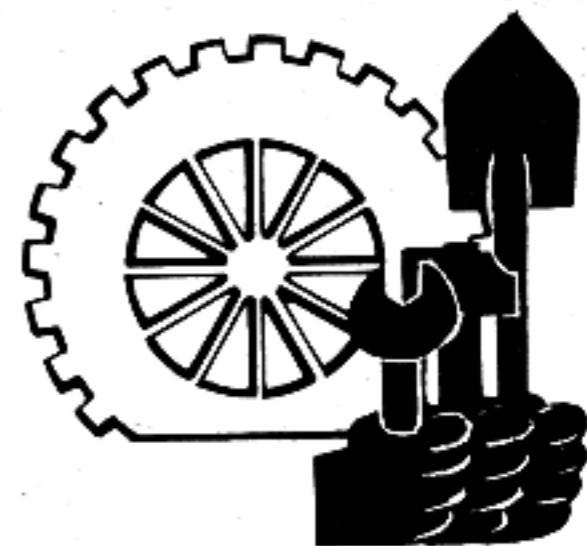


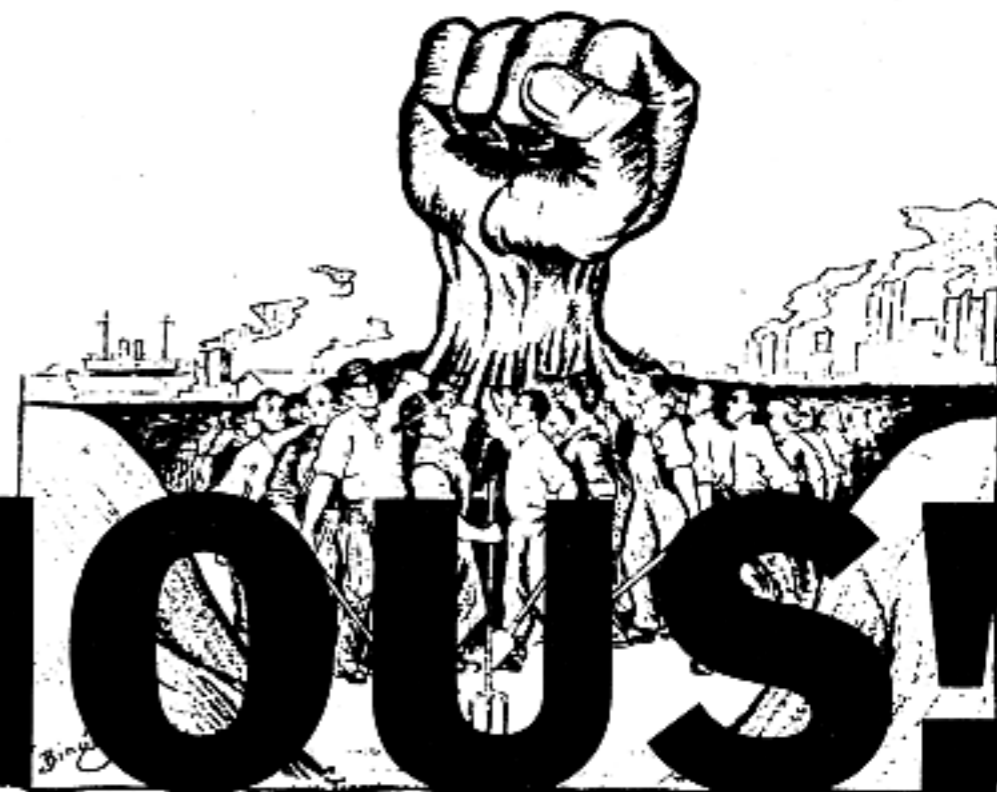
FOSATU WORKER NEWS

Federation of South African Trade Unions



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FOSATU VICTORIOUS!



