

# Mavi's death a loss to SA worker movement

SOUTH African workers lost an important leader when Joseph Mavi, president of the Black Municipality Workers' Union, died in a car accident last month.

Joseph Mavi came to prominence in July 1980 as the leader of the Johannesburg municipal workers' strike when 10 000 workers stopped work and brought Johannesburg to a halt.

The strike followed a recognition dispute between the union and the Johannesburg City Council and a

pay demand at Orlando power station.

The council refused to negotiate and brought in the police to crush the strike and deport striking workers to the homelands.

Mr Mavi and other leaders of the BMWU were arrested and charged and were only finally acquitted in May last year.

Two months later Mr Mavi was back in detention under the Internal Security Act after he had addressed an anti-Republic Day meeting. He

was released again in August.

## UNITY TALKS

Joseph Mavi's death could not have come at a worse time for his union and for the workers' movement in South Africa. He was an important figure in the unity talks and his union was only just re-establishing itself after the defeat in 1980.

FOSATU wishes to salute a departed comrade who has been tragically lost to the workers' struggle.

# Major victory in the courts

FOSATU has won a major victory in the courts which will help workers all over South Africa.

Before the judgment, the courts refused to compel employers to reinstate workers after they had been victimised. Now, after the new ruling of the Transvaal Supreme Court, an employer can be obliged to take workers back and pay all wages that have been lost in between, as a result of victimisation.

## STAG PACKING

The new ruling has been made in favour of workers at Stag Packing, members of the NUTW, who were fired in June last year. The dispute started when the company, a subsidiary of the British company Turner Newall, retrenched twelve workers.

When workers struck, the company agreed to negotiate retrenchments with the union and that no further overtime would be worked until then.

Shortly afterwards, the company demanded once again that workers should work overtime. When they refused, the managing director switched off the machines and told the workers they were fired.

A security firm was called in and guards with dogs marched the workers out of the factory.

The union applied for a court interdict to stop the company from victimising the workers and force it to take them back. However, the magistrate refused, saying that even if the workers' claims were correct the law could not enforce reinstatement even if workers were dismissed or locked out.

An appeal was lodged against the ruling, which eventually resulted in the new judgment by the supreme court.

## SETBACK

Meanwhile, however, it represented a setback for the workers' movement. It confirmed the bias in the law in favour of employers against workers which was also displayed when the courts refused the reinstatement of Mr Khubekha at Imextra on the same grounds, seven years earlier.

The effect of this judgment was that a victimised worker or his union could not take legal action themselves but had to persuade the Department of Labour to lay a criminal charge against the offending employer.

FOSATU unions succeeded in doing this several times but the department's cases were so inadequately prepared that they all failed.

The unions began fighting back five years ago when they found they could not take legal action themselves but had to persuade the Department of Labour to lay a criminal charge against the offending employer.

## PRECISION TOOLS

Several important cases were won in this way, especially by MAWU against Precision Tools.

More progress was made when FOSATU unions succeeded in winning a victimisation case on behalf of Angel Makhanya who was fired in 1979.

Employers, who had to pay the legal costs of FOSATU as well as their own when they lost, began to realise that victimisation of FOSATU union members could be expensive, and this practice began to decline in FOSATU factories.

However, one major problem remained. It was difficult to prove victimisation before it happened, and difficult to press a criminal

case after it had taken place.

According to union lawyers, this is why the Stag Packing judgment is so important. For the first time, workers have the possibility of getting real legal protection against victimisation - which they know well is the main weapon employers use to break a union.

FOSATU president Chris Dlamini has told FWN: "After an eight year battle FOSATU has won important new rights not just for FOSATU members but for workers all over the country."

"Through this case, South African workers have won rights that even British workers do not enjoy."

"We can now struggle even harder without needing to watch all the time for a stab in the back."

# French unions will support FOSATU

CHRIS Dlamini, president of FOSATU, recently attended the annual congress of the French Trade Union Federation, the CFDT, which was held at Metz in France.

