

SOUTH AFRICAN

LABOUR BULLETIN

Volume 21 Number 2 April 1997

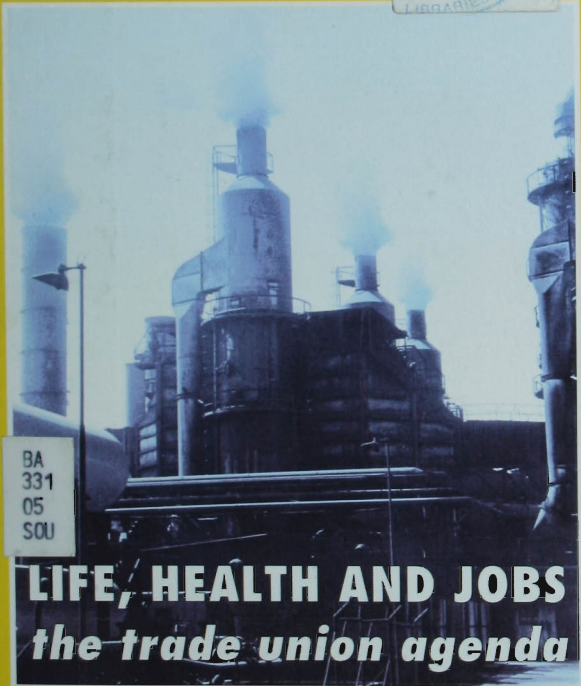
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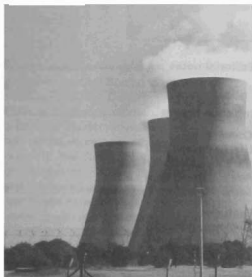
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Health and safety issues have long been part of labour's agenda, and with good reason: hundreds of workers die every year in accidents, while many others suffer the lingering effects of debilitating disease.

Apartheid planning led to the siting of working class residential areas next to industry. These communities are the first to experience industry's environmental effects.

Our cover story explores ways in which trade unions can deepen their involvement in health, safety and environmental issues.

The taxi industry is perhaps the best example of black entrepreneurship in South Africa. It has, however, been plagued by violence. Taxi drivers labour under appalling conditions. In this issue, we report on initiatives to transform this sector.

Also in this issue: John Copelyn responds to our 'open letter' in the last issue, and Sam Shilowa defends the tripartite alliance.

At the end of last year we reported on the healthy state of the *Labour Bulletin*. During a period which saw the demise of many independent publications, the *Bulletin* has made great strides towards self-sufficiency. We are, however, still in need of some external support in order to keep our subscription rates within reach of our substantial worker readership.

The *Bulletin* is proud to announce that it

has received a generous grant from the 'Strengthening Civil Society' Fund administered by the Department of Labour.

This is an historic moment for both the *Bulletin* and the democratic movement in South Africa. Along with others in the movement, the *Bulletin* has suffered extensive state repression. Editions were banned, editors detained and deported and a member of our board assassinated. We survived to become South Africa's leading labour journal, not least through the dedication of members of our board, who continue to offer their services.

The grant is recognition of the fact that a strong and vibrant civil society is essential to any democratic project. It is also recognition of the *Bulletin's* contribution to building the trade union movement, an important component of civil society. In the years to come, the *Bulletin* will continue to offer the independent and critical perspective that has become its hallmark.

Deanne Collins
Managing editor

On page 77 of the February edition of the Bulletin we published a cartoon from the Innes Labour Brief 1997 calendar. In the rush of publication we failed to obtain permission or to acknowledge the source. Our sincere apologies for this omission.

Published by Umnyano Publications cc: 89 0059523 • ISSN 0377-5429 • 50 St Georges Street, Bellevue East, Johannesburg 2198
• PO Box 3851, Johannesburg 2000 South Africa • Phone: (011) 487-1503 • Fax: (011) 487-1508
• Managing Editor: Deanne Collins • Subscriptions and Marketing: Sally Fincham • Reception: Jacque Dutoit
• Design and Production: Warren Parker and Dane Stuart • Printed by: Creda Press, Cape Town • Published since 1974

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Let them eat...?

REDEYE has always maintained a healthy scepticism when it comes to surveys which purport to tell us just how little people can survive on

The Ministry of Welfare's foray into this area of specialisation is, however, nothing short of ridiculous! Justifying her decision to drop child maintenance grants to R75 per month, the Minister says that the amount has been agreed on because it is slightly above the household subsistence level for food and clothing for a child under the age of six.

According to the Ministry's calculations, children are allowed just R1,72 a month for fruit and R1,63 for fish. REDEYE appeals to the Minister to please provide the name and address of the supermarket where she does her shopping.

CRUMBS

To those workers who thought that some crumbs from the black empowerment table might fall their way, here is a word of warning. Capital Alliance chairperson, Mzi Khumalo, who recently bought a hefty slice of JCI from Anglo, wants workers to work "a little bit harder than they do now". How will he do this? "At JCI



Cartoon: Labour Research Review 23

people now work 270 days in the year. They have to work 360 days in the year!"

REDEYE'S OSCARS

Hollywood has just had its annual Oscar bash. Here at home, REDEYE would like to hand out two Oscars of a different kind:

The prize for stupidity goes to the manager who telephoned the *Labour Bulletin* and asked for a "schedule of strikes for this year". And there we were thinking that management get paid more because they think more!

An award for gross insensitivity goes to the advertising agency who, when commissioned to do an ad campaign for an international organisation offering pregnancy terminations and reproductive health counselling, produced beer coasters bearing a graphic of a faceless, nine-months pregnant woman.

Inflation monitor: January

Area	Consumer Price Index (1995 = 100)		Annual rate of inflation (% increase over 1 year)	
	January 1997	February 1997	January 1996	February 1997
Cape Town	114,2	114,5	9,9%	10,3%
Port Elizabeth	113,6	114,0	9,8%	10,3%
East London	114,0	114,3	9,6%	9,9%
Kimberley	112,5	112,7	9,0%	9,1%
Pietermaritzburg	114,1	114,6	9,7%	9,5%
Durban	114,3	114,9	10,2%	10,5%
Pretoria	114,1	114,5	9,8%	10,1%
Witwatersrand	112,5	113,1	8,8%	9,2%
Klerksdorp	111,7	112,3	8,0%	8,2%
Gauteng	112,2	114,2	8,3%	—
OFS Goldfields	111,1	111,2	8,1%	8,0%
Bloemfontein	113,8	114,2	9,8%	10,6%
SOUTH AFRICA	113,3	113,9	9,4%	9,8%

Source: Labour Research Service

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VITAL READING FOR TRADE UNIONISTS THE WORLD OVER

Since 1991 *International Union Rights* has provided a unique platform for the exchange of ideas and experiences for trade unionists around the world on issues affecting trade union freedoms and workers' rights. Trade union leaders from many countries and all political wings of the international movement have contributed to the journal.

Recent contributors include COSATU General Secretary Sam Shilowa, British TUC General Secretary John Monks, President of the Australian Council of Trade Unions Martin Ferguson, Sergel Popello from the FNPR of Russia and Jacaranda Fernandez of the Nicaraguan union FETSALUD.

Current issue now available: with Bill Brett on homeworking, interview with Bill Jordan, General Secretary, ICFTU and articles on the ILO Conference, the International Transport Workers' Federation, OXFAM's Clothes Campaign, the need for a new labour code for Britain, plus worldwide news, book reviews etc

Life, health and jobs

the trade union agenda

Trade union members truly work at the coalface - they are the first to experience the health, safety and environmental effects of industrial activities. They are also often members of the communities who experience industry's broader environmental impacts most strongly.

South African trade unions have a strong history of involvement in health and safety issues and, in recent years, there have been moves to incorporate a broader environmental agenda into union policies. However, an enormous amount of work remains to be done to change industrial practice to protect workers, communities, and the environment and to improve the ability of the union movement to intervene effectively in these matters.

Links

The workplace environment is part and parcel of the broader natural environment. Workers are exposed to toxic industrial agents earlier and more directly than members of the general population and their health is therefore directly at stake. Industrial pollutants are not limited to the workplace. Hazards released from the workplace pollute the air, water and biological systems.

The Thor Chemicals case is a stark example of the links between the effects of workplace management on health, safety and the environment. There are also numerous other examples both in South

Health, safety and environmental issues are already on labour's agenda.

Pelelo Magane, Shirley Miller, Michael Goldblatt and Lael Betlehem put forward suggestions for deepening this involvement.

Africa and internationally. In fact some of the milestones of the environmental movement - events that brought world attention to the environmental dangers of industrialisation - were of this nature. These events, including the disasters at Bhopal, Bask and Chernobyl, showed that industrial hazards - dangerous on the shopfloor - are also dangerous to surrounding communities and the natural environment.

A zero-sum game?

One of the key difficulties which trade unions face in taking up these issues is the relationship between jobs on the one hand, and health, safety and the environment on the other. Too often employers present employment and environmental objectives as mutually exclusive. Two recent events illustrate this. The first is the St Lucia case. Richards Bay Minerals planned to mine

titanium in a sensitive wetland area. After a long and very public debate, the government decided that mining would not be allowed. This affected potential mining jobs as well as existing jobs in the nearby Richards Bay processing plant.

The second example is the threatened suspension, in 1995, of the commissioning of Iscor's R4,7-billion Saldanha Steel project. Environmental groups objected because of its siting near to a sensitive lagoon area. Iscor used the threat of foreign exchange losses and decreased job creation as arguments for downplaying the environmental problems.

In some cases, there *is* an absolute conflict - we either choose to approve a new investment or to conserve an important area. More often, creative solutions can be found that balance environmental and economic imperatives.

Last year, 2 000 workers at the Grootvlei mine near Johannesburg faced the possibility of retrenchment, because the mine was unable to pump out its water at an acceptable quality. Mine management said it would be forced to close the mine if the Department of Water Affairs and Forestry enforced its pumping ban.

The National Union of Mineworkers (NUM) argued that jobs must be preserved but that environmental solutions also need to be found. Indeed, the resolution of that case so far indicates that acceptable solutions can be found without closing the mine.

A similar debate exists over conflicts between jobs and workers' health. Employers sometimes argue that higher health and safety standards would threaten employment. But South African unions have traditionally taken a more integrated approach. Despite the hundreds of deaths in the mining industry annually, union members have not opposed mining *per se*, but have argued that it be *managed* in a

way that dangers are minimised.

It may be that some industries, or parts of some industries, will not survive the very long term restructuring that will come with higher levels of environmental awareness. This raises a fundamental question of the sustainability of the path of industrial development chosen by South Africa or any other society. Part of the challenge for unions is to be involved in industrial and macro-economic management as well as improved management of individual workplaces. This includes an investment strategy which seeks to promote investment in environmentally sustainable industries and production methods.

Union approaches

Health and safety issues are linked to environmental concerns. They are also, however, distinct from environmental issues and have, historically, been much closer to trade union agendas. Over the years, a number of unions have been closely involved in health and safety issues, and have contributed to important changes in health and safety policy. In general, safety issues have been highest on the agenda because accidents at work are so visible. The health effects of various industrial activities often take years to develop. Intervention on health issues also require higher levels of expertise and technical understanding.

Trade union approaches have been initiated, for the most part, by concrete demands on the ground rather than a stronger structured approach. We have seen stronger interventions from those unions which organise highly hazardous sectors such as mining and chemicals. This has sometimes led to a reactive, rather than proactive approach. In most cases, gains made have not been translated into long term programmes of action.

One area where unions have successfully taken the issues to a national level has been



Industrial hazards are dangerous to surrounding communities.

in the arena of challenging legislation. Unions fought various provisions of the 1983 Machinery and Occupational Safety Act. The Occupational Health and Safety Act extended the formal jurisdiction of the law to include industrial disease. It also made provision for workplace safety representatives to be elected rather than appointed by management. Unions have, however, expressed reservations about the Act.

More recently, the Leon Commission of Inquiry into mining safety was appointed and legislation was amended in line with the Commission's recommendations. The NUM played a key role in this process. The new Mines Health and Safety Act is more progressive than anything that has gone before.

Environment – an emerging issue

In the 1990s trade unions have increasingly taken up environmental issues. Union federations (especially COSATU) have been involved in criticising and formulating

environmental policy at the national level.

In 1993 the ANC-led alliance arranged an environmental policy mission with the assistance of the Canadian International Development Research Centre. The mission included representatives of the ANC, COSATU, the SACP and the South African National Civics Organisation (SANCO) as well as local and international environmental experts. The mission produced a far-reaching report on environmental policy in South Africa, which has influenced the content of subsequent policy documents such as the Environment Green Paper. Thereafter, the trade union movement became more centrally involved through the Consultative National Environmental Policy Process (CONNEP) which became the key mechanism for consultation and formulation of environmental policy. A COSATU representative served on the steering committee of CONNEP.

During this period COSATU held a landmark health, safety and environment policy conference, and followed this up

with a national environmental policy workshop in the next year. The 1995 conference was in itself a recognition of the importance of health safety and environmental issues and of the need to strengthen COSATU's capacity in this area

The Conference agreed that COSATU should.

- support the 'polluter pays principle',
- support a cradle to grave approach to waste management, and should campaign to ensure that companies take this approach,
- take up campaigns in heavily polluted industrial areas and encourage companies to take collective responsibility for their areas;
- expose and resist the dumping of toxic waste.

The conference also resolved that

- Communities should be consulted before waste disposal sites are established in their areas
- South Africa's environmental advisory councils should be restructured and COSATU should be represented on all structures dealing with environmental policy.
- South Africa should adopt the relevant International Labour Organisation (ILO) and other international conventions including the Bamako Convention on trade and transportation of toxic waste.

It was agreed that COSATU should develop more detailed policy on

- coastal and marine management
- forestry
- pollution control
- zoning
- recycling
- control of mine dumps
- toxic waste

The resolutions signal that while COSATU does not yet have very detailed environmental policy, the issue is firmly on the agenda, and the federation intends to

participate actively in this area

After the conference, a COSATU representative was appointed to the committee charged with drafting the Green Paper on environment. The federation, therefore, became a key player in the environmental policy debate. Much of the content of the green paper reflects the centrality of the labour movement and its concerns in protecting the environment and workers' rights as part of that environment.

But what is the proper role for trade unions in environmental work?

Unions have a strong interest in issues of industry and the environment. This includes waste management, accident prevention, production and transportation of hazardous materials and industrial emissions to air, water and land. The relationship between trade and the environment, and the inclusion of environmental issues in international trade agreements are also critical. However, it is also true that trade unions will need to focus their environmental campaigns and concerns where they are able to effect change and are unlikely to become deeply involved in environmental issues outside of workplace and economic concerns

Structures and policies

Unions' ability to take up these issues in an ongoing and proactive way requires established union capacity. A survey of COSATU unions' health, safety and environment structures reveals that in most cases HSE issues are handled by union officials who also have a range of other responsibilities. Two affiliates (the NUM and the Chemical Workers Industrial Union (CWIU)) have full-time HSE officials in their head offices. Two more unions, the South African Municipal Workers' Union (SAMWU) and the National Union of Metalworkers of South Africa (NUMSA), have recently decided to appoint dedicated officials

Some unions have distinct HSE committees at branch, regional and national level. Apart from these, co-ordination of health and safety issues is generally located within unions' education departments.