IN a crucial victory in FOSATU's battle against the Government's racial policies, the Natal Supreme Court has ruled that the Registrar and the Minister of Manpower wrongly gave affiliated unions registration certificates restricting them to certain race groups.

In line with FOSATU's policy of non-racialism, the federation rejected the racial registration certificates given to the unions in 1981 and appealed to the Minister of Manpower to overrule the Registrar.

YEAR-LONG WAIT

However after sitting on the matter for a year, the Minister of Manpower turned down FOSATU's appeal. This led to FOSATU taking the matter to the Supreme Court.

In their judgement delivered on April 15, three judges of the Natal Supreme Court said they found it

'wholly unacceptable' that different races necessarily had different industrial interests.

The effect of this judgement is that when the Registrar examines the membership of a union when it applies for registration, he can only look at industry, job category and area.

IMPOSSIBLE TO REGISTER RACIALLY

In FOSATU's view it will now be impossible for the Registrar to racially register a trade union.

The Supreme Court ordered that the Registrar remove limitations on the Metal and Allied Workers Union, the Chemical Workers Industrial Union, the National Union of Textile Workers and the Transport and General Workers Union.

In terms of the judgment, the Minister of Manpower and the Registrar will have

to pay the costs FOSATU incurred in taking the matter to the Supreme Court.

JUBILANT AT VICTORY

Jubilant at FOSATU's victory, the Central Committee said it now awaited the State's decision on whether it wished to proceed with a similar case that FOSATU is bringing to the Transvaal Supreme Court dealing with the racial certificates given to the Paper Wood and Allied Workers Union and the Sweet Food and Allied Workers Union.

The Central Committee stated that the State should pay heed to the Natal decision and drop the Transvaal case.

The State should now accept that FOSATU has won the battle over race and that it no longer has any place in industrial legislation, the Central Committee said.

R40 000 LARGEST PAY-OUT EVER

IN the largest pay out in a labour dispute in South Africa, workers at Braitex, a Transvaal textile factory, were given R40 000.

And the Braitex workers have finally won their two year battle against a management who has been trying to force them to join CUSA's Textile Workers Union.

A ballot recently held in the factory proved once and for all that the National Union of Textile Workers is the union the workers want. Only nine workers voted for the CUSA union.

The Braitex victory marks a further landmark in FOSATU's battle against minority unionism. FOSATU has always held that only the union which has the majority membership in the factory should be granted recognition rights.

COMPANY UNABLE TO HIDE

The Company also will be unable to avoid negotiating with the NUTW by hiding behind the Industrial Council, as the Industrial Court order, which settled the dispute, clearly awarded factory bargaining rights to the majority union.

The Braitex dispute revolved around the alteration of bonuses and the retrenchment of workers without any consultation with the NUTW. The NUTW also claimed that the recognition of

the minority union by the company was a form of 'sweetheart unionism'.

