

The strike by security workers in Durban in December made break-throughs in this notoriously anti-union industry.

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# Security guards strike: *industrial council victory for TGWU*

**A** two and a half weeks strike of 3 500 security guards from over 50 companies in Durban went virtually unreported by the commercial press in late November/early December 1993. And this, not for lack of trying on the part of the worker's union, the Transport and General Workers Union (TGWU). The lack of interest displayed by the press is even more surprising given the remarkable concessions won by the workers as a result of the strike.

The security industry employs approximately 100 000 guards (or security officers, as workers in the industry are now referred to). No-one can provide accurate figures – not the Security Officers Board which registers guards, not the employers themselves, not the union, nor the Department of Manpower. This is on account of the transience of so many companies in the industry – the existence of hundreds of “fly by nighters” – and the high turnover amongst workers. TGWU has a membership of 15 000 signed up members in the industry. Membership on stop order is substantially lower, standing at around 6 000, and the union is recognised by only a handful of companies. In the main employers have been extremely hostile to the union, and have



employed every tactic in the book, both crude and sophisticated, to block recognition (see *SA Labour Bulletin Vol 17 No 6* ‘Showdown at Springbok Patrols’ for a typical example).

Conditions in the industry are governed by a Wage Determination. The current minimum wage in the highest paid areas, for a 60 hour week, is R690 per month. A high proportion of employers transgress the Wage Determination – particularly in relation to hours of work, overtime payments, Sunday pay, deductions for uniforms, and the minimum wage. Illegal practices has formed one of the focuses of a national campaign to organise the sectors conducted by TGWU for the past two years (see *SA Labour Bulletin Vol 17 No 6* “New Strategies to organise difficult sectors”). The campaign, given a higher profile by the union’s national conference in August 1993, has also focused on the demand for the scrapping of the Security Officers Board (which compels all guards to pay an annual registration fee) and for the establishment of an industrial council

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for the industry. The demand for a minimum wage of R1 500 for the industry was also adopted as a campaign focus by the August conference.

### National day of action

Following the union's conference, the TGWU's national shopstewards' council for the security industry identified 15 November as a national day of action to focus on the four core demands. It was envisaged that the day of action might roll into a national strike, depending on its success. A letter of demand was sent to the employers association for the industry, SANSEA, requesting a meeting to discuss the four issues. SANSEA, however, responded by stating they would only be prepared to talk to the union after it had proven national representivity in the industry. The response came as no surprise to the union. Neither did the industry's ongoing efforts at frustrating the union at company level.

As 15 November drew closer, so the same day was marked down by COSATU as the day for national action against the lockout clause in the Constitution. With no time to convene a further national meeting to rediscuss the date for national action, branches of the union were encouraged to make their own local decisions about whether to use 16 November as the day for action, or whether to postpone further. As it happens of course, the COSATU national strike was called off, but that is another story. The recommendation to branches to make their own decisions was also coloured by the fact that not all branches appeared (on paper and by way of reports at least) to be ready for national action. In retrospect most people in the union agree that it was a mistake to release branches from a national decision and central plan of action. The shift to local decision making was to have implications for the strike which subsequently took place in Durban.

The first branch to take action after the aborted the 15 November plan was Southern Natal. On 23 November, 1 000 security officers in Durban marched in support of the

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four demands. They delivered a memorandum to the Department of Manpower. After delivering the memorandum, in a mass meeting, the guards resolved to go out on strike until the employers met their demands. By Monday 29 November there were at least 3 000 security officers in the greater Durban area out on strike, and meeting daily at Curries Fountain

Stadium. SANSEA refused to talk to the union, and individual companies threatened dismissal. But the guards were determined. "What have we got to lose?" was their refrain. Large numbers of previously unorganised workers swelled the ranks of the strikers.

By 3 December Coin Security, a large national company outside of the fold of SANSEA, had dismissed its 250 strong workforce, and had attempted to evict the largely Venda speaking workers from a hostel in central Durban. Five workers were injured when representatives of the company, supported by police, raided the hostel late one night. (The dismissal, evictions, and assaults are the subject of an ongoing legal action against the company.) However, the majority of the 57 companies whose workers were on strike delayed taking punitive action. Some employers, it seems, were lobbying behind the scenes to get SANSEA to talk to the union. It was made clear to employers that there would be no return to work on the basis of individual company concessions – industry talks were what was being demanded.

### Occupation of Manpower

On 2 December the strikers devised a strategy







blocked off the traffic in West St and a few hundred did a "drill". Bystanders cheered enthusiastically, and some were overheard to proclaim the guards as the real Mkhonto we Sizwe!

Ten days into the strike the employers were still refusing to meet the union. By 3 December most companies had issued return to work ultimatums. The strikers, meeting daily at Curries Fountain, remained undeterred however. The first sign of concession on the part of employers came in the form of a written undertaking to meet with the union to discuss the demands after a return to work. This was received after the march of 3 December. Given SANSEA's track record of broken promises (the organisation had in 1991 reneged on an agreement to join discussions on the formation of an industrial council) workers were highly suspicious of the move, and decided not to budge.

The rejected offer was followed by the employers' first agreement to meet – "informally" to discuss "talks about talks" as they put it. In the meeting attended by four union representatives and four employer representatives, SANSEA repeated their previous offer. The offer was soundly rejected by workers at a mass report back meeting the following day.