The unions which do have full-time HSE officials have been able to work with members at the level of the enterprise as well as in the policy arena. The NUM and CWIU have developed strong capacity to co-ordinate campaigns and assist workers in negotiating health and safety agreements, manage the aftermath of industrial accidents and advise workers about their participation in health and safety committees. Both unions have also played a strong role in contesting legislation and policy.

However, the success of a HSE programme cannot be judged simply by whether or not the union has established dedicated structures and officials. Indeed there is a debate among unions about which is the better strategy. On the one hand, separating HSE from collective bargaining - the heart of trade unionism - can serve to marginalise the issue. On the other hand, there is a danger that where HSE is added to a list of other responsibilities, the issue may receive insufficient attention. Much depends on whether the unionists who are dealing with HSE as part of a broader portfolio are sufficiently conscious of, and knowledgeable about, HSE issues.

At the level of the national union federations, there is also some debate about structures and the role of the federations in facilitating affiliate organisations of HSE. Until recently within COSATU, HSE was co-ordinated from within the education department at the Federation's head office. Recently the responsibility for the function was shifted to the negotiations department.

Union organisers need skills which will assist them to negotiate these issues at the workplace level. There is also a need for

better liaison between union affiliates in a particular area. For example, in a highly industrialised area like the Vaal, it is useful for unions from different industries to get together to tackle environmental problems in the area as a whole. Then there is a need for co-operation between unions across a value chain, like chemicals. CWIU members produce certain chemicals which are then transported by Transport and General Workers Union (TGWU) members, used by South African Agricultural, Plantation and Allied Workers' Union (SAAPAWU) members and then disposed of by South African Municipal Workers Union (SAMWU) members.

Some unions have argued for a common COSATU position on the joint employee-employer committees that are supposed to be set up in every workplace according to the Occupational Health and Safety Act. It seems that very few of these structures have been set up. Should the unions encourage these structures even though they are not union-based? Or should they rather argue for a new set of structures which would operate between the employer and the union structures, along the lines of the Mines Health and Safety Act?

Challenges for the future

HSE issues relate to workers' rights. They should be part of the process of negotiation rather than as a technical issue to be handled by 'experts'. At the same time, effective interventions in health and safety rely on a degree of understanding of workplace conditions and potential remedies.

It is important to note that workplace environmental issues are not always directly linked to health and safety. Workers and their representatives need to have a grip on the broader environmental issues to enable them to integrate these issues into the collective bargaining process.

Effective intervention requires:

- Training for shopstewards, workers and organisers
- Union structures that facilitate collective bargaining

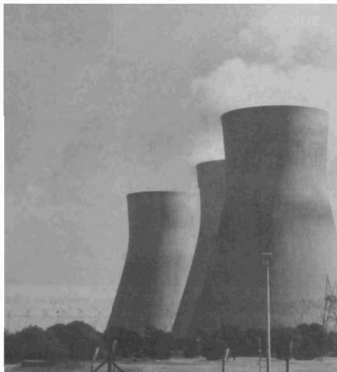
Every union needs to ensure that their officials can take the lead on HSE issues, and that they can offer real services to workers struggling with these issues at the workplace. If education programmes are to succeed, educators must have an adequate level of consciousness and knowledge of the issues.

Training for union officials and shopstewards can be facilitated through institutions such as Ditsela, the new trade union training organisation. The courses need not be purely technical in nature, but rather empower workers to

take up a range of HSE issues which relate to the process of union organisation. At the same time workers need to be better trained in all industries. This can hopefully take place more effectively once Government's new Human Resource Development system has been put into place. HSE should be identified as core training issues.

Self regulation

Industry representatives have often argued for a self-regulatory approach to HSE. This approach may not be helpful in the South African context. Indeed, the Leon Commission of Inquiry into mining health and safety concluded that these policies had failed and had contributed significantly to the poor health and safety record of the mining industry. The new Mines Health and Safety Act provides for active state regulation and enforcement while providing



Some industries may not survive the restructuring that will come with increased environmental awareness

for the social partners to negotiate further mechanisms, especially at the local level.

Self regulation in South Africa has largely been interpreted as deregulation rather than the development of appropriate mechanisms at the workplace to promote occupational health and safety.

The union movement has traditionally called for stricter regulation and enforcement, while at the same time promoting the negotiation of health and safety at plant level. Although health and safety must be considered a collective bargaining issue, the state needs to lay down minimum standards which are in line with international best practice.

Although the unions have been less active in the debate over self regulation in environmental management, the same points hold. It is clear that where workers' health and safety is in danger, the



Rubbish piles up in Katlehong. COSATU has agreed to take up campaigns in heavily polluted areas.

environment is in danger too

Unions need to take a double-pronged approach in the debate over legislation, policy and practice. Firstly, unions need to fight for minimum standards to be set and enforced by the state. At the same time there needs to be a process of implementation and continuous improvement at the local level. This involves negotiation between unions and management

Legislation

The legislation and institutions that governed health and safety under apartheid are still in place. HSE law is also highly fragmented

Recent changes in the areas of mines' health and safety have led to a situation where the laws governing mining are fundamentally different in their philosophy to those governing the rest of industry. The Mines' Health and Safety Act give trade unions a strong role whereas the Occupational Health and Safety Act relies on non-union health and safety committees

Responsibility for implementation is also fragmented. The key government

departments are the Department of Mineral Affairs and Energy and the Department of Labour. However the Department of Health plays a crucial role in facilitating the recognition and treatment of ill health and injury via health services. As far back as 1975 the Erasmus Commission of Inquiry made a recommendation for a unified approach to occupational health. More than 20 years later, there is still no overall body with responsibility for the development and implementation of health and safety law.

There are a myriad of other problems in relation to compensation, some of which have to do with poor law, and others with poor implementation of law. The low level of claims for occupational disease (as opposed to accidents) reflects the degree to which occupational illnesses go undetected. This is largely because there are few mechanisms to assist workers in identifying and claiming for occupational disease.

The areas of health and safety legislation and compensation present critical challenges to the union movement and should be seen as a priority area for intervention. Given the absence of any

reliable statistics, unions need to push for better data collection and for better monitoring of worker's health, especially in those industries where there is evidence of long term disease

Restructuring

HSE issues arise partly in the course of the restructuring of industry. This is taking place at a rapid rate in South Africa today. Restructuring is also catalysed by changes in environmental management and practice. These have implications for the number of jobs available as well as their quality. If trade unions are to influence the path of restructuring (and especially the way that environmental questions are handled) their presence will have to be felt in sectoral, national and international initiatives.

Many unions are already involved in a programme of 'cluster studies' - investigations into the competitive prospects of South African industries, under the auspices of the Department of Trade and Industry.

Unions can help to ensure that environmental restructuring questions are brought onto the agenda. In addition, unions can involve themselves in international environmental initiatives, and perhaps most importantly the international conventions and agreements, including those on climate change, trade in chemicals and in waste and biodiversity. These conventions may well have serious implications for industrial development and employment.

State services

One of the most glaring areas of inadequacy in HSE administration is the poor level of services available to workers. This is especially true for workers and ex-workers who are suffering from an occupational disease which has taken many years to develop. Trade unions have a limited ability to assist with compensation, facilitate

medical examinations and process claims. They need to pressure the state to offer 'one-stop-shop' compensation services to workers.

There also needs to be improvements to occupational health and safety inspection services. Not only are more inspectors required, but they need to be trained to work effectively with workers and unions at the factory level. Trade unions could usefully pressure the Department of Labour in this regard.

The trade union movement has had considerable influence over health and safety policy at national and workplace level. In recent years, the unions have started to become involved in environmental policy and have argued a strong link between the health and safety of workers and the integrity of the environment. At a policy level much needs to be done in relation to HSE. In order to influence such policies, and in order to participate meaningfully at the workplace, unions require an ongoing process of capacity building and co-ordination. ★

This is an edited version of a chapter in a book, 'The Bottom Line: Industry and the Environment in South Africa', (Industrial Strategy Project, UCT Press, to be published in May 1997)

The authors thank the members of the Trade Union Reference Group for their assistance and Rod Crompton, Jabu Ngcobo and Paul Benjamin for information and comments.

Pevelo Magane and Shirley Miller conducted this research while on sabbatical leave from the CWU. The views expressed are not necessarily those of the union. Michael Goldblatt works at the School of Public and Development Management at Wits University. Lael Betlehem is the co-ordinator of research and policy development at Nedlac and is a member of the Labour Bulletin editorial board.

Employment standards

last chance for a deal

Government, labour and employer organisations meet again this month for a last chance to strike a deal on employment standards legislation

COSATU has threatened a general strike on 12 May. Government is determined to conclude negotiations around the same time in order to have the legislation passed by parliament this year. Negotiators therefore have until early May to reach agreement. Failing that, a Bill will be put before parliament without the agreement of government's social partners.

Although negotiations in the National Economic, Development and Labour Council (Nedlac) started a year ago, the deal-making has not yet begun. And although debates have taken place and the parties understand one another's positions well, they share little common perspective on a law that will fundamentally reshape the labour market.

Negotiations around employment standards have dragged on for over a year. As negotiators engage in a race against time, Carol Paton assesses the chances of a settlement.

Government gets tough

In April, government will introduce a new and final version of the Bill, which would have been approved by Cabinet and officially published, into the Nedlac negotiating process.

Government negotiator, Lisa Seftel (the Department of Labour Director in charge of

Reshaping the labour market

The Employment Standards Act (ESA) will replace the Basic Conditions of Employment and Wage Acts and lay down basic standards for working time, leave, notice periods, set certain prohibitions and outline to what extent and under what circumstances these standards can be varied.

While the law will cover all workers, farm and domestic workers, temporary, part-time and contract workers and those working in small shops or businesses will be the main target groups to benefit from its protection.

By setting basic regulations around work and protecting the vulnerable, the proposed Act will reshape the labour market to bring about greater social justice in the workplace. It will also introduce a greater degree of flexibility by abolishing restrictions on Sunday work.

But in bringing greater justice (although not enough, labour argues) higher standards will also raise the cost of labour by reducing working time and increasing the overtime premium – the main concern that employers have with the Bill.



Members of TGWU march against the Bill, Johannesburg, March 1997.

minimum standards) believes that this will "bring certainty" to the process

While it is too early to say what the Bill will look like, Seftel says that in broad strokes it would be similar to the Green Paper Among the Green Paper's recommendations were:

- a reduction in the working week from 46 hours to 45 for most categories of workers;
- an increase in paid leave from two to three weeks,
- an increase in overtime pay from time and a third to time and a half (even on Sundays),
- four months unpaid (excluding Unemployment Insurance benefits) maternity leave for women during which time their jobs would be protected

The Green Paper also proposed four methods of variation of standards and recommended a legislated framework for reducing working hours down to an ideal of 40 Seftel says the new Bill will suggest that

the reduction take place through collective bargaining and that there will be no legislated framework.

In all key respects, the Bill will fall short of labour's demands, which include six months maternity leave (four of them paid), a framework to reduce the working week to 40 hours, double-pay for Sunday work, a prohibition on child labour until the age of 16 and no downward variation of standards

It also falls far short of business' key concern that the cumulative effect of these changes will be a sudden and dramatic increase in the cost of labour

Derailing the process?

By introducing a Bill already approved by Cabinet, and which makes few concessions, government runs the risk of derailing the Nedlac process by leaving too little room for manoeuvre. However, Wendy Dobson, Nedlac Labour Market Chamber co-ordinator, is hopeful that the Bill will have a positive effect. "Government will now be

fully mandated, which could have a good effect on the process. I imagine government negotiators will get a flexible mandate. We will now be holding very high level discussions and if business and labour do reach some agreement, government could still go back for a fresh mandate," she says

Stepping up the pressure through the publication of the Bill and tight deadlines could also ensure that the real debate on employment standards finally begins. "Obviously you can't negotiate indefinitely. But I don't think we've had a proper debate. We've had negotiations and they've taken a long time. We need another crack at it," says Dobson

Botching it?

The main reason why a deal has eluded the parties even after a year of talking is the controversial nature of labour market policy. The ESA will make fundamental reforms to the labour market that are far more significant than the changes brought about by the Labour Relations Act (LRA). Since the Green Paper was first published, labour market policy has become increasingly politicised, with business and labour producing diametrically opposed growth strategies and the release of the government's macro-economic policy framework, GEAR. But bad negotiating strategies can also be blamed for the impasse.

Unlike talks over the LRA, government took a pro-active role in the negotiations. According to Seftel. "We were not prepared to settle where labour and business could meet. They could not settle between them anyway. Government had a position"

By putting forward a strong position and arguing for a basic level of standards across the entire economy, government was meeting its responsibilities to the vulnerable categories of workers not represented at the negotiating table, claims Seftel. But this pro-

active role is also responsible for one of the most serious mistakes in the negotiating process.

In August last year, intensive discussions around 'zones of agreement' led to the drawing up of a record of understanding. The record proposed a creative model for a possible deal, incorporating hours of work, overtime and how much variation would be allowed.

At the same time as the record was drawn up, government provided the parties with a draft Bill - a legal form of the Green Paper. "It upset the process," says Dobson. "Once you give people a legal document they get caught up in the detail, but the policy questions were not yet settled. Lawyers for the parties then got involved, which was a mistake, when we hadn't finalised policy."

According to labour negotiator, Vish Satgar, the introduction of a legal-type document scuttled the process. "Before we had the opportunity to take it to our principals, government scuttled it. Presenting a Bill meant going through the whole thing again and it brought the issues of impasse to a head. Government made a strategic blunder in trying to stage manage the process. They showed a lack of bona fides," says Satgar.

Dobson says the record of understanding had already brought the parties close to a breakthrough. However, Seftel maintains that the social partners rejected the record. "Business said it was too compulsive and labour said it was not compulsive enough."

Tripartite negotiations came to a halt shortly afterwards and although bilateral discussions continued and some progress on technical matters was made, there has been no visible progress on policy questions.

Labour

Among Labour's objectives is to bring about greater democratisation of the workplace

and improve the quality of working life. A serious problem with the talks is that the vulnerable, who the Bill aims most to protect, are not present at the negotiating table.

For organised labour, in particular COSATU, the negotiations have amounted to an attempt to win demands that the major industrial unions have not won in collective bargaining, for example, four months paid maternity leave.

While in principle this is a good demand and workers support it, in reality it is one that not even the strongest unions have yet come close to winning. At the very least, it could be seen as a demand that is inappropriate to negotiations aiming to establish a floor of rights for vulnerable workers. At worst, it is a demand that is unwinnable.

The 'principled approach' is motivated by COSATU's belief that employment standards should be redistributive, says Satgar. Business has raised problems with this approach. Adrian Du Plessis, who heads the business delegation, says: "Government's and labour's proposals have two key effects: they raise the cost of labour and they do this without providing the flexibility that one would need to improve productivity against labour costs."