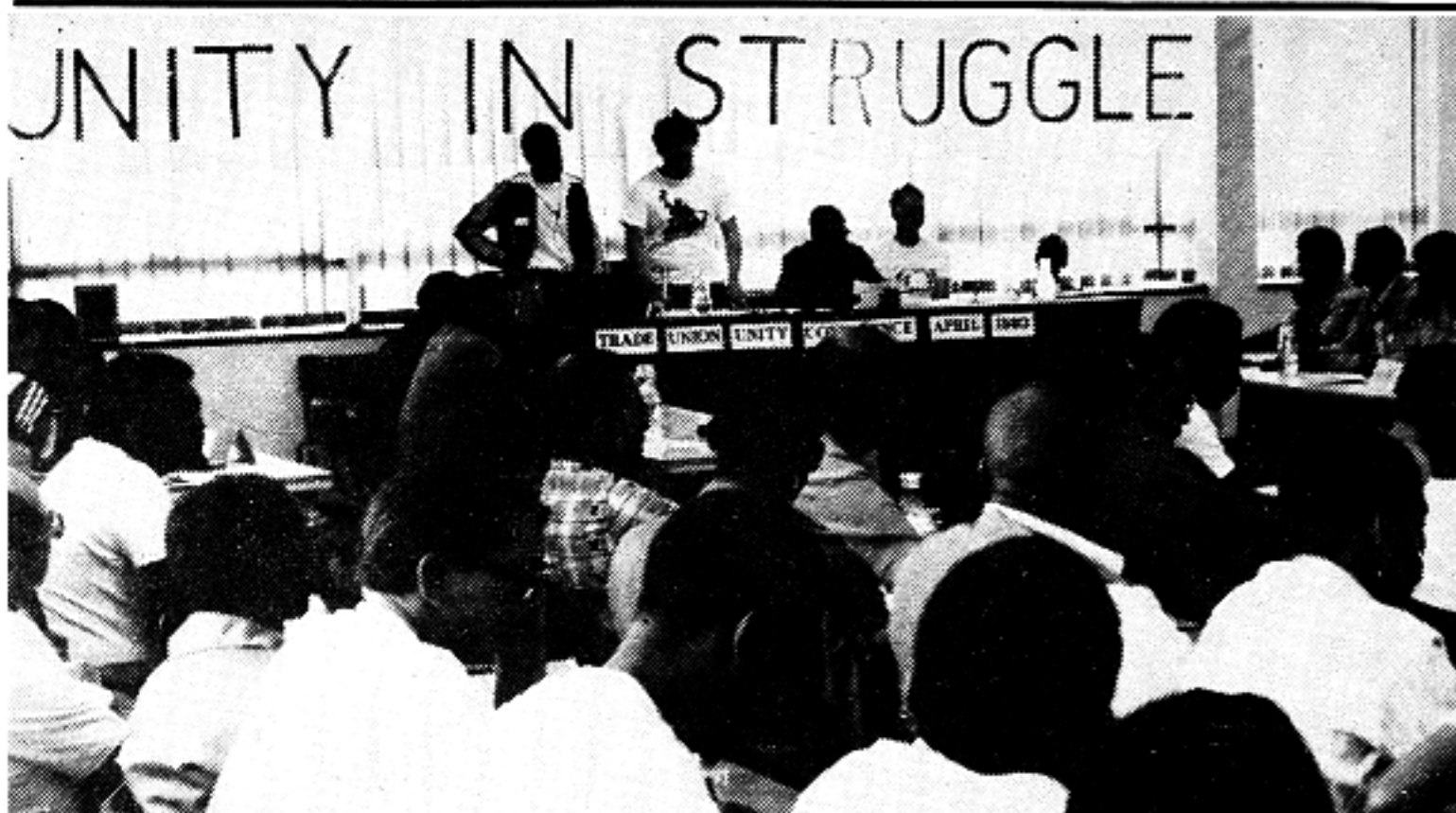
The court ordered the reinstatement of 15 long service employees and said that if NUTW won the ballot, then grievance, retrenchment, disciplinary, negotiation and dispute procedures would come into operation.

RETRENCHMENT PROCEDURES

The retrenchment procedures state that a month's notice is necessary, with time to allow discussion between the union and the employer as to whether there are any alternatives to the retrenchment. Retrenchment must be on the basis of Last-In First-Out and workers must get a severance pay of one week's wages for each year of service.

The court order also laid down a disciplinary procedure in the factory, in terms of which workers cannot be fired without three written warnings, a fair hearing, shop steward representation and a system of appeal.

The Braitex workers at a meeting recently, celebrated their victory and discussed how to distribute the R40 000.



THIRTEEN union groupings, including FOSATU, gathered in Cape Town on April 9 and 10 to discuss the pressing need for unity among the progressive trade unions in South Africa. Although there were attempts made to disrupt the meeting, FOSATU (whose delegation can be seen in the forefront of the picture) and six other unions committed themselves to the formation of a new federation. For a full report see page 2.