

Anglo giant - crushing farmworkers

By PHILLIP MASIA and OVGWU

Soetveld Farms, an Anglo American subsidiary, has retrenched 17 of its workers at the Uitvlucht cattle feedlot in Vereeniging.

Management called in the Orange Vaal General Workers Union (OVGWU) on 6 March to tell them that they had started retrenching from 1 March. They said that the decision was reached on the last Monday of February and the situation was beyond review.

Management first gave the reason for closure as the deterioration of the feedlot grounds. They said that as a result of its location on flat rather than sloping ground, it became too low as manure was removed. Feeding cattle under those conditions made them lose weight. Thus they were feeding at a loss.

Later, however, when the union queried this, management responded by saying there were a combination of other factors, citing the declining beef market as another.

Other sources say that the beef market is fairly steady, and feedlot owners disagree with the flat/low condition explanation.

The union at a later meeting refused to accept the retrenchment and

pointed out that the Terms and Conditions of Employment introduced by Amfarms in 1984, states that, the company "shall endeavour to avoid the need for retrenchment by considering alternative measures."

The union pointed out also that Soetveld has at least 18 farming units in the Transvaal, Orange Free State and Natal, as well as RFF subsidiary farms in the Western Cape. Amfarms, to which Soetveld and RFF belong, is owned by the giant Anglo American Corporation, with close links to Anglo American Industrial Corporation, to Amcoal (where the current chairman Mr David Rankin, successor to Mr Murray Hofmeyr of JCI, comes from), and also Rand Selection Corporation Limited. These are big companies where the workers could have been employed, argued the union.

Management responded by saying:

- these workers are agriculturally based
- they have no skills required by the industry
- and they (management) are not responsible to look for jobs for these workers.

Looking at the first reason, the union gained the impression that management is still clinging to the historical influx control position of farmworkers that curtailed their freedom to move from farm to industry or from rural to urban.

The second reason clearly undermined the farmworkers' intellectual ability and capability to perform work anywhere outside the farming sector, further cementing management's men-

Anglo breaks promises

These reasons also contradicted a statement by the former chairman in a newsletter late in 1988. He said, "I hope that Amfarms will continue its policy of trying to help each employee to improve himself and the contribution he can make to the success of the company. We are, after all, a South Africa in miniature and we must set ourselves the goal of breaking down the racial and other barriers which tend to divide our society."

According to the Amfarms newsletter the feedlot recorded substantial profit at the end of 1987. Amfarms also leased six new farms and increased the size of an existing cattle ranch over recent years. The reason for expansion was that because of the "uncertainty involved in the profitability of dry land crops like maize, caused by drought and also pricing problems, it has become clear that it might be wise for Amfarms to expand the production of other commodities like beef, mutton and pork.....the cheapest way to produce beef is from pasture or grazing."

To the union it is also clear that the decision to close the feedlot was taken before the end of February. Large companies do not suddenly de-



Farmworkers who won a temporary reprieve from the courts after being forced to leave the farm where they worked. Others, such as the Soetveld workers, are not so lucky.

Photo: Cedric Nunn/Afrapix

tality regarding influx control.

The third reason was in breach of the Terms and Conditions of Employment of Amfarms.

cide to close their operations, and Amfarms has recently been expanding in what appears to be a very carefully planned manner. Here too the union says they have breached the Terms and Conditions of Employment in their arbitrary action.

Amfarms moves into pigs

The OVGWU has reasons to distrust Amfarms' reasons. Amfarms have been expanding into pig farming over the last few years, setting up links with the international pig research companies and local canned meat processors. As a result of this they closed down a dairy in 1986, lying to the union that they intended to sell the farm, and saying that the workers had to leave the farm. The workers refused to leave their homes saying that they would stay until the new farmer came.

As it turned out Amfarms wanted to convert the dairy into a piggery. This piggery became the home of Amfarms' research and development programme into pig farming. The cattle from the dairy were taken to another farm that was expanded, and is today a major supplier to Nels Dairy in Johannesburg.

Another area of Amfarms' expansion programme over the recent years has been the Western Cape, where they bought a large wine and mixed farming estate in 1987 and very recently they bought piggery at Klapmunts, near Stellenbosch. Wages on this new estate are as low as R45 per week and the housing conditions

have been described by local Food and Allied Workers Union (FAWU) farm project organisers as "shocking." Also the workers on the RFF (Western Cape) farms do not have the same gratuity payments as the Soetveld workers, receiving only R100 every year they have worked, compared to the R250 offered to the Uitvlucht workers.

What will happen to the feedlot once it is closed, asks the OVGWU? Amfarms would surely not sell a farm that was profitable and sold all its cattle to another Anglo company, Rand Cold Storage. OVGWU believes they have planned to make the farm even more profitable. Given Amfarms recent pattern of expansion, the union feels that Amfarms is likely to turn the feedlot into a piggery. If this does happen, why should the feedlot workers not be employed at the new piggery, or on whatever else Amfarms decides to produce on this land? ☆

Farmworkers' rights

by *LABOUR BULLETIN*
CORRESPONDENT

A book which summarizes the legal rights of farmworkers is long overdue, if only to highlight their desperate lack of rights. One which does so briefly, readably and even optimistically is therefore more than welcome.