Business argues that productivity improvements could be made through, for example, the averaging of working hours over a year rather than a week. This would make it possible for employers to come up with more flexible shift arrangements and possibly longer hours according to seasonal needs.

Businesses' cost-based approach has, however, had negative consequences. Satgar says "Business has had a cost-centered approach. The result of this



Minister of Labour, Tito Mboweni, may put the Bill to parliament without the agreement of government's social partners.

was that in the end the policy thrust coming from them was always for the minimum – in the main, it was not progressive," he says.

Labour's counter approach has been to raise the question of the stark wage gap, arguing that higher standards could be paid for by reducing it. "Labour standards are redistributive and if you want to build an equitable society you have got to address that," says Satgar.

Nonetheless, the cost effects of employment standards are a reality from which COSATU will not be able to escape. Top officials from the Department of Labour have to some extent taken businesses' concerns to heart and are concerned about raising standards too high in current conditions.

However, business' argument for small business to be exempted from labour standards has not won much sympathy with

government, and will not appear in the final Bill.

Business also claims that labour's demands are too much too fast. Du Plessis says "We don't think that this is the time to effectively prohibit overtime, extend annual leave and increase maternity leave. You will simply create a climate of lawlessness where the law is not observed or where barriers to employment are created"

The unions need to consider the unintended consequences of their demands. Stringent requirements regarding maternity leave could effectively bar young women from employment. COSATU's demand that the threshold for child labour be set at 16 could have the effect of forcing youngsters who leave school at the legal age of 15 into a state of joblessness or working illegally. A strict regulatory regime will need to accompany any such measures.

Government has directly criticised labour for failing to come to negotiations with properly mandated positions until late last year - the time when COSATU's top leadership got directly involved in the process. While report backs to the COSATU Executive Committee (Exco) have taken place, it appears that the negotiators did not have sufficient access to top union people.

Where to now?

As the negotiations enter a new and final phase, the parties appear no closer to one another than they were at the start. COSATU's programme of mass action, including marches and rallies, picked up momentum in the second part of March - with affiliates beginning to show their support for the May strike.

If the Minister of Labour submits the Bill to parliament without the consent of the social partners, the effect will be to damage both Nedlac and the ANC's relationship with its alliance partner, COSATU.

It will also run the risk of passing an

unworkable law if the partners do not endorse it.

Making a deal

The search for a solution could lie in a deal around variation.

The government model proposes restrictions on variation, making some core standards non-negotiable and limiting the extent to which others can be varied. Variation can take place through individual contracts, exemptions, collective bargaining and wage determinations.

Government sees basic conditions for vulnerable workers being improved through a revamped Wage Board and for organised workers through collective bargaining. This clearly allows employers to negotiate 'downwards', or more flexible arrangements.

Giving employers this right, unions fear, will lead to a race to the bottom and low standards, particularly for the vulnerable.

Employers would like to see higher standards applying only to permanent, full-time employees with the ability to negotiate downwards through collective bargaining.

Satgar believes that it is possible to bring the parties closer together. "Our own position has room for clustering standards and will not preclude certain trade-offs," he says.

The time has come for the trade-off to begin. "We've gone beyond debate. We've clarified positions. Now it's a question of deal-making and trade-offs," says Satgar.

The search for a deal will involve some creative thinking. The fact that top-level representatives will now participate directly will make the process easier. Should negotiators fail or be beaten by the clock, the battle will move to the parliamentary standing committee on labour, and the lobbying will begin again. ★

(20 March 1997)

Carol Paton is a journalist with the Sunday Times

Ditching the poor?

The Municipal Infrastructure Framework

Can low-income workers and the unemployed expect to have their basic needs met in the immediate future? Probably only if they wage intense struggles over policy issues

Generous promises from government could lull us to sleep. During his mid-March Budget Review, Finance Minister Trevor Manuel noted that "The opportunities for infrastructure expansion are enormous... the planned infrastructure developments provide a strong basis for improvements in gross domestic fixed investment."

This comment harks back to the ANC's Reconstruction and Development Programme (RDP). "The RDP integrates growth, development, reconstruction and redistribution into a unified programme. The key to this link is an infrastructural programme."

The democratic movement has not paid much attention to government's infrastructure programme over the last few years. As a result, conservative forces have determined policy.

In 1994 the RDP office invited a team of experts led by the World Bank to plan infrastructure policy. The result is the Municipal Infrastructure Investment Framework (MIIF), which falls under the Department of Constitutional Development (DCD).

Who gets what?

Consider the household services most needed by the majority of South Africans:

South Africa faces an acute infrastructure problem. Patrick Bond looks at government's 'solution' to these problems and concludes that it will not extend basic services to the majority.

electricity, water and sanitation. The big questions of who gets what and for how much, are being answered by a small team of DCD staff and consultants, based on the earlier World Bank framework. The result is far less generous to urban and rural workers and poor people than we had all anticipated.

Electricity has long been the preserve of corporate interests. It comes as no surprise that Eskom charges big companies R0,07 per kilowatt hour of electricity, while the average domestic user pays R0,23 per kilowatt hour. Cross-subsidisation is urgently required.

Water may be an exception, because Minister Kader Asmal appears genuinely interested in supplying a minimal amount (25 litres per day) free of charge, through a 'lifeline' mechanism. But he may be overruled by other forces in government: an indication of this is the budget cut his department suffered this year.

The most disturbing part of the new

policy is that because water is considered too expensive for the poor, DCD has decided that pit latrines will be supplied to 10% of the people that live in the 'urban core'. This includes existing and new townships, inner cities and traditionally white suburbs. Within a decade, one in ten people in these areas will have pit latrines.

Likewise, on what is called the 'urban fringe' - areas like Botshabelo and Winterveld - DCD expects 86% of all residents to have pit latrines. In rural areas, the planned infrastructure standards are even lower.

Consequences

Such plans could have enormous political and social consequences. They are a recipe for resentment against local and provincial governments, which will be closest to infrastructure implementation.

Then there are potential health problems. Although pit latrines are a major improvement compared with no sanitation, in dense areas they pose health hazards.

In addition, the policy only provides low-income people with water piped to their yard, not inside the house. Yet studies have reported a 40-80% reduction in infant and child deaths due to diarrhoea where water is piped directly into the house.

Proper drainage systems are essential. Most people on the urban fringe (and 10% in the urban core) will not have drains, and will risk seeing water turning into dangerous puddles in their yards. A R300 'soakaway' will be provided to low-income families, but to be effective it would have to remove 70 litres of waste water per person every day, almost an impossibility. Dr David Sanders and Pam Groenewald of the University of Western Cape Public Health Programme point out that "In areas where water supplies have been improved without provision of waste water disposal the result has been a shift from one set of diseases to another."

Environmental concerns have also arisen. Densely-packed pit latrines in urban areas are likely to contaminate local water



Sixty percent of household water consumption is used for watering plants and filling swimming pools.

supplies. Purification then becomes even more expensive. In areas with high water tables, dolomitic rock or other geotechnical flaws, pit latrines will be a disaster.

The cost of upgrading that will have to be done in the future - especially putting in new water-borne sanitation - will be enormous. There are few successful cases of upgrading from pit latrines to flush toilets.

The same is true for water pipes in rural areas. A recent evaluation of the Mvula Trust (which supplies water systems in poor communities) found, "It would be far better to plan for upgrading right at the outset. This will help prevent the kind of informal and under-financed upgrading which typically leads rapidly to system collapse. The per capita cost of schemes might rise somewhat, but will still remain well below the alternatives."

Finally, the policy will cement and reproduce apartheid segregation. Urban pit latrines make it impossible to plan for social and class integration. If a family increases its income and wants a flush toilet, they will be forced to move out of their community since individual upgrading is financially impossible. While early drafts of the policy ignored this entirely, the most recent acknowledges it to be a problem, but has no solution.

Improvements

There have been some improvements to the MIF since it was originally put forward. First, instead of communal taps, households will get taps in their yards. Instead of no electricity, a small supply powerful enough for a few light bulbs will be supplied.

Secondly, low-income households may not have to pay R50 per month, as was initially suggested. A Finance Department fund (called the Inter-Governmental Grant) may possibly allow a short-term subsidy to pay for low-income households' basic consumption. But given the pressures

imposed by the Growth, Employment and Redistribution Strategy (GEAR), the Finance Department is likely to reduce the inter-governmental subsidy fund from current levels of nearly R5-billion to a minimum amount (guaranteed by Cabinet recently) of R800-million per year.

That would not be enough to cover most recipients, who will continue to face pressure from cash-strapped local authorities to pay for inadequate services. Worse still, there have been published reports that the World Bank will be invited in to assist with expensive infrastructure loans or guarantees, another blatant violation of the RDP's insistence on self-reliant development finance.

Housing

One of the reasons why the struggle for decent infrastructure is so important is that the progressive movement has failed to win the larger objective - decent, affordable housing with full services. Although more than 125 000 housing subsidies were delivered by government between 1994 and 1996, fewer than 25 000 of these included loans from banks that allowed people to build proper houses.

During the last year of apartheid rule, the regime actually built 20 000 houses, by relying less on commercial banks. The market-oriented approach adopted by the new government - cynically termed 'toilets in the veld' by Minister of Housing Sankie Nkondo-Mahanyale in 1995 - is bank-centred rather than people-centred. Not only have the banks failed to deliver loans, but they continue to 'redline' - discriminate against - millions of black South Africans.

There should certainly be enough government money available for a different approach. Cabinet has approved a target of spending 5% of the budget on housing within five years. This means that by 1998/9 R9-billion should be available. Due to



Refuse dump outside a shack settlement in Witbank. Will there be any improvements in future?

delivery problems caused by the bank bottleneck, the budgeted amount for 1997/8 is just R4-billion

Inequality or social justice?

Regardless of whether decent housing is finally built, the infrastructure problem remains acute. While many households continue to get bills they cannot afford for services that are not up to par, and local governments fail to collect rates and service charges in townships, the most important point tends to get missed in the anger and finger-pointing

That point, simply, is South Africa's inherited inequality, which is worse than any other large country on earth, except Brazil. Such inequality must be addressed nationally (not just locally), through redistribution of resources away from the wealthy

Minister Asmal has grasped this point. Hence his plan to redistribute resources by, for the first time, charging white farmers (who use more than half the country's water, mainly without paying), pine and gum

plantations (which use another 15%), and big industry (10%). Households use only 12% of South Africa's water, and of that 60% is used for watering gardens and filling swimming pools in bourgeois suburbs, with a tiny proportion available for the majority's basic needs

Similar consumption patterns exist in the electricity sector. Taxing big users slightly more to pay for a minimal supply of free lifeline water/sanitation and electricity services to households - following which a much higher 'graduated block tariff' as the RDP suggests - is the antidote, and would also promote conservation.

As it stands now, Asmal and other progressives in government are being undercut by the DCD's reliance on cost-recovery as the basis for service provision. Only pressure from the ground can reverse this latest assault on living standards. ★

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The taxi industry

taking on transformation

Taxi drivers work under serious stress. They are caught between employers who don't care about them, traffic officers who don't understand their problems and constantly harass them, violence that explodes from time to time, passengers who abuse and insult them, communities who feel hostile to them, and constant exhaustion from the long hours and distances they travel. They feel isolated from everyone. In the end it's only the union that will listen to them.

This is how Morice Bokaba, General Secretary of the South African Taxi Union (SATU), describes a taxi driver's working life. The majority of taxi drivers are workers. They do not own the taxis they drive. Most work for small operators.

Conditions of work

The taxi industry looks like an earlier era of labour relations – the early 1970s before the emergence of a new union movement that was to alter the face of labour relations in South Africa. While the new Labour Relations Act (LRA) covers them, in practice taxi drivers have few rights.

Drivers are not issued with pay slips. There are no Unemployment Insurance deductions and consequently no protection against unemployment. The industry offers no pension or provident fund, no sick leave, no days off, no leave, no loans. Most taxi drivers live in squatter camps. Workers find they cannot open any accounts because they cannot prove employment.

Lawless, violent and a worker's nightmare: these words describe South Africa's taxi industry. Kally Forrest reports on initiatives to transform the sector.

Dismissals

Dismissals are a daily occurrence and job security is unheard of. If, for example, a driver is sick for a few days, he is quickly replaced and the employer may then decide he prefers the new driver. Union membership is often rewarded with dismissal. Taxi driver, David Sebokokope, describes his dismissal. "My employer dismissed me for no reason and without paying me. A taxi owner just does what he likes. The taxi had some defects which I was trying to fix, and he got angry and just came over and told me to go. I still don't know why."

Quota system

Most drivers are paid on a quota system. In order to earn a decent wage, drivers must transport a certain number of passengers per day. Sebokokope describes the system: "I had to transport 250 to 300 people a day and my weekly wages were 20% of what I brought in that week." Fluctuating passenger

loads mean fluctuating wages

This wage policy leads to a host of problems. Short distance drivers work long hours searching for passengers in order to meet their quota. It is not unusual for drivers to work from 3am to 10pm. At peak hours drivers load up as many passengers as possible so that the hunt for passengers at off-peak hours is less demanding. Drivers also move at great speed in order to increase load numbers. These practices lead to some of the horrific accidents for which mini-bus taxis are notorious.

The practice of cruising around to hunt for bigger passenger loads enrages commuters. Commuters complain of driver rudeness but, says Sebokoko, "One of the hardest things in the job is the abuse you receive from commuters, especially when you are touting for more passengers, and your current passengers are in a hurry to get to their destination."

Hours of work

Long distance taxi drivers face an exhausting schedule. They reach their destination, have a three to four hour rest inside the vehicle, and then return. They sometimes drive 18 to 20 hours at a trot - day and night. This leads to lowered concentration, poor driving standards and frequent accidents. Many drivers suffer from chronic backache and damaged eye-sight.

Organising

SATU is the only national union operating in the industry. It was launched in 1992 and has temporary affiliation to COSATU until it merges with the Transport and General Workers Union (TGWU) later this year.

The taxi industry is estimated to employ between 120 000 and 200 000 workers. SATU has around 25 000 paid up members. Membership fluctuates as drivers seek more secure employment elsewhere. Bokaba comments "The taxi industry is on the

fringes of the mass of the unemployed where people take any work to keep alive. This makes drivers highly replaceable. They will move off if possible."

It is a difficult industry to organise because of the large number of bosses employing small numbers of workers. Eighty percent of taxi owners own only one or two taxis. The bigger employers own 20 to 50

When the union started organising, owners argued that drivers had contracted out their services and so were not employees. The union had to fight a legal battle to get the Department of Labour (DOL) to agree that taxi drivers are employees.

This means that drivers fall under the Wage Determination for Passenger Transport and are entitled to some rights. However, as Bokaba comments: "The Determination only covers workplaces with over 20 employees. This is rare, so most workers have no protection. The industry is also completely deregulated so it is impossible to make any agreements binding on employers."

