

grounds of race, colour, creed or sex (and in one of the sections, age). These provisions contradict the President's directive about Africanising the civil service. If a permanent secretary employs a black over a slightly more qualified white because the applicant has a black face (as the Presidential directive requires), the permanent secretary becomes liable to a \$5,000 fine or two years in prison.

The bill must have had as its ultimate author an attorney representing big business — nobody else could have written it so carefully to deprive labour of any legal support. Its adoption could well put paid to Zimbabwe's declared goal of socialist transformation, for it will inevitably place government in the role of labour's enemy, not its ally. Enactment of this bill will strangle the working class, destroy the right to strike, place unions under the thumb of employers and government, permit the Minister to impose influx control, and in the end drive a fatal wedge between government and the working class.

(Moto Magazine December 1982/January 1983.)

Conditions of Employment (SATS) Bill 1983

The Conditions of Employment (South African Transport Services) Bill, 1983, which passed its third reading in Parliament recently, is consolidating legislation bringing together 24 previous Acts dealing with employment conditions in the SATS.

Most amendments were to the Railways and Harbours Services Act, No 22 of 1960 and the most important change was to the SATS conciliation machinery. Clauses 27 and 28 scrap the Conditions of Employment Advisory Board, which represented all staff associations, and replace it with smaller ad hoc boards representing only the staff association most immediately effected by the matter at hand.

The Government White Paper describes the procedures for settling disputes in terms of the 1960 machinery as time-consuming and expensive. It had therefore recommended simplified procedures and the appointment of one-man commissions to settle disputes instead of the existing two-man nominated commissions.

Five broad themes emerge from the bill; entrenched but hidden racism, the SATS refusal to recognise independent unions, far-right fears of in-

creased ministerial powers, SATS refusal to legitimise strike action and Minister Hendrik Schoeman's attitude to the General Workers Union.

Clause Six of the new Bill — a repeat of the old Sections 4 (1) and (2) of the 1960 Act — emerges as one of the most controversial aspects. By confining permanent or temporary appointments in the SATS to South African citizens only, it condemns large numbers of Xhosa, Tswana and Venda-speaking South Africans to 'casual' or 'regular' status, thereby excluding them from the major provisions of the Bill which extends protection in internal procedures. About 50,000 out of 130,000 Black SATS workers — a third of the Black worker strength — are excluded by this condition alone. All migrant and contract workers — the bulk of the SATS labour force — are also categorised 'contract' or 'casual' thus similarly excluding them.

A suggestion by the Progressive Federal Party that all employees - including those from territories once forming part of South Africa — be allowed 'permanent' or 'temporary' status after two years employment was rejected by Schoeman who described putative citizens of independent bantustans as 'gastarbeiders' in the SATS. He did imply, however, that once parity of pay had been achieved in SATS, at a cost of R400 million within a minimum five year time span, any member could be classified as contract, casual, temporary or permanent staff. Whether the coveted 'temporary' or 'permanent' status will also be extended to the 'gastarbeiders' was not spelt out.

A second major theme in the bill related to SATS employees' right of free association and the insistence by the Government that only staff associations recognised by the Minister and registered as trade unions can participate in the conciliation machinery.

Opposition spokesmen hammered the clauses as a direct contradiction of Manpower attitudes to the autonomy of unions and the freedom of association. Schoeman rejected the argument and claimed it was an employer's right to choose whom he wished to recognise. The SATS machinery was comparable to the arbitration and conciliation procedures embodied in labour relations legislation. Other Government speakers predicted chaos if the SATS had to negotiate with outside unions. Splintering would destroy the 'labour peace which has existed in the SATS for more than 50 years'. The Minister implied the majority of black workers supported the SATS-sponsored Staff Association for Black Employees (Government speakers claimed it had a 50,000 membership) but he failed to react to opposition calls to hold a referendum among black workers.

A third theme emerging from the passage of the Bill came from the far-

right. Conservative Party spokesmen opposed the devolution of certain authorities from the State President towards the Minister on the grounds that in the new constitutional set-up the future Minister might be a coloured or Indian person.

A fourth theme involved strike action. Clause 26 of the Bill repeats the old 28 bis of the 1960 Act which prohibits an employee or anybody else from initiating or taking part in a strike. The maximum penalty was set at R200 or a year's imprisonment, or imprisonment without the option of a fine, or both. PFP warnings that a blanket refusal to allow strikes was a denial of basic rights was dismissed by Government speakers who emphasised that SATS remained a strategic organisation.

A final theme to emerge was Schoeman's attitude to the General Workers Union; at one point he referred to them by implication as 'communist labour unions' and other Government speakers accused the PFP of having become 'mouthpieces of leftist radical trade unions' and siding with the GWU against SATS. On the recognition issue Schoeman claimed that if he recognised the GWU the other staff associations might say they were being rendered helpless: 'Let us preferably make our own trade unions stronger'.

Opposition comment on the Bill was that it was anachronistic in its conciliation machinery, and the SATS Victorian in its industrial relations — as highlighted by the GWU strike. Schoeman unabashedly explained his motivation:

'Those who went on strike were paid off. I am not going to alter the terms of the legislation; I want to keep power in terms of the legislation.'

(C.T. correspondent, March '83)

Poverty in the Boland

The recession is taking its toll in the Western and South Western Cape, where more than 5,000 canning workers have lost their jobs in the past two years. In the Boland towns of Paarl and Wellington alone, more than 2,000 workers, previously employed in the industry, are now jobless. According to figures compiled by the Food and Canning Workers' Union (FCWU), which represents the majority of canning workers in the Cape, there were about 15,000 workers employed at the peak of season in