many years encouraged the migrant labour system and sometimes justified it quite eloquently. The year book of the Department of Information issued in 1975 suggested that many of the male migrant labourers preferred that type of employment because they wished to shelter their families from the less desirable aspects of urban industrial life, while at the same time they wanted to retain close links with their own homeland.²⁰ It came as a surprise therefore, when the outgoing Deputy Minister for Bantu Administration, Mr Punt Janson, addressing the Natal Congress of the ruling Nationalist Party, told delegates that the migrant labour system was "bad at heart" and bringing with it "violent evils".²¹ Mr Jansen also revealed that his Department was conducting an inquiry into the defects of the system with the view to improving it as the Government could not possibly scrap it.²¹ The Bantu Affairs Minister, Mr M. C. Botha, disclosed in reply to a question in the House of Assembly on²² 27 January 1976, that the inquiry had been completed although the document of the findings would not be made public as it was "considered to be a confidential, departmental working document for official consumption only."²³

Early in 1976 it was reported that a group of companies in the Transvaal which employ more than 3 000 Africans had decided to phase out migratory contract labour on humanitarian grounds. The Group, Primrose Industrial Holdings, miners of clay and makers of bricks and pipes employing 2,300 Africans in the Transvaal and 850 in the Cape, announced intentions to phase out 80% of its contract workers in six years. It had alternative plans of establishing their quarters on its premises for an elite group of 10-15% of its black workers. By 1982 it planned to have only about 20% of its labour on contract: young unmarried men would remain by choice. Announcing the decision the managing director of the group Mr David Lurie said, "We do not like a system which causes separation of people from their families."²⁴

In Kimberley, De Beers Diamond Mining Company told *Black Review* that it had started effecting a similar scheme of doing away with the migrant labour system. The Company has since stopped employing new migrant labourers. However, with regard to those contract workers who were already with the Company, the Company had decided to revise its retirement system to speed up the phasing out process. Initially, the retirement age had been placed at 60 years, but with the new policy in effect, the migrant workers were allowed to work until they reached the age of 50, whereupon their positions would be filled by local men. In a bid to offer accommodation to its employees,

the same company had embarked on a house building programme at a local township—Galeshewe. The scheme, which is divided into phases, had already sparked off with 250 houses under construction. Outlining the scheme to *Black Review*, a De Beers official expressed hopes that the budgetted R2 million would cover 750 houses.

Black/White Wage Gap in the Mining Industry

Almost as a tradition now, African wages in the mines have been pretty low and by no means competitive with most other heavy industries in the country. These wages have never come anywhere near what the white miners were getting. There are several factors which have kept the gap quite wide. Amongst these could be counted, firstly, the common tendency on the part of most industries to keep the production costs as low as possible. The mining industry being both capital and labour intensive, substantial wage increases for the huge African labour force implies substantial increases in production costs. Secondly, this is also due to the presence of very conservative white trade unions for white miners who do all in their power to ensure that the gap does not narrow. This they do in various ways including preventing the relaxation of job reservation which is partly responsible for the gap.

In a revealing interview with the *Financial Mail*, the General Secretary of the White Mine Workers Union, Mr Arrie Paulus, said that black miners should always be sub-servient to white miners, the black miner only had a future as a labourer; the migratory labour system should be maintained; black miners should not be given trade unions and black miners did not need any more wage increases.²⁵ Meanwhile he suggested that the industry could afford to pay white miners up to R1,000 a month. By June 1975, the basic wage of an African underground miner was R2,20 per shift (26 shifts a month). The mining industry claimed however, that the average earnings of a black miner were R90 per month. The basic pay of a white underground miner was just over R400 a month, but the average white miner's pay was, according to the industry, R700 a month.²⁶

In interviews with De Beers Officials in Kimberley, *Black Review* learnt that the Company had set up a non-racial wage system where a person was paid according to the work he was doing. Workers generally received an average pay of R145 a month, with white-collared black officials getting the maximum ranging from R500 to R600 a month. By and large, however, the situation in the mines was not very rosy.

The current position of African mineworkers is such that there seems to be no question of a possibility of establishment of trade unions in the mines, even without government recognition, for quite some time. This has been the case throughout the period under review, despite

promising statements by such leaders of the mining industry as Anglo American's Chairman, Harry Oppenheimer, and the recently retired Deputy Chairman, Mr William D. Wilson. In a major policy statement in the December 1975 issue of Anglo's *Optima* magazine, Mr Wilson discussed the question of upward and downward communication in the mines extensively: "The gold mining industry faces specially grave problems in the field of upward communication. Over the last two years serious riots have occurred during which lives have been lost, property destroyed and production affected. . . ."

"In all cases communications have at best been partially effective or at worst wholly ineffective. Established systems have simply failed to respond", said Mr Wilson. He added that there needed to be introduced a system of worker leadership training in industrial relations, and that some interim measure of worker representation should be implemented.