Dangers

Taxi operators often refuse to talk to the union, and in an industry where most operators and drivers carry guns and taxi associations have their own hit squads, it is hard to force the issue. Bokaba remembers a strike in 1994: "The taxi association told workers that they were willing to negotiate with them around their grievances if they resigned from the union. We went to meet with the bosses and they threw us out. Workers then went on a wildcat strike and we went to assist. Employers were forcing passengers and drivers into vehicles at gun point in front of the police and the SANDF (Defence Force), who were standing around observing the situation. The owners spotted us and started shouting that we were the ones who were influencing their workers. They took out their guns and started to



PC: Mary Foreman

Morice Bokaba (left) and David Sebokokope.

come towards us We appealed to the SANDF for protection and they housed us in their casspir. A chanting group of owners demanded a meeting with us in the casspir and called for our blood. We communicated via the police that we were not prepared to enter negotiations in this atmosphere of violence.'

Fear

Many workers are afraid to join the union. Some workers are operators' relatives, brought in from rural areas to work for them. Drivers are housed and paid by this relative so have little independence. Bokaba says 'Operators go far out to rural areas in Mozambique to recruit drivers. They offer workers accommodation and treat them as members of the family. Workers are afraid to join the union and be victimised and lose their accommodation.'

Recruitment is uneven, depending on the area. In areas like Witbank, and the Eastern

and Western Cape recruitment is easy, but in some parts of Northern Province, Johannesburg and Pretoria workers are scared to join.

Bargaining

It is impossible for the union to negotiate conditions with each small operator and at times it is also difficult for the union to identify who to negotiate with. For example, sometimes a taxi association will have a pool of drivers which it provides to operators. The association may provide guidelines around driver conditions to affiliate members and these members may or may not accept these guidelines.

Because of difficulties in forging agreements with taxi owners it is impossible for SATU to get stop order facilities. The union has attempted to collect hand subs but this has proved difficult as drivers are not easily available. At present the union relies on donations.

Organising strategies

In the absence of legislation regulating the industry, SATU began recruiting members and then approached the bigger taxi associations. In some areas the union had success and workers took industrial action to win their demands – mainly for union recognition. In Witbank, drivers who went on a strike for recognition first negotiated with the community and got support for their action. This forced the bosses to talk. A strike in East London last year put pressure on the East London Taxi Association to recognise the union. But the deregulated nature of the industry undermines agreements made between the union and bosses.

SATU backed a week long taxi blockade of Johannesburg and Pretoria streets in 1993. Drivers were protesting harassment by traffic cops. The union's strategy was to use this action to bring drivers' problems to the attention of the authorities and open up negotiations. Drivers felt angry that they were harassed for things like overloading, the state of their taxis (which is the employers' responsibility), and for off-loading passengers wherever they could.

The blockade achieved its aim. Taxi representatives were brought into municipal structures in Johannesburg and Pretoria and issues like off-loading facilities are now being dealt with.

Tripartite forums

More recently the union's strategy has been to deal with the industry in tripartite forums at industry level. At its Congress in 1996 it committed itself to four priority organising issues. These are:

- to fight for regulation of the industry,
- to ensure a set of minimum standards for workers;
- to get the government and taxi associations to recognise the union and its contribution,

- to set up appropriate training and education in the industry

Once the DOL accepted drivers as workers, they instructed the Wage Board to investigate working conditions in the industry. A Wage Determination should have emerged from this investigation in February this year. The National Taxi Employers Association requested the Wage Board to delay its proceedings in order to establish a relationship with labour through a national Taxi Labour Relations Forum, with the long-term view of setting up a bargaining forum in the industry.

The DOL, SATU, and employers have met to take the process forward, but there were problems on the employers' side. The Minister of Labour is now convening a summit to get a clear mandate from employers. The union has retained its right to withdraw from the process if there is no progress, and for the Wage Board to continue with the setting of a determination by June this year, when future determinations will fall under the Employment Standards Act.

Government initiatives

The first step for the Department of Transport (DOT) was to bring together competing taxi associations. Chair of the National Taxi Task Team, Dipak Patel, says: "We had to focus on employer representatives because we had no legislative means to hold operators accountable and to insist on the restructuring of the industry. There was a loose, but strong network between associations and we had to force them to choose representatives."

In 1997 the Minister of Transport spent six months visiting provinces to get associations together in provincial structures which represented a fair unity and representivity amongst all taxi associations.

The NTTT

In 1995 the Minister convened the first National Taxi Plenary where these structures sent 15 representatives per province. It was a difficult meeting but resulted in the formation of the National Taxi Task Team (NTTT). Patel says "The NTTT went through very rocky periods. It held about 36 public hearings, which involved about 10 000 people. We were able to start a bottom up process, and associations felt this pressure, but there was resistance, until associations themselves went through a crisis. Associations who wanted to keep the status quo were marginalised, and this also meant the marginalisation of those responsible for taxi hit squad capabilities. Over that 18 month period of reorganising the industry we saw ordinary operators coming to the fore. Every province now has a structure, often with new leadership – younger, more professional, more business oriented, and less dependent on chaos and violence."

The union was initially not included in the NTTT. Patel comments: "Initially the

NTTT consisted of nine government representatives from transport departments at all levels of government and nine employer representatives. Labour was not well organised – about 12% of the industry is organised – and it didn't have the kind of leverage we required to make a difference to restructuring the industry. If we had included labour from the outset we would never have been able to strike an agreement with associations to enter into a formalised mandating process. We did establish early on, however, the need to prioritise labour issues within the NTTT."

Further into the process, a labour relations working group was set up and each major federation was invited to send one representative. COSATU is the only federation participating. Over time, SATU became a full participant in all NTTT processes. According to Patel, there is a general feeling that labour is fairly represented because of SATU's equal representation in the DOL's wage board investigations. It is clear, too, that the DOT's



Taxi blockade, Johannesburg, February 1995.

initiatives to establish employer representivity in the industry, has fed into the Wage Board process where employer representatives are drawn from the NTTT.

Issues

The NTTT identified seven key issues where short-term solutions and long-term policy options have to be formulated. These are:

- regulation of the industry;
- effective control mechanisms;
- restructuring the industry in terms of taxi associations;
- formalising the institutional framework in the industry;
- safety;
- economic viability within an overall transport policy;
- labour relations.

Patel comments: "Non-regulation is at the heart of all the problems and there is general agreement on this in the NTTT. We have come in for criticism for not taking labour issues seriously. It is clear that you cannot talk about improving labour conditions and deepening rights unless you talk about an overall strategy which seeks to regulate the industry. Our focus has been to find a regulatory framework and then we've located the issues relating to labour."

Regulation

The DOT intends putting in place a comprehensive regulatory framework this year. This new legislation will look at different modes of public transport, restructure the current subsidy system, and will allow for a plan to restructure business operations in the industry. Public transport is mostly a provincial competence but a set of national guidelines and standards will guide provincial legislation. Gauteng Province has already published a transitional Taxi Act to guide them through the next three years

One of government's first tasks is to get

illegal operators to register their vehicles. So far, in Gauteng, almost 19 000 operators have registered about 30 000 taxis, including 10 000 previously illegal vehicles. This represents 99% of taxis in the province. Taxi operators who failed to meet a February deadline will not have access to taxi ranks and routes. It is hoped that registration will help free the industry of gangsters who are benefiting from, and hiding behind, the chaos in the industry.

Government is also conducting a campaign for all taxi associations to register in order to get a more accurate number of employers and workers in the industry. As the registration process unfolds it is clear that the industry employs a range of workers other than drivers like cleaners, rank managers, rank marshals, queue marshals, security, and administration staff. On estimate, for every 25 drivers employed, there is an additional support person.

Will a set of laws and guidelines be enough to rein in an industry which has operated outside the rule of law since its beginnings? Patel feels confident that it will because the Department has worked closely with employers at every level and brought them on board with all restructuring plans. He comments: "It has been difficult to deal with the taxi industry, because there is no enforcement legislation, and there has been no incentive to come in. You could take the LRA today, and send out labour inspectors to enforce it, but you'd end up having endless legal wrangles over small issues. It is better to go through a Wage Board process and get agreement between employers and Labour on minimum conditions - then you've got a chance of implementing these changes."

Business plan

It is clear that unless a new business plan is drawn up, the taxi industry will not survive. At present the industry does not have the capacity to replace itself. Most taxis are

about nine years old and each taxi covers millions of kilometres. Government intervention is necessary to ensure the survival of the first small black business industry in South Africa.

Government has to bring equity into the way subsidies and routes are allocated. The industry has been crying out for its share of subsidy. In the past a bus company like Putco would acquire lifetime property rights on a route and would then be entitled to a government subsidy. The Department is currently signing interim contracts with bus companies of between one and three years, at the end of which all routes will be put out to tender. This will obviously put pressure on the TGWU, which will have to reconcile the need to formalise the taxi industry with the interests of bus drivers who face job insecurity with the granting of short-term contracts.

Local and provincial government are currently going through a process to determine what routes are required to service commuters properly, and then to decide which routes need a state subsidy.

Co-ops

The NTTT has come up with a business strategy for the industry which involves setting up taxi co-operatives, that taxi operators will be encouraged to join. Co-ops will be set up in different geographic areas, like a Soweto taxi co-op, and would hold benefits for both employers and workers. The union would have the advantage of a system that brings employers together and so centralises the bargaining unit. The deduction of union subscriptions would also happen from this base.

Benefits for operators in taxi associations would be around economies of scale. Costs would be cut around the provision of commodities like petrol, car parts and vehicles. The private sector has been invited into the process to assist in cost reduction



Dipak Patel.

exercises. In return, operators would work within a regulated industry and pay taxes.

The NTTT hopes that, in the process, more and more operators will see the benefit of moving to one association, and then moving into a co-op. The goal is that co-ops will lead to smaller operators merging and so becoming viable economic units.

Co-ops would initially come into existence at a local level. As the number of co-ops increases, provincial co-ops would come into being, and hopefully, by the end of the three year development period, a national taxi co-operative would exist. This would obviously have implications for bargaining. Government hopes that large co-operatives may formalise themselves into large companies, which could eventually have the capacity to buy into a rail system, or enter into partnerships with bus companies.

Education and training

At present the DOT is taking responsibility for training in the industry but there is a problem of too few skilled trainers. Gauteng Province now has a programme of training trainers who will educate in the areas of safety, driving skills, organisational development, and administration and management skills. Modules are currently being designed and provinces will share these resources. In the long run, however, the DOT feels training should be a private sector responsibility, and there is discussion around the setting up of a Taxi Industry Training Board.

SATU feels strongly that the driver training issues cannot be addressed until fundamental problems in the industry have been dealt with. SATU is, for example, committed to ending the quota system of payment which leads to unsafe driving. Says Bokaba: "You cannot allow a situation where

there is no regular, decent minimum wage and no legislated hours of work where life is at stake."

SATU intends holding a Consultative Conference in April to discuss education and training issues. The union will propose that former taxi drivers do the training as they know best how to communicate with drivers.

It remains to be seen if South Africa's first black industry can emerge out of its chaos and move into an era of decent and orderly labour relations. Although some people see peace as a threat to their livelihood, Patel feels that: "It has dawned on the taxi industry that we are in the process of fundamentally restructuring public transport. The taxi industry either goes through this process or gets marginalised" ★

Kally Forrest is the Director of Umanyano Media Service.

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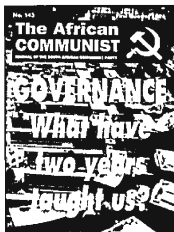
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Construction workers down tools

Members of the Construction and Allied Workers Union (CAWU) in Gauteng embarked on strike action on 17 February in support of their wage demands

Wage negotiations for the Gauteng Building Industrial Council deadlocked last August. A number of meetings were held to attempt to resolve the dispute, but to no avail. CAWU was demanding:

- R1 per hour increase for semi-skilled and general workers;
- four months paid maternity leave,
- three days a year paid paternity leave.

Employers, represented by the Gauteng Master Builders' Association, made a final offer of 60 cents per hour for general workers and 87 cents for semi-skilled workers

Background

At the time of the dispute, general workers were earning R5,40 per hour, translating into a monthly wage of R935. Semi-skilled workers earned R8,45 per hour, while the rate for artisans was R14 per hour.

There are four unions party to the Industrial Council - CAWU, which is a COSATU affiliate, the Building Construction and Allied Workers' Union (BICAWU, affiliated to NACTU), the unaffiliated Amalgamated Union of Building Trades Workers (AUBTU) and the all-white Building Workers' Union (BWU)

The unions collectively represent only 30% of workers in the Gauteng construction

by Deanne Collins

sector. CAWU claims the majority of this membership

AUBTU was initially party to the dispute. Since the majority of its members are skilled workers, it decided, however, to go with management's final offer. CAWU, which represents mainly semi-skilled and general workers, was left to fight alone.

The agreement was only due to expire on 31 January of this year. CAWU could not legally embark on strike action until after this date. The union began balloting members in the meantime

Agreement gazetted

In the interim, the three other unions and the employers requested that the Minister of Labour publish the agreement. This would make it binding on CAWU members, as well as non-parties.

Even before the other parties to the Council had announced their intentions, CAWU had been in touch with the Department of Labour to explain its objections to the agreement being published. Mathews Oliphant, the General Secretary of CAWU, explains that the union's main objection was the extension of the agreement to non-parties. "The representivity of all trade unions, excluding CAWU, was not sufficient for the agreement to be made binding on non-parties. Even



Striking workers gather in Johannesburg for a report back, 19 February 1997.

counting CAWU, representation was only 30%.

According to Oliphant, "The Department of Labour never bothered to respond to CAWU's objections." He claims that Department officials, who met with the Secretary of the Council, were given highly inflated membership figures. CAWU members were shocked to learn that, whilst the industry was closed for the December holidays, the Minister had gazetted the agreement and made it binding on all employees in the sector.

Strike action

The Minister's actions effectively removed the right of CAWU members to strike. On 29 January, CAWU met with the Department of Labour and requested that the agreement be made binding only on those parties that had signed it. No progress was made in this meeting, except for an agreement that the Commission for Conciliation, Mediation and

Arbitration (CCMA) be requested to arrange conciliation meetings.

Workers decided to go ahead with the strike, which began on 17 February. CAWU claims that various construction sites were badly affected. A representative of the Master Builders' Association denied this, however, saying that only 5% of workers had supported the action.

On the day the strike started, employers applied for arbitration proceedings to determine its legality. On 19 February the arbitrator found that the strike was illegal because it had its roots in events which took place before the coming into effect of the new Labour Relations Act (LRA).

Back to work

In the light of this decision, CAWU members decided to suspend the strike on 20 February.

Oliphant says that this was not an easy decision to make. Members were angry that employers had chosen not to address what they regard as legitimate demands, but to use an outmoded law to intimidate workers.

Workers are also extremely angry at the Department of Labour's apparent disregard for the union. CAWU will be taking legal advice to determine whether the agreement which the Minister published is binding on the union.