Meanwhile Durban workers were trying to mobilise support for the extension of the strike to other areas. However, with three weeks to go before Christmas, workers in other areas were somewhat reluctant to take immediate action. Also the shortage of union resources was hampering the urgent need to hold a large national shopstewards' council meeting in which such a decision could be taken.

By the first week of December the strike had intensified. Reports of violence against scabs were coming in, and there were rumours of a number of deaths of on duty guards on the Durban stations. It was subsequently learnt through a management representative that these deaths – later confirmed – may have had to do with inter-company rivalry for contracts. The fact that

whereby they left the stadium in small groups, leading police who were keeping a close watch on them, to believe they were dispersing. In fact all the groups converged on the Department of Manpower. A delegation of shopstewards led the way into the Department's offices and before Department officials were aware of what was happening, the building was occupied. The strikers remained in the building for over an hour before negotiations with the police, who were threatening to evict them by force, led to the workers departing to gather outside and to delegate a group of leaders to meet with the Regional Director. As it happened, the Regional Director was on his first day in the job and was somewhat startled by the events of the day. He very quickly pledged his commitment to tightening up the "policing" of the industry. However, the problem remained that SANSEA was still refusing to meet with the union.

On 3 December, arrangements had been made for a legal march through the centre of Durban. In order to raise the profile of the march, the security officers decided to march in uniform. Two thousand marched in single file into the centre of Durban, where they



despite appeals by the union to companies to come forward with reports of deaths allegedly caused by striking workers none has done so, has fuelled this suspicion.

### Employers crack: negotiation starts

On Wednesday 9 December SANSEA finally conceded to an official meeting with the union. Out of the twelve-a-side meeting came a commitment from the employers to make joint representations to the Minister of Manpower for an increase in the minimum wage by means of a Wage Order; to enter into discussions concerning the scrapping of the Security Officers Board; to take steps to put an end to illegal practices in the industry; and to enter into negotiations to form a national industrial council.

Clearly the threat of the extension of the strike nationally had been enough to convince employers of the need to make more concrete concessions than simply a commitment to further negotiation. A date was set for further negotiation on 14 December, pending a return to work on 10 December. SANSEA provided a commitment that they would recommend to their members that workers should not be disciplined on their return to work. The union vowed to take further strike action if dismissals ensued.

Thursday 9 December saw a report back to workers at Curries Fountain. The day proved inconclusive, with discussion continuing on 10 December. A one day extension of the return to work was granted by SANSEA. By the close of the 10th, after lengthy company by company caucuses, the assembled strikers had unanimously agreed to a return to work on Saturday 11 December. Many new union recruits were disappointed that the R1 500 for which they had gone on strike was not "in the pocket", but others saw the opening of negotiation for the first time as a major victory.

### Agreement: IC, wages, ending illegal practices

A mass return to work took place as agreed on Saturday 11 December. A minority of

Photo: Natal Mercury



Police confront strikers

companies attempted to discipline groups of workers for intimidation, and a handful of dismissals took place. These were all successfully subsequently reversed by the union, bar the earlier mass dismissal of Coin workers.

A series of national negotiations followed the strike in late December and January. The outcome of the negotiations is the following:

- ❑ Agreement by SANSEA to seek an urgent mandate from its membership to negotiate a constitution for an industrial council. Negotiations for the constitution will commence in March.
- ❑ Agreement by both parties to submit proposals for an immediate increase to the Minister of Manpower. SANSEA, having initially offered to propose a 10% increase, subsequently







upped their proposal to 12%. This would take the minimum wage in the better paid areas to R707. The union has forwarded a proposal to the Minister for a minimum wage of R1 200. The union has also recommended that the minimum wages should apply to all employers – that is, that small and new employers should be exempt, as this has been thoroughly abused by some employers who have closed their businesses and re-opened under new names. The proposals were submitted in the third week of January.

The Minister has been requested to make a decision and pass a Wage Order effective from 1 March. A Wage Order, which is an interim measure between the publication of full Wage



Determinations, usually takes six weeks to pass through the processes of consideration by the Wage Board and comment by representative parties.

- ❑ Ongoing negotiation towards the scrapping of the Security Officers Board and the implementation of an industrial council as an alternative form of regulation for the industry. Whilst the SANSEA negotiators are now close to agreement with the union on this point, they have insisted on discussing the matter further with their membership.
- ❑ Agreement on the establishment of regionally based joint SANSEA/TGWU committees to deal with complaints about illegal practices – and joint liaison with the local Department of Manpower offices to effect prosecutions.
- ❑ Agreement on a process of negotiating a future industrial council agreement, with a particular emphasis on a change in the maximum hours of work from 60 hours per week to 48, and changes in an outdated grading system which operates as a thinly veiled justification for racial discrimination.

The strike and the subsequent negotiations with SANSEA have opened up the possibility of seriously redressing the abuses which have persisted in the industry for so many years. In the course of the strike TGWU recruited at least 2 000 new security members. The union has set itself the ambitious task of organising 40 000 security guard workers by June, to prevent any attempt to limit the scope of the proposed industrial council due to an inability to prove representivity in any one area of the country.

The agreement to negotiate an industrial council constitution is the second major victory achieved by TGWU in the area of centralised bargaining in the past year. In early 1993, after protracted negotiations, an industrial council for the cleaning industry in Natal was registered and the first agreement published. This too was achieved after a seven week strike of the cleaners throughout the province. ☆