According to Chris, congress debates focused on:

- international solidarity for all workers
- solidarity on equality of men and women workers
- solidarity against retrenchments caused by the introduction of new machinery
- solidarity with trade unions

from the Third World, including South Africa, especially through the exchange of shop stewards.

About 300 delegates attended the congress and they applauded for three minutes when FOSATU was presented.

According to Chris, his visit was important because there had previously been little contact between FOSATU and French trade unions.

"Now that they are informed about our situation, they are keen to build links with FOSATU affiliates and give us all the support they can," he said.

# Police crack down on Brits march

POLICE have questioned NAAWU and MAWU organisers and shop stewards and Young Christian Worker leaders about a march which took place in Brits in May.

The two unions have been organising in Brits since the end of last year and have received valuable support from members of the Young Christian Workers in the area.

In May, the unions and the YCW decided to organise a workers' celebration to commemorate May Day. Pete Maseko, NAAWU organiser for the Brits factories, says the celebration began with a church service at 8 a.m.

Then followed a procession of drum majorettes and workers with banners of the three organisations, accompanied by the guest of honour, Archbishop E. Cassidy, Apostolic delegate to Southern Africa, and

Father Angelo.

Riot police with sjamboks, tear-gas and guns stopped the procession in the township. Despite explanations by Father Angelo, the police gave the workers five minutes to disperse and escorted them back to the church. Two workers were arrested, apparently for having cameras.

Back at the church, a shop steward from Sigma addressed the meeting and stressed the need for organised unity among workers. A FOSATU office bearer encouraged workers to fight retrenchments through joining trade unions.

## CHURCH PRAISED

He praised the church for the day it had organised saying: "Such churches are needed, not churches who tell us to wait for the coming



Joseph Mavi, president of the Black Municipality Workers' Union, who died in a car accident last month.

# Motor workers down tools

LABOUR unrest erupted in the automobile industry in the Eastern Cape this month after employers refused to meet workers' wage demands.

Earlier this year, NAAWU formulated a demand for R3.50 an hour for this year's industrial council negotiations.

## REJECTED

However, employers rejected this and offered R2.15 an hour. This offer was rejected at mass meetings of Ford, General Motors and Volkswagen workers early this month.

Workers decided to wait for the outcome of another industrial council meeting on the 14th before deciding on further action.

Despite the flat rejection by the workers, employers stuck to their offer at the council meeting and workers decided to down tools after shop stewards reported back to them.

Over 10 000 workers were out at the three plants - the biggest ever strike to hit the motor manufacturers in the area.

## DEADLOCK

Another council meeting held early the next week also ended in deadlock. However, employers and unions agreed to continue meeting. Eventually, a formal wage dispute was declared which will be referred to mediation or arbitration.

Meanwhile, workers decided to continue to demand higher wages but to return to work.

However, some workers found their plants closed when they tried to return and the union accused employers of locking workers out. All Volkswagen and General Motors workers eventually returned but at the time of going to press this dispute was still continuing at Ford.

A full report on the dispute will appear in the next issue of FWN.

world."

A YCW office bearer spoke next, urging workers to take action through trade unions. "It is through actions that people are united," he said.

"It is through action that men and women are newly made. It is through action that the struggle is won."

Police kept a low profile in the hall but tried to intimidate people who were entering by asking their names and addresses. "In a way, the police united the people," an eyewitness said.

## COMPLAINT

Archbishop Cassidy has since written to complain to the Internal and Foreign Affairs Departments. However, Brits police have opened a docket on the procession and have taken statements from union

organisers and shop stewards, as well as YCW leaders, about the presence of union banners in the procession.

This follows:

- the questioning of David Sibabe, general secretary of MAWU, about the union's annual general meeting in the Vosloosrus stadium on May Day

- the questioning of office bearers of the Katlehong local, including its secretary, Basner Maloi, who was removed from his house in the middle of the night and taken to a deserted spot for several hours.

FOSATU's vice-president, Andrew Zulu, has said: "Once again, it seems that the Department of Manpower's labour reforms are being put in doubt by the intimidatory actions of the police."