Some members are suggesting that CAWU pull out of the Council. Oliphant says that while leadership are reluctant to follow this course of action, the union has to find a way where workers' interests are properly represented in the Council.

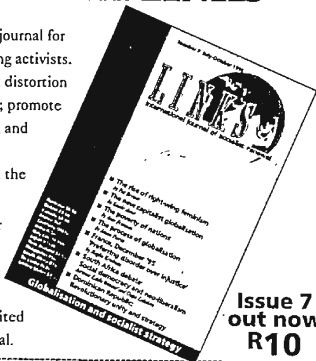
At an assessment meeting held in March, members resolved to intensify organising efforts in the sector. Increased membership would give CAWU a much stronger voice in the Council. ★

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The death of SADWU

the birth of new organisation?

The decision to suspend operations was taken at a special national congress called by SADWU last year. This followed months of infighting and speculation over the union's future.

In February this year COSATU, to which SADWU was affiliated, announced that it is investigating the feasibility of establishing advice centres for domestic workers. This will be discussed at the federation's Central Executive Committee meeting in April.

History

SADWU arose out of regional domestic workers' associations based in Cape Town, East London, Johannesburg and Durban. In 1984 the regions came together and set up a committee to work towards the establishment of a national organisation. SADWU's founding congress, which took place in 1986, was attended by 300 delegates. The union, which immediately affiliated to COSATU, counted 20 000 paid-up and 50 000 signed-up members

Resources

By the end of 1986 the union had opened 14 offices, staffed by 50 fulltime organisers. Money to sustain these operations came from two sources - members' subscriptions and generous support from the Dutch based Interchurch Organisation for Development Co-operation (ICCO)

Subscriptions were collected by hand. Each branch would hold a monthly meeting where members would pay and new

The South African Domestic Workers Union (SADWU), which serviced over 300 000 workers in its heyday, has closed its doors. Roseline Nyman charts the union's changing fortunes and explores alternative ways of organising domestic workers.

members were signed on. This would be followed by an education programme. Field workers travelled from area to area twice a week to recruit and service members. Monthly workshops covered basic union education. This organising approach ensured a link between the union and members on the ground.

Taking up issues

As domestic workers were not covered by basic labour legislation, the union was obliged to deal with cases on an individual basis. Many disputes were resolved through appealing to the goodwill of employers. SADWU also spent much time and effort in bringing the plight of domestic workers to the attention of the authorities. Numerous memoranda were submitted to the then Department of Manpower. Other issues were taken up through the law. The union



SADWU demonstration to call for domestic workers to be covered by the LRA. Johannesburg, July 1990.

successfully challenged the 'key law' - in terms of which employers' had access to a domestic worker's room at all times - in court.

At SADWU's height in 1989 it had a paid-up membership of nearly 80 000. Including free-riders, the union serviced an estimated 350 000 workers. However, from 1990 to 1992, the union experienced serious problems and began the downward slide which would lead to its closure.

Problems

In 1992, ICCO, which had been alerted to problems in SADWU by the union's lack of regular reporting, initiated a 'consultancy mission' to investigate. Evidence of difficulties soon became abundantly clear: paid-up membership had dropped to 7 763, there were only 12 regional officials and the head office was staffed by three national office bearers and an administrator.

Finances

The mission reported that the union was

facing serious financial problems. In 1991 subscriptions contributed less than 6% of total expenditure. While subs had been increased from R6 to R8 a month in that year, all regions had failed to pay the new rate.

Although finances were centralised, regions had failed to deposit subscription income into the national account. Regions complained that the head office did not pay their costs and many accounts became overdue. They used subscription money to pay the rent and telephone accounts and for petty cash. Regions had the perception that head office could easily raise money from foreign donors. However, as the union had failed to report regularly to donors, this source of funding had declined. Also, regions had stopped fund raising activities.

Decision making

A further problem was the relationship between the head office and the regions. Regions often disregarded national decisions. They failed to send reports to the head office.

The former national treasurer of SADWU sums up the situation:

"From 1990 to 1992 things started to go wrong. Organisers did not take note of the constitution. Regions did not take note of the constitution, they did not go through the national office when they, for example, employed someone. Because of low income from subs, we were fully dependant on donors. It was a problem: how could you pay all these officials? We had to retrench organisers"

This caused further problems. Regional staff did not have the skills to handle retrenchments or dismissals, and many former organisers took the union to court.

Morale sank to an all-time low: "Organisers became lazy. They did not do field work anymore... we needed to go to our members because they did not have the chance to come to us. Organisers used to get hold of workers and manipulate them. We could not implement decisions taken at constitutional meetings as regions overruled them."

Due to lack of training, organisers were also unable to take up members' grievances. This was particularly true in the cleaning sector, where SADWU faced competition from other COSATU affiliates, such as the National Education, Health and Allied Workers Union (NEHAWU), the South African Commercial, Catering and Allied Workers Union (SACCAWU) and the Transport and General Workers Union (TGWU).

The Consultancy Mission recommended the following:

- Officials must provide monthly reports.
- Money must be banked every week.
- Officials must attend all union meetings.
- Decisions of the national structures must be implemented by regions.
- SADWU should service union and non-union members as well as members in the cleaning sector.

- Membership drives should start immediately.
- Regions should embark on fund-raising activities and look at ways of cutting costs.
- SADWU should establish a financial policy.
- The union should initiate projects such as adult literacy.

Congress

In 1993 the union held a national congress. Deliberations reflected the continuing problems with union officials. Thus the congress noted the "style of manipulation by officials" and that "branch/regional executive committees are not skilled enough to steer and guide the union." It was resolved that "worker leaders should be more serious about their duties."

The congress also decided that "money should be invested and controlled by the national executive" and "where the need arises, money should be given to regions."

Despite these good intentions, SADWU continued its downward slide. By the end of 1994 the union was dealing almost exclusively with internal conflicts. As a former member put it: "Membership was dying. No field work was being done at all. Durban split again in 1994. Johannesburg split because of our president. We even set up projects for workers in the Johannesburg office... and it failed. It is sad because we started a dream. But it has become bad. Even workers became bad. We were not focusing on the problems of domestic workers anymore. We were centralising power. We must admit that we went wrong. Until we admit this we cannot move."

By 1995 there was a complete breakdown in communication between the national office bearers, some of whom did not even speak to each other. Then came the financial crisis. Donor funding had dried up. COSATU stepped in and appointed a

commission of enquiry After some months of deliberation it came up with the following options

- SADWU merges with, either TGWU, SACCABU or NEILAWU
- SADWU waits until the formation of the new COSATU service sector union and then affiliate.
- SADWU disbands

The commission initiated a national congress in 1996 where SADWU was disbanded. Except for the head office, all the offices have closed down. Only the past national treasurer and an administrator are working in the head office.

SADWU's decline can be attributed to a number of factors. The primary problem was the financial

crisis. While this may be attributed to inexperience and inefficiency on the part of office bearers and officials, it was also the result of an over-reliance on external funding. This meant that the union was dependent on external sources to sustain its day-to-day work. A decline in funding led to a lowering of staff morale and the infighting which plagued the union in its last days.

Underlying these problems is the nature of the sector which SADWU attempted to organise. It may be questioned whether a union which relies on hand-collected subscriptions from poorly paid workers can ever be self-sufficient. The absence of any legal protection for workers rendered the task of organising workers and taking up their problems well-nigh impossible.

There is no doubt that domestic workers in South Africa still require an organisation which can take up their plight. Their



SADWU march, Johannesburg, 1996.

inclusion in the new Labour Relations Act (LRA) and the Basic Conditions of Employment Act (BCEA) should make this job a little easier.

Organising models

COSATU is currently considering setting up a network of advice offices to service domestic workers. South Africa has a long tradition of advice offices, with the Black Sash being a shining example. Workers who approach such an office are given advice on their own individual problems, with the organisation intervening, where possible, between employer and employee. The advice office model has many advantages, amongst which are:

- A big infrastructure is not required.
- Workers will be assisted in taking up their own problems with employers.
- Very little money is required to run the

office.

There are also disadvantages, however:

- Advice offices cannot deal with the primary complaints of domestic workers, such as low wages and poor working conditions
- They exclude the possibility of collective bargaining, either to enforce existing rights or to fight for new ones.
- The model relies on external funding.

While the advice office model may offer domestic workers some relief, in the long term the organisation of domestic workers into a viable trade union remains desirable.

SADWU's demise stemmed, to no small extent, from domestic workers' lack of basic legal rights. This situation has now been remedied to some degree. A fully-fledged trade union, which is guaranteed rights to collective bargaining and organising, may stand the best chance of enforcing these new rights. Moreover, a union which is part of a powerful federation like COSATU, has an appreciably better chance of succeeding.

It must be questioned, however, whether a separate union for domestic workers is a feasible option. Rather, domestic workers could be organised by one of the existing COSATU affiliates (TGWU, SACCAWU or NEILAWU). A commitment to organising domestic workers and an efficient organisational infrastructure are key prerequisites. The selected affiliate will need to make provision for domestic workers as a specific sector, separate from the general cleaning sector.

All the affiliates mentioned already have regional offices and organisers. They are also financially viable. Initially, other union members would contribute towards the cost of organising domestic workers. When membership is consolidated the sector would be better placed to sustain itself.

Organisers will have to receive education

Organising models

In Brazil, the Union of Women Domestic Employees (UWDE) of Recife in north-east Brazil, offers vocational training to improve workers' skills, for example, specialised cooking courses. This not only improves the collective bargaining position of workers (the higher their skills, the better position they are in to demand improved wages), but offers them the opportunity to move into other sectors, such as catering.

Another organising model which has been used in various parts of the world is the social club. Workers come together in social activities, providing an opportunity for organising and education.

and training to equip them to organise this female-dominated sector. The union would have to implement innovative organisational strategies in addition to 'normal' day-to-day trade union work.

The closure of SADWU is a sad occasion for South African trade unionism. COSATU's efforts to rekindle organisation in this sector are to be commended. Hopefully, we will see the emergence of an effective organisation to fight for the rights of domestic workers. ★

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Roseline Nyman is a researcher at the National Labour and Economic Development Institute (Naledi). This article is taken from a paper commissioned by the September Commission of Inquiry on the Future of the Unions. Thanks to Glenn Adler, Myrtle Witbooi and Hester Stephens for their assistance, and to all the domestic workers who made time for interviews.

Democratic architecture

a challenge to the working class

Art, architecture, aesthetics - these are not words that open doors. When you're having a beer you don't want to discuss the latest trend in architecture. That's how arty middle-class people spend their time. Workers deal with real life: improved wages and working conditions, more houses and land.

The state has always concerned itself with these 'airy-fairy' matters. Those who hold the real power in our society know full well that the form, the style of a building is intimately related to how it is intended to be used, and what it is meant to communicate.

Whether we listen or not, buildings speak to us. They talk about our cultures. Workers produce these symbols, but see culture as something which belongs to someone else. Workers are, in brief, alienated from their own work, their surroundings and from their fellow human beings.

Alienated work, alienated architecture

The buildings we put up reflect the way they are produced. Pleasure has been squeezed out of the production process - time, we are told, is money.

The priority is getting the job done: cutting costs, standardizing, automating, streamlining. Architectural workers at the drawing board, typists in the typing pool, workers on site - all are subordinated to the drive for profit. Small wonder, then, that our buildings repel. They are built not to delight

Alan Lipman and Howard Harris issue a challenge to workers to take charge of their living and working spaces.

us but to ring the cash registers ever louder.

Shoddy or slick, the examples are everywhere: the bare, mechanical uniformity of townships; the standard, handed-down, little-box houses in which the more fortunate of us live, those gleaming, overbearing office blocks construction workers build but seldom enter; the ugly, uncaring factory interiors that look out onto slick office 'parks'.

There is little pleasure either in the way our built environments are produced or in the way they are experienced. The few who can afford to, tend to flee them; to seek relief in green suburbs in the countryside, by the sea, in the mountains.

Another vision

It need not be like this. If people were able to work differently, we could overcome this alienation.

Imagine a life in which people work freely - they control how they work and what they work on. They can see the whole production process in which they are engaged. They imagine how the products



One-room house in Eldorado Park; our buildings rebel.

they make will be used. Work is not drudgery but imaginative exploration. It is a creative activity that helps to shape the lives of producers and users.

There are plenty of examples of this kind of work in South Africa. Look at our ubiquitous mud-block, thatched huts with their sturdy, readily available and climatically suitable construction, their elegant *lapas*, decorated walls, door and window openings, their harmonious setting among the similar buildings about them. Look at our tough, spare barns and graceful verandah farmhouses tucked into clumps of trees that offer shade and protection from winds.

Look in the now unfashionable inner suburbs of our cities and towns, at the brick and corrugated iron row houses with their intricately patterned timber railings and trellis-work.

Not least, look at the inventive use of common materials - sheet and corrugated iron, industrial plywood and timber

packing cases - which impoverished shack dwellers assemble in powerful abstract patterns.

These are not the products of alienated labour. They are expressions of the fusion of beauty and use, of the unity of pleasure and work.

Speaking out

What do we want of our architecture, of our physical surroundings? In the new South Africa, with the taste of liberation still sweet, we must speak up, loudly, clearly. Others are not so quiet, they have developed the habit of talking for us, of deciding what we need.

We live in the broken-down world they have passed off on us: tiny, shoddy, crumbling houses; pared-down, uninviting school buildings, ugly, inadequate, often burnt-out railway stations; bleak shops behind threatening razor-wire; hostile, closed-off police stations that dominate our

forlorn suburbs, work settings that insult the aesthetic sensibilities of those who are obliged to occupy them. Is this what we want, is this us? Hardly. This is a world hungry for design.

We need an architecture that reminds us of where we have come from, which understands and is inspired by the past, but never forgets it belongs in the present.

This will not be an architecture that wallows in the past, that turns its back on the future. This is not fat cat, fast-car architecture, not the off-the-shelf, stuck on, centimetres thick, not quite accurate replicas of elsewhere that now litter our cities.

This concept of architecture - which is known as 'architectural modernism' has its roots in the struggle for socialism in Europe between the two World Wars.

Participation

In Europe such ideas remained the preserve of a small elite. We need to go beyond this elitism, to come together as producers and consumers, builders and users, to pass beyond the current separation of cultural experts, specialists, from the rest of us.

If architects are to draw on their knowledge to help solve our problems, they must listen to us. They must learn directly what our problems and desires are. That means comprehensive public involvement in building design.

This requires open, democratic participation by all in the decisions that bear on their lives. It is something more than a consumer's opportunity merely to select from set, predetermined alternatives - like which miche-meal to choose from all the brightly packaged brands. It's more than voting with one's money, a process in which wealth and power carry privileged access to resources, including building resources. Full participation arises from the right to play a full part in deciding what choices are to be made available, discussing them publicly and

then choosing.

Efforts to approach this ideal are rare in South Africa. Some examples which spring to mind are the Belhar Housing Project at Bontelucwul on the Cape Flats, the Bransdale scheme in Phoenix, Natal and the Workers' Library in Newtown, Johannesburg.

