

## TOWARDS A STABLE TRUCE

*by Eddie Webster*

*(Amended version of a talk given at Merlen House Seminar arranged by Urban Training Project as a service to African trade union officials.)*

'How does the union develop a relationship with management and retain its independence?'

It is possible to identify three stages in the growth of a union.

- STAGE 1 RECRUITMENT. During this stage the task of the union is to get members to join.
- STAGE 2 WINNING MANAGEMENT RECOGNITION. Many members have joined and the problem is that of winning recognition from management.
- STAGE 3 NEGOTIATING AND MAINTAINING AN AGREEMENT.. The problem during this stage is to negotiate an agreement that ensures workers rights in the factories.

Winning recognition from management is a crucial stage in the development of a union as it enables the leadership to move from a period of loose membership to much tighter control over their members. They are able to achieve this tighter control because they can now demonstrate to their members their ability to achieve advances in wages and work conditions. They may even win from management a 'closed-shop' agreement.

It seems as if the majority of unregistered unions in Durban and Johannesburg are at Stage 2. There are two sides to winning recognition - getting management sympathy and support, and building up a strong organization in the factory.

## GETTING MANAGEMENT SUPPORT

It is important to make management less frightened of the union. This is a summary of the fears management have of trade unions. (1)

- (a) unions are illegal.
- (b) they are vulnerable to outside infiltration and 'agitators'.
- (c) they cause unnecessary trouble such as strikes.
- (d) they are not necessary because the company is like a family. Disputes within a family cannot be settled by outsiders - what is called the third party argument.
- (e) Africans are not ready for unions.

Of course these arguments are not true, but it is important for you to listen to them and be able to answer them. Here are some of the arguments that can be used in reply to management when they say the following:

- (a) Unions are illegal:  
There is no law which says that Africans may not form unions nor is it illegal for employers to negotiate with African unions. It is perfectly legal for an African union to negotiate an agreement with management and for that agreement to be legally binding on both parties. Of course it is true that unions for Africans is against Government policy - but opposition to the Government policy is not illegal in S.A.
- (b) Unions are vulnerable to agitators:  
Union leaders are no more agitators than are management advisors who are brought from outside the company to advise on how to improve the efficiency of the company. Besides the union representatives are democratically elected by their fellow members and they are simply expressing their grievances. This is how conflicts are resolved in a democratic society - leaders are elected to represent your interests and if they concern themselves with issues that are not in their members' interests they will be removed from office. This is why we have a constitution.
- (c) They cause strikes:  
Conflict results from the lack of a trust

relationship between management and workers. Where workers do not have representatives to bargain and negotiate with management strikes result. This is what a trade union is designed to do - to bargain with management instead of having strikes. Do not forget that the high numbers of strikes in Britain is not caused by the unions - they are overwhelmingly 'wildcat strikes'.

- (d) The company is a family:  
The company is not like a family. The aim of a family is to bring up happy and healthy children. The aim of the company is to make money for the owners. In order to make money it tries to pay workers as little as possible. This leads to a conflict of interest between workers and management. Because the management have knowledge and power workers need the help of a trade union official to help them negotiate, Whether they need such help is a decision the workers must make - not management.
- (e) Africans are not ready for unions:  
Africans first began to organize successfully into trade unions over 50 years ago through the leadership of Clements Kadalie in the Industrial and Commercial Union (I.C.U.). To suggest that they are not ready for unions either shows an ignorance of history or is a thinly disguised attempt to prevent them from emerging again.

#### ORGANIZATION ON THE FACTORY FLOOR

Arguments with management are important, but they are not as important as organization is. Management will really only listen to you if they believe that the workers are well organized and strong. It is no use starting a union today, and negotiating with management for recognition tomorrow. This means that before you begin to negotiate you must always ask "*Are we well enough organized to negotiate?*" As a guide to an answer to this question I want to suggest 5 preconditions before a union enters negotiation for recognition.



- (a) At least half the workers must have joined the union. To say that they must all be paid up members is unrealistic. My experience is that members continue to see themselves as members even when they stop paying subscriptions. (2)
- (b) You must have an elected factory committee - either a works committee or shop stewards committee.
- (c) This committee must have had some training by organizations committed to trade union organization in the principles of unionism, its history and structure.
- (d) When the factory committee decides to approach management they must do so only after full discussion with their members. Right from the beginning all members of the union should participate in drawing up demands and working out a plan of action.
- (e) After meetings with employers the representative must *report back* fully to the members. The members must know what is going on.

This question of keeping the trust of members is very important. Let me explain why. At a certain stage management may come to recognise that some form of unionism is inevitable. They will try and develop and control these unions themselves. I will call this type of unionism *coopted unionism*. Co-optation is a process whereby the leadership of a conflict group is absorbed into the dominant group's institutions in such a way that no shift in the balance of power takes place. The opposition conflict group is given a platform without an independent power base and so effective opposition is stifled without having to alter the distribution of power. This type of unionism is one where the union becomes a kind of junior partner of management. To illustrate what I mean I want to quote extensively from a recent study in Kenya. Speaking of this type of co-opted union the author says:

"Recognizing the utility of a mechanism to permit employees to 'blow off steam', management judges that

this may best be achieved by a union led by 'responsible' and 'loyal' employees. The policy is thus to recognize the relevant union and to contain or guide its development. The company provides assistance to the union in the form of training schemes and time off with pay for leaders. Management also understands that union leaders must not be put in a position where they might alienate their members; it is thus prepared to discuss major grievances and make a few concessions. Finally, management may easily be drawn into the union's internal struggles for power if its proteges are threatened or replaced by so called 'irresponsible elements'. The tutelary relationship was favoured by many of the larger and more progressive enterprises in the 1950's. Convinced that trade unionism was inevitable, these employers created the Association of Commercial and Industrial Employers in April 1956. This Association's policy toward the development of trade unionism followed that recommended by the Overseas Employers' Federation in January 1956, namely that 'the climate of world opinion is such today that the question is not whether employers are to encourage or to discourage workers' trade unions, but what sort of trade union is going to develop... Workers' trade unions will only develop responsibly if they are nurtured by employers. Thus, one of the aims of the Kenyan employers' federation was 'to attempt to guide the corresponding development of employee trade unions along the right lines'. The original idea was that only those trade unions led by 'responsible' leaders were to be recognised". (3)

What, then, is the difference between a co-opted union and a genuine trade union? The difference lies in the word democracy. Democracy means full and continuous participation of all the members of an organization. This is a genuine trade union, policy must be made by the members, and the actions of union officials must be subject to control by the membership. Of course this is not as easy as it sounds and there is a tendency for organizations - and this includes trade unions - to be controlled by a small group of people. But this is dangerous as it leads to corruption. The trade union leaders tend to forget about their members and they become more interested in pleasing management than their



members. This is dangerous for management too because it leads to discontent among the rank-and-file. The most obvious way to prevent this co-optation of the leadership is for the union officials to keep in close contact with their members all the time.

### MAINTAINING AN AGREEMENT

Persuading management to recognize a union does not end the power struggle between management and unions. Two problems now present themselves.

1. The first problem is to negotiate a full agreement regarding wages and working conditions in the factory.
2. The second problem is to ensure that workers and their representatives keep to the agreement.

Both these problems raise the question of what is meant by recognition. The first aspect of the problem will be dealt with in a later edition of the S.A.L.B. However, an agreement would obviously include procedures for determining wages which includes piece rates, overtime, etc; minimum working conditions; a disciplinary procedure; and a procedure for settlement of disputes.

The second problem involves two aspects:

(a) There should be an agreed disputes procedure for handling all workers' grievances. This should include a *dismissal procedure*. Such a procedure is necessary to prevent victimization of a union member. Let me suggest three conditions for an adequate dismissal procedure:

- if a union member is fired then the reason for firing must be clearly stated and written down.
- there should be a special arbitrator or committee, agreed to by both management and the factory committee, whose job it would be to consider the member's case. No dismissal should be final unless this arbitrator or committee agrees.
- it must not be possible for management to use a reduction in work force in order to get rid of a factory committee member. Representatives must be the last to be fired if the number of workers is

reduced. The present law on Works Committees is not adequate - representatives need protection in the factory.

(b) Management should recognise a factory committee and give them the necessary facilities to carry out their work. For such a committee to function independently three things are necessary.

- the committee must be able to decide who can attend meetings - not management.

- the committee must be able to meet freely with the workers whom it represents.

- the committee must be able to get help from people outside the factory whenever it needs help - e.g. trade union advice. (4)

#### A TYPOLOGY OF UNION-MANAGEMENT RELATIONS

Where such a dismissal procedure and factory committee exists the union will be able to retain its independence. I will call this relationship with management a stable truce. At the very least, the stable truce requires a mutual recognition by both management and union that their interests are best served by accepting a more equal relationship in which each side stays out of the others internal affairs entirely. More positively, management may decide that a strong, independent union is beneficial in that it would be able to ensure that employees honour their obligations under collective agreements and refrain from making unreasonable demands.

I have suggested two types of union-management relations - a co-opted union where management does not allow the union leadership to develop an independent power base in the factory, and a stable truce where the union is able to challenge the management through an independent power base. This involves the recognition of the right of union members to withdraw their labour if negotiations fail. Such a truce situation we shall call reformist to distinguish it from co-optation.

By way of conclusion I want to suggest a third type of union - management relationship. Management may agree to recognise the union reluctantly and when the

opportunity arises they will try and undermine it - this type of union-management relationship may be termed an unstable truce. In this type, management either makes no effort to safeguard the prestige of union leaders or attempts to weaken the union by assisting cooperative challengers or by victimizing or buying off the more militant leaders with promotions, better pay or special privileges. Union leaders, for their part, do all they can to stir up resentment against management. The result is bad industrial relations and a high strike record.

Of course, in practice these three types are not static. For example, management may start off reluctantly and in the course of its dealings with the union may recognize the positive value of an independent union. In such a case an unstable truce is transformed into a stable truce. On the other hand, a reluctant management may try to avoid independent unionism by co-opting the union leadership. What enables an unstable truce to be transformed to a stable truce in one case and co-optation in the other? The answer is simple - a strong organization in the factory. A stable truce in industrial relations depends on democratic and strong organization in the factory.

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#### FOOTNOTES

1. This summary is based on arguments developed in *The Workers' Organization*, Institute for Industrial Education 1975 and Schlemmer and Boulanger *Race and Employment in Durban*. Paper given at Institute for Social Research Workshop on *Economic Growth and Political Change* 1974.
2. Unpublished research data gathered by Judson Kuzwayo as part of a study on African attitudes to trade unions in Durban. 1975. Undertaken with the author.
3. Richard Sandbrook. *Proletarians and African*



*Capitalism: The Kenyan Case 1960-1972*. Cambridge University Press, 1975. p. 146-147.

4. These arguments are developed more thoroughly in Chapters 6 and 7 of *The Workers' Organization*.