

AN AFRICAN UNION NEGOTIATES WITH THE INDUSTRIAL COUNCIL.

In July 1973 the Financial Mail organised a meeting of employers and trade unionists to discuss the question of african trade unions. Mr. Norman Lazarus, President of the Transvaal Clothing Manufacturers Association and Ms. Sarah Chi'ja, Acting General Secretary of the National Union of Clothing Workers, both spoke about the way in which the african NUCW has been integrated into the Industrial Council system. Their comments show the extent to which it is possible for employers to negotiate with african trade unions even within the present legislative framework. This shows how hollow are the claims of those employers who say they would be pleased to negotiate with african unions, if only the government would let them. Part of the discussion was published in the Financial Mail on the 19/7/74. The material printed here is taken from the full transcript, made available by the Financial Mail.

Lazarus: The Transvaal clothing industry employs about 18 000 blacks out of a total work force of some 25 000. By and large neither works nor liaison committees exist because there is an active trade union. We have always lived with it, and we intend continuing this way. An ogre has never existed.

Mr. Devlin (Industrial Relations Manager of Toyota's Motor Assemblies) is prepared to have discussions with a black union but not negotiate. This is using words. We have recently concluded 'discussions' (to be legally correct) with the (African) National Union of Clothing Workers as well as with the (White) Garment Workers' Union, but to my mind they were negotiations.

Every clothing factory has trade union officials, shop stewards, and so on as the recognised people to whom workers take their complaints. They then communicate directly with management or take the matter to their trade union representatives.

Our Industrial Council has a complaints sub-committee which is equally balanced between employers and employees and we sit in judgement on every complaint lodged. Probably more rulings are given against the employers than vice versa.

We have been saved from labour unrest, in fact from near strikes, by the african union. So there is no reason why african unions could not become standard throughout the country.

Financial Mail: The clothing industry has shown that it is possible for an african union to negotiate with the Industrial Council, so that what finally comes before the IC is an agreement reached by all parties involved. All that is legally required is that formally the IC itself does not include unions with African members. In other words employers can meet in Room A with the african, as well as with the registered, unions to bargain and reach an agreement. The employers and the unions who are members of the IC then retire to Room B and formally adopt the agreement reached in Room A and then submit it for ratification by the govern-

ment.

There is in law no reason why this should not be practised in South Africa - if one could persuade management that it is better than the committee system.

Lazarus: There is one theoretical drawback. At IC meetings an official of the Department of Labour is in attendance, technically to safeguard the Africans in the industry, and technically he would have the right to veto the arrangements made in Room A.

This did happen to us fairly recently: the african union requested permission to attend IC meetings as observers, but the Department of Labour took exception, and we took it all the way to the Minister, who would not allow any direct participation. However, with this one exception, what you say is perfectly correct.

Chitja: In our industry, our agreement as gazetted expires every three years. About six to nine months before the expiry date the different unions consult one another. The african union submits what it wishes to the registered union, the registered union in turn submits to us what it asks for. We meet and then the matter is taken to the employers.

One instance I can quote is that of a request by the african union for a holiday on the Thursday before Good Friday. It was granted for the whole industry irrespective of race. So, we are working in a very democratic way.

..... We believe the time has come for the african unions, which were all deprived of the right of belonging to the registered union movement in 1953, to be revived and those black unions must work parallel to the registered union and in close co-operation.

Financial Mail: By parallel you mean side by side, not under an umbrella organisation?

Chitja: Well, if whites and blacks are in one organisation it is regarded as communism. So we would rather work with a registered union, as we do in the garment industry, whereby we submit proposals which the registered union takes in for negotiations with the Industrial Council. We could work hand in hand with the registered unions provided they are prepared to extend assistance to their black colleagues in order to form bona fide trade unions.

..... The fear that existed amongst industrialists has been increased by the strikes in Durban which could not be settled because there was no trade union recognition. But in Johannesburg all the strikes were controlled because we unionists could

come in and say - "Look, fellow workers there is a law. The african worker cannot strike under this Act".

We live in a changing society. The African has adapted himself to industry. He has improved his lot but he has the right to advocate for better wages and improved conditions.

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