Participation presents the possibility of breaking through the usually closed relationship of client and architect; to include, as a matter of course, those who will live and work in what is designed. It rests on co-operation between them and designers, through shared control of resources, in order to plan, erect and then use buildings that are suited to and fit for those who will occupy them.

Realisation of this vision will come closer when communities reach out to their architects, their painters, carvers, sculptors... For, as the radical sociologist C Wright Mills wrote, "you cannot 'possess' art merely by buying it, you cannot support art merely by feeding artists - although that does help. To possess it you must earn it by participating to some extent in what it takes to design and create it. To support it you must catch in your consumption of it something of what is involved in the production of it." ★

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Alan Lipman is an architect/sociologist who taught at the University of Wales during 27 years of exile from South Africa, and now practices architecture in Johannesburg. Howard Harris, an active trade unionist who teaches interior architecture in Cardiff, Wales, has visited South Africa and is keenly interested in local architecture.



New agreements at Nedlac

Five agreements which are critical to the success of the Labour Relations Act (LRA), job creation and development were adopted by the Council. This brings the number of agreements reached by Nedlac since its inception two years ago to 21. Processes for dealing with notification of socio-economic protest action, and for the dispute around employment standards were also adopted.

Employment standards

A report on the employment standards negotiations, which outlines the processes followed to date as well as the core outstanding issues, was tabled at the Council meeting. The Council also discussed COSATU's notice of protest action. It was agreed that Nedlac's Executive Director should convene a special meeting with delegations to be led by the overall convenors of business, government and labour, to consider options for dealing with the dispute. Key outstanding issues include:

- Hours of work
- Paid maternity leave.
- Payment for Sunday work.
- Variation of minimum standards.

Protest action

Section 77 of the LRA requires registered trade unions or union federations to give Nedlac notice before they embark on socio-economic protest action.

On 28 February the Nedlac Executive Council held its first meeting of the year. The Council ratified a number of important agreements.

The mechanism for dealing with the notification of socio-economic protest action was developed in consultation with the Nedlac convenors for labour, business and government. The Council decided that:

- Nedlac should play a proactive role in dealing with protest action in terms of section 77 of the LRA.
- Nedlac should develop a procedure for convening a meeting of the parties to attempt to resolve the matter giving rise to the protest action.
- If the matter is already on Nedlac's agenda, the Nedlac Executive Director will convene a special meeting of the Management Committee, within the 14-day period set out in section 77.
- If the matter is not on the Nedlac agenda, the Executive Director will convene a meeting of the parties and try to resolve the matter within the 14 days period. If the Management Committee meets within the 14 day period it will discuss the issue.

Agreements

Essential Services Committee regulations

The LRA provides for the formation of an essential services committee, which falls under the Commission for Conciliation, Mediation and Arbitration (CCMA). A set of regulations has been drafted which state:

- The powers and functions of the essential services committee
- Procedures for investigations into whether a service, such as that rendered at a hospital, is an essential service. Workers performing an essential service cannot strike or take protest action but must settle a dispute by arbitration
- Procedures to determine whether a service is a maintenance service (again the right to strike does not apply) and procedures for ratifying collective agreements that set out the maintenance of minimum services
- Procedures for the determination of a dispute by the committee.

Amendments to the Compensation for Occupational Injuries and Diseases Act (Coida)

Among the amendments agreed to are:

- The Compensation Board is to consist of the commissioner or designated officer to act as chairperson, two people nominated by the Minister of Labour, one after consultation with the Minister of Health, the chief inspector of Occupational Health and Safety, one member (and alternate member) from the Rand Mutual Assurance Company, one member (and alternate member) from the Federal Employer's Mutual Assurance Company, two members (and

alternate members) from the South African Medical and Dental Council, three members (and alternate members) to represent employers and five members (and alternate members) to represent employees

- The definition of a widow or widower has been extended to include a spouse married according to customary law as well as civil marriages. A man or woman with whom the employee was living as husband or wife may be regarded as a spouse - subject to the opinion of the director-general
- Provision for the Labour Minister to consult the Board and for the accountability of the fund to be transferred to the director general of the Department of Labour

Job creation

High levels of unemployment make job creation a critical issue in South Africa. The national public works programme (NPWP) aims to assist the unemployed and sets the conditions (such as wage rates) under which public contracts are granted.

The community-based public works programme (CBPWP) is a presidential project within the NPWP which was allocated an RDP grant of R250 million. The CBPWP is important in that communities will be encouraged to get involved and help boost local economic development.

A special session on job creation, held in May 1996 by the Nedlac Development Chamber, set up a panel to develop an agreement on job creation in public works, particularly the CBPWP, and in the construction industry.

It was agreed that government, labour, private construction firms and communities reach an accord. In this





regard bilaterals between government and the construction industry on restructuring the industry are underway. It was also proposed that the Nedlac secretariat and the Development Bank of South Africa evaluate the National Economic Forum job creation programme.

Proposals have been made to deal with problems encountered in the CBPWP. Some of the problems are:

- The lack of evaluation and monitoring means that it is difficult to assess whether jobs are being created and skills developed. The Public Works Department has begun to evaluate their programmes, but it is proposed that evaluation and monitoring procedures form an integral part of any programme.
- Many projects are short-term, which means training and capacity building are inadequate. Training facilities are insufficient and inaccessible. It is proposed that government ensure that only those projects which provide training of an adequate standard are funded and that the Labour and Public Works Departments establish training mechanisms which include labour intensive programmes. Short-term projects should be discouraged, except where training is not necessary.
- There is a bias towards employing men. A standard criterion for targeting poor women, the disabled, rural communities and youths should be developed. Funding should only be provided if marginalised groups are included in the projects. Small, medium and micro enterprises (SMMEs), which focus on marginalised groups, should be encouraged in rural areas.

- Practices in the construction industry do not encourage the use of labour intensive methods of construction. The NPWP should encourage and create an environment conducive to labour intensive methods, while the Public Works Department should promote awareness in other departments of labour intensive methods of production.

Local development structures

Development is most urgently required at the local level. The challenge is enormous and made more difficult by the variety of community and local structures. This results in tension, confusion and conflict and it is not easy to identify the legitimate and representative structures.

In June 1996, the Nedlac Development Chamber held a meeting to discuss local economic development (LED). It considered guidelines for establishing structures at community and local level which are development orientated, inclusive and representative.

Stakeholders in the provinces and at local level were consulted regarding these guidelines as well as proposals for implementation. In September 1996 a workshop was held to finalise the guidelines. The purpose of the guidelines is to help the community, labour, business and the three levels of government establish and support these structures.

The implementation plan focuses on popularising the guidelines where, for example, the Department of Public Works will obtain commitments from other departments to implement the guidelines. Others to be involved are the South African Local Government Association, the Masakhane Campaign,

and business, labour and community constituencies, in Nedlac.

Two levels of development structures may be developed a local government level development structure and a community level development structure. However, the form and function of these structures depends on local contexts and needs

The local authority, organised business, organised labour or a community organisation may establish a local government development structure. These would include representatives from labour, business, non-government organisations (NGOs), local authority, community bodies and so on. Its function is to bring together key roleplayers at the local level to identify and initiate programmes aimed at local development. This involves forming partnerships.

A community level development structure would represent a community in a local authority area and would be representative of all stakeholders such as civics, church groups, traditional leaders (in rural areas) as well as councillors and local authority officials to keep them informed of the community's needs and priorities. This structure could be established by any stakeholder at community level or facilitated by the local authority.

Community level development structures are important as they:

- enable the community/civil society to participate in development;
- provide a link between local government and communities;
- create a community networking system and sense of unity;
- ensure development is shaped by the needs and priorities of the community;
- encourage bottom up development

driven by communities;

- ensure community members receive training and skills development (capacity building).

The development structures provide a link between local government, councillors and the community. They would also help in implementing the Development Facilitation Act which requires that local authorities consult and work with communities to ensure local development and to identify land development objectives.

A local development office, established by, and accountable to, the local authority, would provide support to the partnership between the local authority, councillors and civil society. The document also outlines funding processes as well as recognition and procedural guidelines. The appointment of community development facilitators and their functions are also discussed

Finally, it was proposed that a facilitation-implementation team, consisting of representatives from national government departments, business, labour and the community, be established to assist with the implementation of the guidelines, deal with funding matters and develop a data base on local development structures

National Development Agency (NDA)

The planned NDA will replace the present transitional National Development Trust, the development body funded jointly by government and international donors. Nedlac is considering a report on the NDA submitted by an advisory committee. Constituencies support the concept of an NDA and labour and business have submitted comments on the report, while the community constituency is soon to do so





Reports

Budget and tax

Business and labour expressed concern about their inability to make inputs regarding expenditure issues at a national level now that 78% of the expenditure purse is allocated to the provinces in a lump sum, leaving only 22% to be allocated to national departments. The Public Finance and Monetary Policy Chamber agreed to establish a process for reviewing the budget process. Recommendations on a mechanism for future inputs at national level into the expenditure side of the budget will be tabled at the Executive Council meeting in May 1997.

A second area of concern is the revenue side of the budget, with recommendations put forward on issues such as VAT, excise tax or VAT on luxury goods, personal income tax and fiscal drag, secondary tax on companies, capital gains and wealth tax, the taxation of retirement funds, improved tax administration, support for tax amnesty, and calls for tax morality.

Crime

At the November 1996 crime conference, convened by Nedlac and the Safety and Security secretariat, a declaration was adopted. In it the conference delegates committed their organisations to adopt action to prevent crimes in all communities and to create a safe environment to encourage development in partnership with local authorities and the police.

The delegates recognised that the police alone cannot prevent crime, while community groups cannot do it on their own without undermining the law and democratic values. The specific initiatives to implement local action against crime include:

- Implementing youth programmes through schools, sporting and cultural bodies to teach life skills and provide career opportunities and leisure activities.
 - Make local authorities accountable for ensuring that local crime prevention initiatives are successful.
 - Involve community organisations in parole boards and the process of parole.
 - Involve community organisations in correctional supervision.
 - Involve communities in identifying problems, and providing solutions, in services provided by the criminal justice system.
 - Companies should adopt and enforce a code of ethics to prevent white-collar and commercial crime.
 - Shopstewards should be trained to take part in crime prevention initiatives.
 - Community committees should be set up to manage conflict and monitor and discipline the taxi industry, while local authorities should regulate the taxi ranks.
 - Community organisations should introduce local victim support programmes.
- Following the crime conference, locally focused action plans were submitted by COSATU, Business Against Crime, the South African National Civics Organisation (SANCO), the government and a range of community organisations. Details of these action plans include the following:
- mobilising members to join community polling forums and police reservists;
 - supporting victims of crime;
 - linking with international experts;
 - police-business mentorship;
 - focussing on commercial crime,

youth mobilisation, building street committees, promoting the national crime prevention strategy, and co-ordinating with governments at national, provincial and local level

Briefings

ILO and the social clause – preparation

The International Labour Organisation (ILO) is to meet on 6 March 1997 and, following the World Trade Organisation (WTO) ministerial conference, the labour standards issue is on its agenda

Nedlac has agreed that South Africa should have a joint position on labour standards which reflect Nedlac's framework agreement on the social clause.

While labour is willing to explore this, it is tied, in the ILO, to an international labour mandate. A meeting of the WTO, the ILO and constituency representatives in Nedlac has been scheduled to take this matter forward. This meeting will consider Nedlac's framework agreement on the social clause and discussions at the WTO conference to strategise a joint South African position to mandate the tripartite delegation to the ILO governing body.

Monetary policy

Dr Chris Stals, governor of the Reserve Bank, made a presentation to the Executive Council meeting. He said the Bank's main task is to protect the value of the rand - in other words, keep inflation low.

The control of the money supply assists in keeping inflation down. The Bank thus follows a monetarist approach based on controlling the money supply in order to contain inflation.

Guidelines for an acceptable rate of increase in the money supply are

announced at the beginning of each year. If growth in the money supply exceeds the guidelines, monetary policy will remain restrictive. The Bank has the right to issue money, but private banking institutions create more money than the central bank. Thus the Bank must have some powers to control the banking sector's money creation capacity in order to help keep a country's currency stable. The interest rate is an instrument used to control the money supply.

The Reserve Bank's monetary policy consists of

- supporting economic growth and development;
- keeping the rate of inflation low - in other words, protecting the value of the currency;
- keeping the rate of money supply within an acceptable range;
- moving towards a level of control over bank credit extension, which requires management of the amount of funds in the banking system and a consistent interest rate policy.

According to Stals, "If this model is applied consistently and with success, the rate of inflation will be low, which will lead to a more stable exchange rate of the rand."

Inflation resulting mainly from the depreciation of the rand led to the Bank applying a more restrictive monetary policy. This, in turn, resulted in an increase in the interest rate. It had the effect of slowing down both the rates of increase in bank credit extension and the money supply.

However, inflation is still creeping upwards. And other factors contributing to inflation - such as excessive rises in government expenditure and wage rises in excess of productivity increases - need to be avoided.



Social security

how can labour influence policy?

One of the challenges facing organised labour in the new South Africa is to intervene effectively in government policy in order to ensure that social institutions advance the interests of the poor and working classes.

Powerful global forces are attempting to reduce the role of the state to that of a facilitator of the expansion of private capital. Local forces would also like to limit the state's redistributive capabilities. Labour needs to ensure that demands for an effective developmental state, characterised by redistributive social institutions, are put at the top of the agenda.

Social welfare

In November last year parliamentary hearings were held on the draft White Paper on Social Welfare, produced by the Department of Welfare. COSATU's submissions to the Department resulted in amendments to the draft document. The amended White Paper, which in its final form represents government policy, may have opened the space for further interventions in favour of the establishment of a comprehensive social security system.

A key aspect of the White Paper is its statement that "the proposal for a transformed social security system should be built on two pillars. First, it will require comprehensive social assistance to those without other means of support, such as a general means tested social assistance scheme. Secondly, it will require the

COSATU has already succeeded in influencing government policy on social security.

Kenneth Creamer explores how labour can take this process further.

restructuring of social insurance, including the retirement industry, unemployment insurance and health insurance."

The distinction between social assistance and social insurance is important. Social assistance refers to payments from the state to poor households. Those who receive this assistance do not make any financial contribution towards it. Social insurance, on the other hand, comprises schemes which, although they may be administered or regulated by the state, are funded at least to some extent by beneficiaries.

The White Paper also commits government to "the establishment of a comprehensive social security policy", requires that there be legislation giving effect to these policies and that there be "consultation with civil society, labour, business and other stakeholders."

The existing system

Forms of social assistance include state old age pensions, child maintenance grants and

disability grants. State pensions are a key redistributive tool of government. It is estimated that in 1993 7.7 million people lived in households that received a state pension. Studies have shown that in many cases pensions are used to support the whole family.

Child maintenance grants have provided mothers (or fathers) who are unable to support their children with a grant of R430 per month, plus R135 per child for up to two children. Access to these grants has been skewed along racial lines, as they have been inaccessible to African (as compared to coloured, Indian and white) families. In line with the Lund Committee's

recommendations, government is in the process of phasing in a drastically reduced grant of R75 per month per child for up to two children. Parents will no longer receive any additional grant over and above this amount.