Apparently, the Anglo American Corporation saw the inevitability of African trade unions in the industry. Recently they introduced a briefing system for downward communication, which had been devised by the Industrial Society of the United Kingdom. This system, which was being introduced in all the Anglo mines and industrial companies, had previously been experimented on two gold mines, two coal mines, one diamond mine, two industrial operations, at the head office department of Anglo American and at the research laboratory. Talking to *Black Review*, officials of the Anglo American Corporation Public Relations Department explained that the system involved full briefing of staff at all levels by respective immediate superiors on all issues affecting the work as well as any policy matters. For over three years, the Anglo head office had been having a Black Joint Consultative Council (BJCC), composed of twelve Blacks, each elected by the work group that he represents, and four representatives of management. The chairman and secretary were black and the black representatives would caucus before Council meetings. This system was seen as a cross between a liaison and a works committee.

In the South African labour scene generally, most problems of the African workers have always arisen from the fact that they cannot have recognised trade unions. The communication of any grievances to employers, however sympathetic the employers themselves might purport to be, has always been prejudiced by the background that these workers remain legally powerless. The Government has always refused to legalise African trade unions, apparently because of fears that they would be used to advance the political aspirations of Blacks who are generally excluded from the South African political process. However, this conservative resistance to African trade unions has been given momentum by the conservative white worker trade unions which benefit

a lot from the restrictions on Africans, as well as the exploitative individual employers and employers' organisations who are about to impose any unacceptable working conditions on their African labour force with impunity.

Events indicating growing impatience on the part of the workers with their helpless position, as well as general national economic demands in recent years have, however, forced the Government to re-examine its labour policies in pursuit of any alternative short of allowing free workers organisation and representation. The Bantu Labour Relations Regulation Act of 1973 offered certain avenues for the representation of African workers. The first one, which had existed in terms of the previous law, was the works committee. The works committee was a body of elected workers' representatives which could be formed in any establishment employing more than twenty African workers. A meeting convened for the purpose of electing a works committee had to be presided over by the employer or his representative.

The second one was the liaison committee which consisted of some members appointed by the employer, and others at least half of the committee, elected by the workers. Both the works and the liaison committee were only functional within the plant concerned and had no influence on the whole trade. A works committee could not be established where a liaison committee existed. The main practical difference between the two was that the liaison committee was a consultative body where employer and employee met to consider issues, while the works committee served the purpose of communicating the wishes and aspirations of the employees.

At the end of 1974 the number of liaison committees in operation was 750 (50,6%) in the Transvaal, 376 (25,4%) in Natal, 298 (20,1%) in the Cape, and 58 (3,9%) in the Orange Free State, while there were 98 (47%) works committees in the Transvaal, 45 (22%) in Natal, 61 (30%) in the Cape and 3 (1%) in the Orange Free State.²⁷ In 1973, for the first time the Government, in principle, conceded to the need for African workers to go on strike, although the 1973 legislation practically made it almost impossible for a legally justified strike or lock-out to take place, because of the protracted negotiation system demanded in times of discontentment. In fact, strikes and lock-outs for African workers were prohibited in the following instances:

- Where a wage regulating measure or order was binding and where it had been in operation for less than one year;
- During the period of currency of any agreement, award or determination made under the Industrial Conciliation Act, 1956;
- During the period of currency of any agreement, award or determination made under the Industrial Conciliation Act, 1956;

—Where the African workers were employed by a local authority (municipality or any other authority);

—Where the African workers were employed in essential services providing light, power, water, sanitation, passenger transportation or a fire extinguishing service, within the area of a local authority;

—Where they were employed in the supply, distribution and canning of perishable foodstuffs, or the supply and distribution of petrol and other fuels to local authorities or others engaged in providing essential services, if the Minister had extended the prohibition on strikes to such industries;

—Where the Central “Bantu” Labour Board had referred a proposed industrial council agreement which it found unsatisfactory to the Minister for a Wage Board recommendation;

—Where the Central “Bantu” Labour Board had reported an unresolved dispute to the Minister for a Wage Board recommendation.²⁸

Otherwise, in any other cases where strikes and lock-outs were not prohibited, disputes had to be referred to liaison or works committees which existed in the plant concerned. If the committee could not settle a dispute, it had to be referred to the “Bantu” Labour Officer for the area concerned. The workers had then to wait for thirty days after a report had been made to the Labour Officer, before a strike or lock-out could legally take place. However, most critics pointed out that the thirty days would be long enough for the employers to weed out ‘trouble makers’ and agitators from their firms, those who remained would be sufficiently intimidated not to follow the matter any further, but rather ‘lie low’ and swallow the grievances.

Nevertheless, these measures did very little to reduce the rate of ‘illegal’ strikes. In 1974, after a year of the enactment of this law, instances of strikes involving African workers were reported. In 1975 there were 119. It would appear that the authorities saw the need to reorganise their thinking on the question of African labour representation, because towards the end of 1975 the Department of Labour published a draft Bill which had proposals amending the 1973 legislation. The draft was generally circulated among employers organisations and white trade unions for comment.