Disabled farmworker: book explains the possibilities and difficulties for farmworkers needing legal protection

Photo: Gill de Vlieg/Afrapix

"Farmworkers and the law" is directed at farmworkers themselves and at people without formal legal training who may be called upon to help them - advice office workers, union organisers, church workers and so on. But others, such as those with legal, paralegal or academic training, will also find the book a mine of information on almost every aspect of farmworkers' lives. (For those aspects not covered, a second book - Book Two - is promised!)

Book One begins with a preface explaining how the book came about and indicating how to use the book. The preface also cautions the reader against too much reliance on the law and emphasises, on the one hand, the need to involve the farm worker in

any decision regarding legal action on his/her behalf and, on the other, the need for organisation if farmworkers are to free themselves from exploitation and oppression. These points are repeated throughout the book, but the book's other offerings may sometimes make an eager reader forget them.

There are three introductory chapters, describing the different kinds of law, the courts and court procedures, and the role of lawyers. These chapters provide a necessary background to the chapters which follow.

The meat of the book is the chapters on employment and health and safety. The chapter on employment starts by looking at the differences between farm and industrial workers as far as the law is concerned. Once

BRIEFINGS

again, the desperate lack of strong legal protection for farmworkers is highlighted (and, conversely, the strides which have been made by industrial workers organised in progressive trade unions.) The chapter notes the fact that farmworkers may sometimes be defined as industrial workers and thus have access to the rights embodied in the Labour Relations Act, such as they are.

However, this is a changing area of law and therefore supports the book's caution on legal strategies.

The chapter also examines contracts, conditions and termination of employment, as they apply or could apply to farmworkers. As in the book as a whole, the emphasis is down to earth, but also alive to possibilities. This chapter goes on to the question of organisation, with a review of what a union is and the legality of farmworkers joining unions. The chapter ends with income tax - necessary for completeness, but, one would have thought, of limited importance to farmworkers, given the average wage levels that are probably below a taxable income.

The chapter on health and safety is divided into three sections. The first and third deal with MOSA and common law provisions. Given the lack of enforcement of MOSA even in industry and the difficulty of getting action from officialdom, the information contained in these sections may seem rather academic. But it is valuable in pointing to an area of rights - and dangers - too often ignored, even amongst industrial workers. The sec-

ond section deals with Workmen's Compensation and here there may be more immediate practical application. It is not widely known that farmworkers are covered by the Workmen's Compensation Act and that they may claim, not only for accidents, but also for diseases - indeed, a number of scheduled diseases would more commonly be found amongst farmworkers than amongst other workers.

Two short chapters on the tot system and farm shops point to aspects of continuing exploitation outside the more obvious injustices affecting farmworkers. A final section outlines various kinds of legal action open to farm workers - but mainly ones requiring the services of a lawyer.

Such a comprehensive book could easily cause indigestion. But a major strength of the book is its carefully planned layout. The chapters are divided into sections. There are detailed contents pages at the start of each chapter and section. Each section ends with a summary and, in most cases, a questionnaire which serves as a practical guide to the contents. Technical or difficult words are asterisked and explained in a glossary at the end of the book. There are also useful cross-references and a list of resources and addresses.

All of this is set out in what has clearly been designed as a pocket book. But the book's thickness makes it unlikely to fit into a pocket - at least not unobtrusively. Perhaps a slightly larger *Labour Bulletin* size would have been more practical, especially if one ends up carrying about not only

Book One, but also Book Two!

More importantly, it is possible that the inexperienced reader may take too literally the few protections which are available to farmworkers and incautiously run to the law, only to be disappointed, or even worse, lose his/her job.

But these are small concerns, set beside what is a thoroughly useful guide for the farmworker and his/her allies in the fight for the rights of farmworkers. ☆

'Farmworkers and the law' is available from the Black Sash, Queensbridge, cnr Juta & Bertha Sts., Braamfontein, Jhb. Price: Workers - R2, Salaried people - R5. Organisations - R10. Postage: R1

Miners International

by *LABOUR BULLETIN*
CORRESPONDENT

The Miners International Federation (MIF) celebrated its 100th birthday at its congress held in Harare, Zimbabwe in March. South Africa's NUM is the MIF's biggest affiliate. Unions from 17 countries, including the United States, Germany, Norway, Phillipines, India and Zimbabwe, were represented by 111 delegates. Namibia, Peru, Botswana, and others attended as guests.

The congress passed a resolution to convene an international health and safety conference on the mining industry. Another resolution called for the MIF executive to push for a merger

with the other international miners federation, the IMO. This resolution was proposed jointly by NUM and United Mineworkers of America. In the IMO are communist-oriented miners' unions in the east, the west and the Third World. It is affiliated to WFTU. It was formed in 1985 when the British NUM and the Australian Miners Federation broke with MIF.

The congress was generally "very dull" according to NUM. But the discussion on South Africa "put all congress delegates into top gear.....Speaker after speaker condemned the system of apartheid and brutal treatment of workers at the hands of the mining bosses and the apartheid regime. Delegates would not have hesitated to march on Pretoria."

The NUM report on the congress summed it up as follows:

"The congress proceedings seemed to be a bit down for NUM delegates who continuously rose to sing at the end of each session, thus bringing some life into ongress proceedings.

"The congress could have been a lot more interesting and educative if open debate and discussion was a concept which is built into MIF traditions. It was patently clear to South African delegates as well as Latin American delegates that in the MIF tradition decisions on resolutions and other major issues are taken by the office bearers and the executive committee way before the congress is held, resulting in the denial of congress delegates the right to speak and debate issues thoroughly before decisions are taken.

"In the MIF tradition, it would