Insurance

Social insurance schemes currently in existence include pension and provident funds in the public and private sectors, medical aid and medical insurance schemes and unemployment insurance. At present retirement provision is not compulsory. The Mouton Commission estimated that only 73% of employees in the formal sector have access to retirement benefits.

The Unemployment Insurance Fund (UIF) is designed to deal with temporary (or frictional) unemployment. It cannot provide a security net in the context of long-term, structural unemployment. A recent study backed by the International Labour Organisation (ILO) estimates that UIF only reaches 3.8 to 7.3% of unemployed people. Many workers never qualify for UIF; either



Child maintenance grants are to be reduced to R75 a month.

because they have never been employed in the formal sector, or because they have not been insured long enough to qualify for benefits.

Undermining social security

Worldwide, the potential for profiteering and for private investors to gain access to the huge funds associated with social security have resulted in pressure for the rolling back of state social security programmes and their replacement by private schemes. If this happens, the majority of working people will be required to provide for their own needs through buying into private sector schemes. The state's role will be limited to providing a safety net for those who have not had access to formal employment.

Some proponents of this system take the argument even further. Earlier this year the report of the Department of Finance's National Retirement Consultative Forum (NRCF), which is concerned with the restructuring of the retirement system, suggested that the burden of state pensions

could be limited by keeping the real amount of the pensions constant (so that the real amount would be eroded by inflation). Other suggestions are that state pensions be set at a fixed level of Gross Domestic Product (GDP) or that they be phased out completely. So far government has resisted these forces. This year, it has increased state pensions by 9,3% (from R430 to R470 per month). The increase is marginally above projected inflation.

Labour's role

This does not mean that progressive forces should relax their efforts.

The challenge for labour is to use the space provided by government's commitment to the establishment of a comprehensive social security system and to ensure that the interests of the working class, both employed and unemployed, should predominate in this restructuring process. A comprehensive system will require that all the various elements of social security be used in an integrated way to guarantee all South Africans a basic income and a basic standard of living.

South Africa's new constitution guarantees every person "social security, including, if they are unable to support themselves and their dependants, appropriate social assistance."

COSATU reaction to state budget

COSATU has welcomed the increase in state old age pensions in the 1997/98 budget.

The federation notes, however, that the increase is off a very low base and that it only assists those who have pensioners in their family. COSATU says that in a country with massive poverty, it is an anomaly that the only meaningful form of public income transfer is the old age pension. In the absence of a dole system to support the unemployed, it calls for the introduction of a general grant aimed at families falling below a specified income level.

The constitution does not prescribe how government should go about achieving this right. It simply states that mechanisms must be put in place which lead to its progressive realisation. Having adopted a broad approach to social security, and having succeeded to a certain extent in getting government to accept this, organised labour needs to develop detailed policy proposals. The most important aspect of this policy will be how a social security system is to be financed.

Any concessions to the narrow self-interest of private capital should be avoided. Government should not allow 'cherry-picking' by private sector players where those that can afford to pay become members of a private system and those who cannot contribute are left with diluted forms of assistance.

South Africa needs a system where there is a dynamic interaction between those parts of the social security system funded by private contributions and those based completely on social assistance transfers.

Social insurance should be restructured so that all workers have access to retirement benefits. Employers should be required to contribute to these benefits. The approximately 16 000 retirement schemes which exist should be consolidated into sectoral funds as envisaged in the Labour Relations Act (LRA). Workers are now entitled to half the seats on retirement funds. They should steer these funds - which comprise enormous assets of about R600-billion - towards productive and job creating investment.

Such policies would have a dynamic effect on the provision of social assistance, such as state pensions. Increased employment levels would increase the sustainability of these and other transfer payments. ★

Kenneth Gwamer is a researcher for COSATU. He writes in his personal capacity. Thanks to Ravi Naidoo for key background material.

Weza sawmill

*value added production,
devalued labour*



Two years ago, Stephen Ndonyela was a semi-skilled forestry worker, manually operating a cutting machine at the Weza sawmill in southern KwaZulu-Natal. He was responsible for producing large volumes of unprocessed timber for the local market in exchange for a wage of R1 000 per month.

Today Ndonyela can proudly boast that he earns twice his previous wage. He has undergone intensive training as an artisan. He operates the mill's latest machinery, stringently testing the degree of tension in the saw-blades used in the computer-programmed, high speed cutting machines. He quips that he "adds value" in the enterprising and thriving milling operation.

But Ndonyela is one of a minority of literate workers fortunate to benefit from the mill's move to value-added production. An alarming 78% of Weza's workforce in the rural heart of the forestry industry is illiterate and unskilled.

This bodes ill for sustaining employment and creating opportunities for workers to advance in the company.

As recent trends in the South African manufacturing sector have shown, shifts towards capital-intensive investment provide opportunities for a few favoured 'core' workers, but has wrenching effects on the rest of the workforce.

Yet the Weza sawmill's watershed technological innovations have successfully maintained employment levels – for the moment.

Weza Sawmill in KwaZulu-Natal has undergone massive restructuring, yet, for the moment, has managed to retain its workforce. Malcolm Ray ponders on the workers' future.

Crisis

Since 1991 the South African sawmilling industry has gradually fallen into a crisis of overproduction. With the local market for structural timber under collapse, processing sawmills found themselves producing low-price timber products at a significantly higher cost than their overseas competitors.

A cluster study undertaken by the state-owned Industrial Development Corporation (IDC) on the timber production sector found that the market was oversupplied with large volumes of low quality 'undifferentiated' products with little value added.

The study revealed that the emphasis on raw material production instead of finished products was plunging the sector into a high-cost, low-price spiral.

At the same time, South Africa's isolation from the international market meant that the sector could not rely on export sales. State-owned companies like Weza were locked into long-term contracts with the

Pic: Malcolm Ray



There is a conspicuous absence of workers in the processing section.

sawmilling industry, which served to further depress prices.

Opportunities

In 1993 the state-owned South Africa Forestry Company Limited (SAFCOL), of which the Weza sawmill is a branch, was registered as a commercial company. The move was deliberately calculated to transform SAFCOL from an unprofitable parastatal into a profit-seeking enterprise managed by a commercial company, but under state ownership. Management of SAFCOL was shifted from the Department of Water Affairs and Forestry to a commercial entity.

Hard-hit by low prices, high production costs, an oversupply of timber, cheap imports from Zimbabwe and the enormous cost of incorporating the company's unprofitable forestry interests in the former homelands, SAFCOL saw the initiative as an opportunity to secure a lucrative edge over the myriad of private sawmilling companies

contesting the local market. Together with South Africa's re-integration into the international economy, it was hoped that commercialisation would place the company on a new strategic path geared towards lucrative export markets.

SAFCOL's new role would require:

- the pursuit of market-based growth paths that generate rapid increases in productivity;
- taking advantage of new international opportunities to expand trade;
- choosing an international trade policy which would complement the continued supply of

timber to local markets;

- managing change without excessive costs to workers.

The challenge

SAFCOL's embrace of market-driven development resulted in major investment in new technology in its sawmill division.

The mill's chief engineer, Pete Bowyer, explains the thinking behind the investment: "A major factor which set us on a new strategic course was the huge demand for beneficiated timber by the United States and Korea. To meet this export challenge, SAFCOL was under pressure to upgrade its sawmills to international standards."

Adding value

Weza was chosen as a pilot project to pioneer the export market. An estimated R32-million was invested in refurbishing the processing section of the sawmill.

The first thing a visitor to the processing

mill notices is the conspicuous absence of workers. Three workers operate the new plant from a computer command cubicle. The plant is entirely automated, from the point at which logs from the mill's yards are fed into the plant, to the finishing stages of production.

Bowyer says that the choice of technologically advanced processing machines instead of the traditional, labour-intensive log-yard operation was guided by SAFCOL's philosophy of 'low-cost, high-quality' production.

He is upbeat about the results, and with good reason. In February this year, output was almost five times higher than during the heyday of unprocessed timber production. One year after the new plant was installed, export markets account for over half of overall sales. Bowyer is confident this trend will continue.

Wages versus profits

Bowyer says that, while the average net input costs have not changed significantly, the mill's operating profit margin has increased substantially. While he will not disclose actual figures, it is believed that overall profit has doubled in just one year.

The story behind Weza's success

Bowyer explains that production is now quicker and more efficient. The installation of a value-added finger-jointing plant and the conversion of the old mill into a new wet mill have enabled Weza to turn half of the timber logs into solid wood products. Conventional sawmilling achieved only 45% output. Weza is thus increasing output by 5%.

The value-adding technology skilfully extracts short, unknotted pieces of timber, which are normally wasted, and finger joints them to produce a high quality surface. This generates substantially more income than knotted wood.

Operating costs have decreased in real terms and wages have declined as a percentage of total costs.

Reduced production costs and increased profits are positive indicators for the future performance of the company. But are workers benefitting from these positive developments?

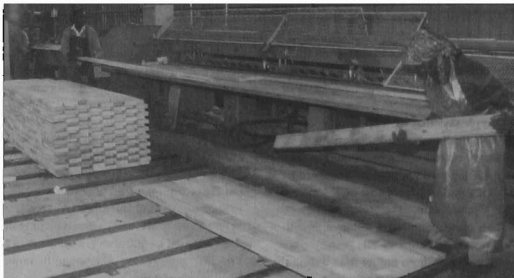
A peculiar feature of the shift to capital-intensive production is that workers at Weza have not been displaced by machinery. Michael Mthungwa, an organiser for the Paper, Print, Wood and Allied Workers' Union (PPWAWU) at Weza, says that the company has retained its 500-strong workforce as a result of an agreement between the union and management.

PPWAWU intervened during the early stages of the restructuring. It managed to nullify the possibility of retrenchment via an affirmative action training programme and redeployment. The agreement it negotiated provided for promotion for union members into artisan, supervisory and management posts, and a ban on outside employment, retrenchments and sub-contracting.

One hundred and three workers were absorbed into the value-adding plant. The remainder of the workforce, with the exception of those who left of their own accord, remained at the old mill. A small number of workers were retrained. According to Mthungwa, the company also allocated R80 000 for Adult Basic Education and skills development.

Bowyer says that the union was prepared to accept the restructuring because the company adopted a gradual rather than a 'big bang' approach, which would almost certainly have resulted in retrenchments. In New Zealand, sawmilling companies adopted a quick-fix approach, resulting in large scale job losses. The Weza experience is highly unusual, in that labour was not displaced in the process.

For the moment, PPWAWU's acceptance



The 500-strong workforce has been retained.

of the restructuring is guaranteed because jobs are not threatened. However, Mthungwa is guarded about future prospects. He points out that the agreement expires at the end of this year. At that point, retrenchments could reappear on the agenda.

Gradual destruction

Weza's restructuring involves extensive mechanisation. In the long run, continuing technological changes, expanding international interaction and fierce competition will hasten this process. Bowyer points out that "what any company's workforce needs most is a demand for its service...where that is displaced by machines, workers must become redundant."

He admits that, following the European experience, progressive mechanisation might well lead to job losses in the future. "Ideally," he says, "it would have been easier to close down the old processing plant at Weza, retrain workers and boost profitability by exporting all our timber products. The reality is that a comparable sawmill in

Europe is run by seven people."

It is clear that what Weza is following is a strategy of gradual job destruction. Is this better for workers? Bowyer maintains that it is "better than a sharp drop". He adds that it is necessary that a 'shake-out' period occurs where redundant workers are shed through natural attrition.

The National Labour and Economic Development Institute (Naledi) recently produced a discussion paper on the SAFCOL restructuring. The paper puts forward two scenarios. The first is that restructuring will inevitably lead to full scale retrenchment. The other is that over time SAFCOL may shift more and more to contractor-type arrangements.

Either way, although some workers may be afforded the opportunity to upgrade their skills and thus retain their jobs, the future looks bleak for the majority of the workforce. ★

Malcolm Ray is the former media officer for the Transport and General Workers Union (TGWU) and currently works as a journalist for the Natal Witness

SAMWU fights privatisation

The South African Municipal Workers Union (SAMWU) has launched a campaign against the privatisation of municipal services

The union is opposed to the recommendations of the Municipal Infrastructure Investment Framework (MIIF), which suggests that the private sector is the most appropriate mechanism to deliver basic services (see "Local government, can it deliver?" *SA Labour Bulletin* Vol 20 No 6 and pp 19-22 in this issue)

Last July SAMWU met with the Department of Constitutional Affairs (under which the MIIF falls) At that meeting, it was agreed that:

- negotiations on the restructuring of the municipal sector would take place in the National Labour Relations Forum (NLR) (The NLR is a national negotiating forum established by local government employers and trade unions in July 1994),
- the parties would identify, monitor and evaluate certain pilot projects in which a variety of approaches to restructuring are explored,
- consultants would be appointed to advise both government and labour during this process

None of this has taken place. Government has ignored the unions. It has drawn up guidelines for private sector service delivery. This document even spells out how workers affected by privatisation should be dealt with. In nine large municipalities (including Nelspruit, Kimberley, Port Elizabeth, Richards Bay, Cape Town and Stanger),

by Roger Ronnie

taxpayers' money has been allocated to assist the local council in drawing up proposals which involve the private sector.

SAMWU's approach to restructuring is clear:

- We will actively resist pressures to privatise municipal services.
- We will focus on local government employees as the key to expanding and improving services. This will be done by investing in training and skills development programmes and in changing the way in which services are delivered.
- We will explore ways of securing finances for local government which promote the maximum use of resources and which limit the influence the private sector could exercise on the restructuring process

Programme of action

Our programme is geared towards:

- Resisting the ongoing privatisation onslaught.
- Re-asserting the role of the public sector in the ownership, democratic control and delivery of basic services.

A series of activities have been planned up until the end of May. The union will then re-assess the campaign and decide on its next line of action.



Members of SAMWU march against privatisation, Johannesburg, July 1996.

The campaign

A key area of our campaign revolves around a research project SAMWU is involved in with the International Labour, Resource and Information Group (ILRIG), a service organisation based in Cape Town.

The research will cover:

- The effects of privatisation in South Africa and other parts of the world and the role played by trade unions in fighting privatisation.
- Examining ways other than privatisation in which services can best be delivered by local authorities.

The project is set to run for two years. The union has already produced a publication on the effects of privatisation on communities and workers. A number of further publications will be produced during the duration of the project.

A database of companies involved in privatisation initiatives will also be established.

Activities

The union will be raising the campaign in the COSATU Public Sector Co-ordinating Committee and at COSATU regional

meetings. Every effort will be made to involve members of SAMWU, other unions and the broader community. General union meetings will be held throughout the campaign. At these meetings, collective action will be discussed. In May, a workshop will be held with other unions and community organisations.

A series of meetings with the Department of Constitutional Development, local government MECs and

with employers at national and regional level have been planned between now and the end of May.

Pilot projects

Cape Town Metro and Johannesburg Metro have been identified as pilot projects.