The proposals included permitting Africans to serve in all positions of the Central “Bantu” Labour Boards, and also to serve as “Bantu” Labour Officers. This meant that they could be appointed as chairmen of Regional “Bantu” Labour Committees as well. They further allowed for works committees to be established regardless of whether or not liaison committees already existed. Works committees would be elected even if the workers employed were less than twenty, which would make it possible for smaller firms to also practise some form worker representation. A further proposal provided for the establishment of industry

committees. A group of liaison and works committees in a trade or area could apply to the Minister of Labour for the establishment of an industry committee. The Minister could, at his discretion, sanction the applications if he felt that they were sufficiently representative of the African workers in the trade or area concerned. The industry committee then would consist or elected representations from the works and liaison committees in question.

A Labour Department spokesman however revealed in June 1976, that the draft Bill had met with "a mountain of criticism and comment" from leading employers and labour bodies amongst whom it had been circulated. Employers' associations such as the Afrikaanse Henderl-sinstituuat and the Federated Chamber of Industries were reported to have opposed the given form of the Bill because they believed it would further the growth of the African trade union movement.

The Confederation of Labour also saw the proposals as nothing less than a preparatory step towards trade unions. The Confederation, which stood for 195,000 workers, was opposed to African trade unions. Its secretary, Mr Wally Grobler, said that the proposals would create problems when Africans would be allowed to participate in industrial council meetings, because industrial councils were traditionally white, and there would be opposition to any measure making them otherwise.²⁹ Meanwhile, bodies in favour of African trade unions were of the view that the proposals would in fact have the effect of curbing the growth of the union movement.

Nevertheless the proposed legislation had to be redrafted to accommodate the views expressed in the various comments made, for consideration by the new Labour Minister, Fanie Botha. It was expected that the Bill would be taken to Parliament in 1977 with a number of changes.

Despite Government resistance, African workers continued to form trade unions and to demand their recognition by managements. A similar demand at Elandsfontein near Germiston in February 1976 led to a dispute with the management lasting weeks, culminating in an ugly police baton charge of the workers. Four hundred and eighty workers, making up eighty percent of the African workers at Heinemann Electric (SA) at Elandsfontein, signed a petition rejecting the company's liaison and works committees and demanding recognition of their trade union. The petition which was delivered to the managing director, Mr W. E. Wilckens, by three organisers on 20 February, had been preceded and followed by attempts by management to get the workers to accept the committee system.

The union reported that the liaison committee had become defunct early in February. The management tried to hold an election for a panel of new worker representatives. The move apparently failed

because only twenty seven workers out of six hundred and six, voted. On 19 February, foremen in the factory tried to persuade workers to vote in a new election for a liaison committee, and this time there was a hundred percent boycott. On 16 March, management tried another ballot for either a Heinemann Workers and Management Committee (some liaison committee) or a works committee.

In their petition, the workers stated:

“We, the workers of Heinemann Electric, wish to state that we are members of the Metal and Allied Worker’s Union (Transvaal) and that we reject liaison and works committees. We want the union to represent us and not a liaison or works committee.”

It was after a quiet week when on 25 March, some twenty workers were “retrenched because of the economic situation and particularly the downward trend in the building industry”, according to the managing director, Mr W. E. Wilckens. The following day the rest of the workers refused to start work, demanding that the dismissed men be reinstated. They believed that the ‘retrenched’ twenty were in fact dismissed because of their active role at meetings of the Metal Allied Workers’ Union. Mr Wilckens discharged the entire lot of them with a word that anyone of them wishing to be re-employed by Heinemann, could reapply the following Monday—“on condition they accept the company’s liaison and works committees.”

On the said Monday, workers still stuck to their demands, amid taunts from police troops who were on stand-by at the factory. The workers apparently did not believe that there had been a genuine need for retrenchment, as one worker said: “But it’s funny because new people were hired this morning.”³⁰

At about 10 a.m. a Col F. S. Botha who was in charge of the police, gave the workers thirty minutes to disperse. Before the time expired, the secretary of the Allied Metal Union addressed the crowd and asked them to go home. It is reported that workers were in the process of moving away, singing the national anthem ‘Nkosi Sikelel’i-Afrika’, when a policeman said “Hierdie kaffers is hard in die bek laat ons hulle gaan kry. (These kaffirs are cheeky—let’s get them).” Whereupon the stick wielding police troops set on the workers, and their dogs also had their fair share. People fled in all directions. “Police hit everybody and everything before them”.³¹ A woman about seven months’ pregnant was struck by a policeman wielding a stick resembling a pick handle. She lay on her stomach unconscious.

Subsequently, four of the workers were charged under the Riotous Assemblies Act. Their trial has been dealt with in Chapter 4.

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