

Stand up for your rights!

A thousand ways to stop dying

BLACK mineworkers in South Africa have very few rights. They don't have the same rights as mineworkers in other countries. They don't even have the same rights as factory workers in South Africa -- and factory workers don't have that many rights.

The few rights mineworkers have under the Mines and Works Act are:

* **The right to refuse dangerous work (regulation 8.3.2)**

When you feel your workplace is not safe, the white miner must make sure all workers leave the area. The white miner must do an inspection and make the workplace safe. Nobody must enter the area until it is safe.

* **The right to use the complaints book (regulation 4.4.3)**

There must be a complaints book in every shaft. Many bosses believe these books are only for white miners, but they are wrong. Any worker can write a complaint in this book about safety, or tell his shift boss -- who must write it in the book.

* **The right to go to the inspection and inquiry after an accident (regulation 25.5)**

You have the right to go on an inspection of the accident site, and to the inquiry -- but only if you are being blamed or may be held responsible for the accident. You can take your fellow workers or your union with you to the inspection and inquiry.

If you are injured or killed, your family or friends can call the union to talk at the inquiry or inquest. NUM has spoken for many workers killed or hurt in accidents.

* **The right to call for a special inspection (Section 5.4)**

Your union has the right to call for special inspections if it thinks the mine is dangerous to your health or safety. The union must give reasons to the Government Engineer, who will then investigate the mine.

* **Protective clothing (regulation 7.7.3)**

The mine must give you a hard hat free of charge. But it can not be forced to give you anything else -- the law says nothing about boots, overalls, goggles, earplugs or other protective clothing.

* **Toilets (regulation 4.9)**

You must have clean toilets near your workplace. If the toilets aren't clean, you can write a complaint in the complaints book.

* **Drinking water (regulation 4.2)**

There must be fresh drinking water near the workplace.

THERE are a thousand ways to die when you're working underground -- and it's up to mineworkers to make sure the bosses know that.

It's up to mineworkers to make sure the bosses do something about it, too.

To make it easier, the National Union of Mineworkers has printed a booklet telling mineworkers of their rights and how they can fight for those rights.

The booklet is called "A Thousand Ways to Die -- the struggle for safety in the gold mines". But what it says is just as appropriate for miners in coal and other mines.

It explains why accidents happen, what mineworkers can do to prevent them, how they can force the bosses to improve safety conditions, and gives the addresses and phone numbers of local mine inspectors.

As NUM president Comrade James Motlatsi says in the booklet: "All workers must remember that safety comes first. Safety must be our daily song."

Not everyone likes the NUM safety song, though, as Cde Motlatsi points out: "The Chamber of Mines doesn't try hard enough to make the mines safe, or spend enough. It spends a lot more time and money finding ways to get more gold out of the ground -- and how to make more money."

The Chamber also keeps secrets, says Cde Motlatsi.

"NUM asked to see 42 of their safety reports to help with our own report, but the Chamber refused."

Cde Motlatsi says the mine bosses must change their attitude. They must start listening to the union when it talks about safety. They must understand it is the voice of the workers, and is fighting to save its members lives.

"The bosses must show they really care about the safety of their workers, and agree with the union about fulltime safety stewards and safety committees. I want to see the bosses on each mine sign safety agreements with the safety committees."

"The bosses must also stop their threats. Workers must feel comfortable in their jobs. When it comes to safety, workers must have the right to say what they want."

Cde Motlatsi doesn't only have a message for the bosses -- he has a message for the mineworkers, too.

"When it comes to safety, workers must not let anybody threaten them," he

says.

"If they think a working place is not safe, they must not go into the area."

"Workers must be hard on other workers who do not care or think about safety. They must report those workers to the union, and make sure the union does something about it."



The Miners' Bill of Rights

1. The right to elect safety stewards and safety committees.

NUM believes safety stewards are the first step in the struggle for safer jobs underground. The workers on every mine must have the right to elect safety stewards and safety stewards' committees.

The shaft stewards will talk to the bosses and ask them to sign safety agreements. The workers will then elect safety stewards and safety committees on each mine.

2. The right to refuse dangerous work.

The law gives workers the right to refuse dangerous work. If conditions are dangerous, workers must call a white miner. The white miner must send the workers to the waiting place -- and then he must "make safe".

Workers have this right -- but they do not really have this right. It is not easy for workers to refuse to work in dangerous conditions. They must "work now, complain later".

NUM believes workers must have a real right to refuse dangerous work. Firstly, workers must not be charged when they refuse to work in dangerous conditions. Secondly, if workers think a workplace is dangerous they must have the right to call a union safety steward. Thirdly, if workers are still not happy they must have the right to call somebody higher than the white miner -- like the shift boss or overseer.

3. The right to call and go with inspectors on all inspections -- without the loss of pay.

The Mines and Works Act does not give workers the right to go on inspections with inspectors. A worker or a member of his union only has the right to join the inspector on inspections after an accident -- and only if the worker is blamed for the accident.

Workers say they do not trust the bosses when the inspectors come to the mines. They do not believe the bosses tell the truth -- or that the bosses show the inspectors everything. As one worker said: "Workers also need to inspect the inspectors."

NUM believes union safety stewards must have the right to go with inspectors on all inspections, without any loss of pay. The union must also have the right to do its own inspections.

NUM believes safety stewards must not only have the right to go on inspections with inspectors. After accidents, they must also have the right to make an inspection before the inspector comes. Workers say the workplace is often changed after an accident, so that nobody will be blamed for it.

4. The right to proper health and safety training.

It is the bosses' duty to give workers proper training. NUM believes the workers must also have the right to help in planning training courses. The bosses must also give unions the right to train safety stewards without loss of pay. Workers in many other countries have this right already.

5. The right to get all information about health and safety.

The law gives factory workers the right to ask the bosses for any reports, records or other information on safety. Mineworkers do not have this right. NUM believes mineworkers must have the right to read and get copies of all safety records and other safety information.

6. The right to protection from threats and punishment when demanding your rights.

Workers must have the right to demand all their rights without the fear of being charged or fired. For example, workers have the right to refuse dangerous work. But workers say they are charged if they refuse to work. Until workers no longer fear being charged, they will not really have the right to refuse.

7. The right to have a say in the running of the mine -- and all future plans.

Workers on every mine have the right to know what is happening on the mine. They must also have a say in the running of the mine. For example, when bosses want to buy new machines they must tell the workers. Workers must help choose them so they can make sure the bosses are buying safer machines.

Workers must have a say in all new plans for the mine. If the bosses decide to mine in dangerous places, workers must be told -- and make sure the bosses do everything to make the new place safe. The bosses must keep no secrets from the workers. It is the workers who are getting killed, not the bosses.