SAMWU will be drawing up a plan for the extension and ongoing supply of water to these areas in a way which retains these services in public hands. These proposals should be completed by the end of April. SAMWU demands:

- a moratorium or complete halt on all major contracts currently under investigation and negotiation between individual local authorities and the private sector,
- that information on all current contracts between local authorities and the private sector be made available to the union;
- that all further discussions on restructuring of the sector be dealt with in the National Labour Relations Forum. ★

Roger Ronnie is the General Secretary of SAMWU

A place in the sun

women farmworkers organise

Thenjive Majola lives and works on a vegetable farm in the Eastern Cape. She came to the farm in 1986, when she married her husband, Babili Majola. Babili was already working there. Before his marriage he was living in the single quarters. On his marriage, the farmer provided him with a plot to put up his own wattle-and-daub house. In exchange, Babili agreed that Thenjive would work in the fields. Babili and Thenjive have four children.

Thenjive's day starts at 4am. She brings in wood from the pile she collected from the forest three kilometres away the previous evening, and lights the fire. Then she walks down to the river to collect water for the family to wash. She puts the pot of porridge on the fire to cook, wakes her children and starts to get them ready for school. Xoli, her seven year-old son, reminds her that he will not be going to school today - the farmer has said all the small boys must help with the tomato picking.

By 7am Thenjive is in the fields with the other women. It is very hot. A spray-cropping plane passes overhead, and many of the women begin to cough from its fumes. Thenjive thinks about her children. She needs to take her daughter to the clinic in George to see about that rash. She doesn't know where she will find the money for transport, plus she will lose a day's pay if she takes time off. Tomorrow is month end. Maybe Babili will give her

Women who live and work on farms face particular forms of discrimination and exploitation. Lali Naidoo outlines recent efforts to organise women farmworkers.

money from his pay. But last month there was no money left after he had been to the shebeen. She just hopes he doesn't get so drunk that he hits her again.

The new political order in South Africa offers some hope for redressing the economic and social conditions under which most black people live. Opportunities and mechanisms for doing so in rural communities, particularly on commercial farms, are, however, conspicuously absent.

For the most part, farmworkers continue to live in abject poverty. Women who live and work on farms face particular forms of discrimination and exploitation. They are totally dependant, not only on the farmer who employs them, but on their male partners. They are excluded from national policy debates and from civil society generally. So complete is this exclusion that no reliable statistics exist as to how many women farmworkers there are and what their contribution to the national economy is.

Working conditions

Rural areas are generally characterised by huge differences in wealth and power between farmers and workers. Women farmworkers are at the bottom of the heap. Across sectors, women perform the most labour-intensive work. On dairy farms, they milk and look after the cows, fill milk bottles and stick on labels. In the vegetable sector they hoe, pick the produce, plant, pack and sort. Many women are also employed as domestic workers in the farmhouse.

Female farmworkers are often employed on a casual basis. They are paid at lower rates than male workers who perform the same or similar types of jobs. The starting salary for women on vegetable farms in the Eastern Cape is R7 a day. Men start at around R12 a day. The deciduous fruit industry in the Western Cape pays women R13,96 a day, while men earn R19,31. This discrimination extends to other payments as well: in the dairy sector women receive R50 a month for rations, while men are given R70.

Control

Women's employment on farms is often tied to the employment of their spouse, common-law husband, or any other male family member. Farmers employ men on the understanding that their wives and children will work whenever the farmer needs them. Women's labour is thus controlled both by their male partners and the farmer.

In the few instances where contracts of employment exist, male partners sign the contracts. Non compliance with such contractual arrangements frequently results in domestic violence and threatens the entire family's employment and access to housing. Isolated as they are, with no access to welfare or other support, women find it impossible to break this cycle of dependence.

Research on farms in the Albany region of the Eastern Cape reveals the archaic labour

relations that persist in these areas: A female milker on a dairy farm complained that "during the month-end the boss rushes us around and changes the manner things are done, he shouts at us as if we are not working. He has no consideration for people who are new. He does not give them time to adjust. He treats us as if we are not working for money, as if it is something he is giving us for free." A seasonal worker on a vegetable farm said that "our boss always tells us to work harder. He will shout at us rudely... This makes me feel bad because we are doing our jobs the same way. So when he shouts at us it seems that we are not working or not doing enough"

Since 1993, labour legislation has been extended to farmworkers. On paper, all farmworkers are covered by the new Labour Relations Act (LRA), the Unemployment Insurance Act, the Compensation of Occupational Injuries and Diseases Act (COIDA) and the Basic Conditions of Employment Act (BCEA)

The ANC's policy document on farmworkers stipulates that:

- There will be equal pay for work and an end to wage discrimination and differentiation of work based on sex.
- There will be equal access to permanent employment.
- Women will have a right to separate contracts of employment.
- There will be equal access to housing, so that women are able to secure tenancy rights.
- There will be access to training and education
- There shall be job security for pregnant women and the provision of child care.

The BCEA does not make adequate provision for these specific rights. The LRA caters largely for big industries and well organised labour forces. The Act could have a limited impact on farmworkers, as worker organisation in the agricultural sector is still

in its infancy, with less than 2% of farmworkers organised. The LRA, with its 'gender-neutral' thrust, can only really be effective in a society free from gender discrimination. Under South African conditions, it is crucially important to develop parallel processes and policy guidelines which will secure women's employment rights.

Legislative changes have had little impact on the daily lives of women farmworkers. This is due to the lack of enforcement mechanisms and to a lack of knowledge among female workers about their rights.

Women continue to work overtime without pay and are denied sick and maternity leave. On farms in the Albany district money is deducted from workers' pay if they do not work on a public holiday. Unfair dismissals are commonplace.

Housing

Access to housing is normally tied to employment. Furthermore, it is directly linked to the male head of the household. If a woman's husband or male relative dies, is dismissed, or unable to work due to old age, she would automatically be evicted, irrespective of the number of years she has worked or the nature of her employment.



Female farmworkers are often employed on a casual basis.

Farmworkers' dwellings range from hostel accommodation, to mud huts, to conventional brick houses. Services such as running water, electricity and water-borne sewerage are scarce.

Domestic conditions

Women not only work on the farms, they are also responsible for the needs of the household. This means walking long distances to the nearest water source, fetching wood and child care. The lack of basic resources make rural women's tasks

even more difficult, cumbersome and time-consuming. They limit women's scope to organise themselves and to attend meetings and workshops, thereby perpetuating their isolation and alienation.

At home, women become the targets of abuse. At a recent workshop in Grahamstown for women farmworkers, women reported that husbands and boyfriends regularly beat them when they question their extra-marital affairs or when the partner is drunk.

Health and safety

Women are responsible for their own health and that of their families. Health-care facilities and clinics are few and far between in rural areas. The lack of regular transport makes getting to a hospital in any emergency very difficult. Women have to rely on the goodwill of the farmer to telephone for an ambulance. Any absence from work is unpaid. These factors combine to relegate health to a secondary issue in the lives of women workers.

Protective clothing and other measures to protect women from the adverse effects of their work are rare. On vegetable farms, women work in the rain with no protection. The working day on dairy farms begins at 4.15am, when it is still dark. Recently a woman from a dairy farm near Grahamstown was brutally raped while tending to the cows.

Overcrowding and poor housing conditions impact on the family's physical and mental health. The lack of crèche and other child-care facilities means women have to take their infants into the fields with them.

The RDP

The Reconstruction and Development Programme (RDP) recognises that women constitute the bulk of seasonal labour, that they receive the lowest wages and are excluded from decision-making. The RDP

talks of meeting basic needs, providing housing, health, education and a decent life for all citizens. It is premised on the belief that development must be people-driven.

The RDP endorses the participation of women in formal and informal structures and networks to build their capacity and to influence policies and programmes. However, it is silent on the mechanisms or strategies to deal with unorganised and isolated sectors, such as women on farms.

To all extents and purposes, the RDP remains a theoretical exercise for these women. The challenge now is to build the capacity of women farmworkers to access the RDP, to ensure that programmes and policies reflect their needs and concerns and to ensure that they are active agents in their own development.

Rising to the challenge

In 1995 the Women on Farms Project (WFP), based in Stellenbosch, the Farmworkers Resource and Research Project (FRPP), based in Johannesburg and the East Cape Agricultural Research Project (ECARP) set up the National Women on Farms Programme (NWFP).

The NWFP is intended to provide a platform for women to begin addressing their rights as women and as agricultural workers. After a series of local and regional workshops the first ever national conference was hosted in Grahamstown in June 1996.

This was an extremely significant event: it provided the opportunity for women to break their isolation, meet women from different provinces and areas and begin addressing common problems. Since this conference, the three organisations have begun consolidating efforts and mapping out various programmes.

The WFP is concentrating on a labour programme, addressing violence, a literacy programme and maintenance issues. Through the organisation's efforts the Vroue



Women work on the farms and are also responsible for the needs of the household.

Regte Groep (Women's Rights Group) was set up. The group comprises of women from eight different farms in Stellenbosch. Participation in this group has given women the confidence to join unions and to conduct their own meetings and workshops independently of the WFP.

In 1995 ECARP established its Farmworker Gender Unit. The unit is concentrating on

- education and training
- advice and support
- research

It has initiated three support groups in the Albany area. Women from 14 different farms participate in these groups.

Through the work of these non-governmental organisations (NGOs) women farmworkers are beginning to claim their place in the sun. There is still much work to be done. National awareness needs to be created. Women on farms need to raise their profile and to build a solid platform from

which to articulate their demands and concerns. This is not an event, but a process which needs the support of government, policy makers, trade unions, major rethinking on the part of farmers and the strengthening of organisations already involved in the sector. ★

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Lali Naidoo is the Director of ECARP in Grahamstown. The author acknowledges the support of Vuyiswa Baba and Carol Ntshobane at ECARP in conducting interviews with women farmworkers.

CCMA under fire

Unions have accused the Commission for Conciliation, Mediation and Arbitration (CCMA) of dragging its feet in resolving industrial disputes.

The CCMA was set up in terms of the new Labour Relations Act (LRA). It is an independent body whose major task is to settle disputes through conciliation and, if necessary, arbitration.

When the CCMA was established, it was assumed that strikes would not drag on as they did in the past, but would be resolved swiftly and effectively. Recent disputes in the health, paper, chemical and service sectors, however, show that this is not necessarily the case.

Members of the National Education, Health and Allied Workers' Union (NEHAWU) at psychiatric and TB hospitals embarked on strike action in December last year. It was four weeks before the CCMA managed to bring the union and hospital authorities to an agreement.

NEHAWU has accused the CCMA of dragging its feet. CCMA senior commissioner, Sue Albertyn, who eventually resolved the dispute after many hours of negotiations, denies this.

She says the CCMA could not intervene "because the two parties - employers and the union - had not agreed that we should be involved."

In the case of the Mondl strike at Merebank near Durban, the Commission was called in early. Nonetheless, it took six weeks of strike action and endless

Labour Bulletin correspondent

negotiations before the matter was resolved.

The Chemical Workers Industrial Union (CWIU) has also criticised the CCMA for the delay in resolving a dispute at Naschem, a subsidiary of Denel in Potchefstroom.

CWIU organiser, John Appolis, says that the union wrote to the CCMA just after the strike started. A week later, it had received no response. A settlement was achieved only after a four week strike.

The strike by workers at 3M, an American multinational was also only resolved after three weeks.

The South African Commercial Catering and Allied Workers Union (SACCABU) claims that it had to exert great pressure on the CCMA before it accepted a mandate to resolve the strike, rather than to simply draw up picketing guidelines, as the company had requested.

CCMA responds

CCMA Director, Charles Nupen, says that the impression that his organisation will resolve disputes immediately they arise is wrong.

"There is an expectation that a dispute referred to the CCMA will be resolved immediately. That is an unrealistic expectation which we need to modify."

Nupen adds that the CCMA has resolved



It was expected that strikes would not drag on Fawu members on strike, February 1997.

80% of the disputes which have been referred to it. He says individual cases are easy to settle as the parties do not have to go back for mandates.

Mohamed Jabhay, a senior commissioner at the CCMA, says the organisation has never dragged its feet. "Once the parties have engaged in protected industrial action it is difficult for us to intervene." He points out that the CCMA can only step in if it is requested to do so by the union or

employer. Strike action hardens attitudes and may increase the time it takes to bring the parties to an agreement."

The CCMA is no doubt still experiencing teething problems and it will also take time for stakeholders to accustom themselves to the new dispensation. It would be a pity, however, if an institution which holds out hope for a new approach to industrial relations were to lose credibility at such an early stage. ★

Conciliation

The purpose of conciliation is to settle a dispute to the satisfaction of all parties.

An individual employee or employer, or a union or employer's organisation can ask the CCMA to conciliate.

A CCMA commissioner will then meet with the parties to the dispute and ask them to explain their positions.

Separate meetings between the commissioner and each party may be held

Parties are encouraged to share information and come forward with ideas on how their differences can be settled. The commissioner may also put forward suggestions.

The commissioner's role is to help the parties resolve the dispute within 30 days of its being referred to the CCMA. If the dispute is settled, an agreement will be drawn up. The commissioner will issue a certificate recording the outcome of the dispute.

The future role of IMSSA



The welcome establishment of the Commission for Conciliation, Mediation and Arbitration (CCMA) has presented a number of challenges to IMSSA as the main independent alternative dispute resolution agency for labour and community matters

These challenges are compounded by the shifting priorities of international donors which are putting pressure on most non governmental organisations (NGOs) to become self sustainable.

As a result, recent months have seen much speculation about IMSSA's future role and relevance. One of the main criticisms levelled at IMSSA has been about affordability, given that the CCMA does not charge parties for its services.

In responding to these challenges IMSSA has developed a more coherent strategic approach. We wish to renew our commitment to act in the public interest by providing independent and professional services at affordable rates:

- Given the emphasis in the Act on collective agreements and bargaining councils there will obviously still be an important role for IMSSA services in mediation and arbitration, especially in its capacity as an accredited agency. Indeed, the number of IMSSA arbitrated matters has increased compared to last year's figures
- IMSSA is expanding its core activities to include other sectors and new services to help companies, government and other institutional formations in society

*by Alistair Smith, National Project
Director: Labour Services, IMSSA*

to deal with longer term transformation processes. There is also a huge demand for traditional IMSSA services in the public sector. The demand for relationship building exercises (Relationship by Objectives (RBO), and Relationship Building Initiatives (RBI)) have increased by over 40% in the last year. This increase confirms the trend towards the growth for independent facilitators to assist conflicting parties to develop more longer term co operative relationships. The Labour Relations Act (LRA) thrust towards greater co-determination and co-operation at the workplace is likely to further increase this demand for independent facilitation. IMSSA is ideally suited to provide unions and employers with experienced and credible facilitators

- The other major pillar of IMSSA activity is capacity building. IMSSA has access to a huge pool of professionals and technical competence that can assist in addressing capacity constraints especially in the labour movement. The major challenge is how to make this accessible and affordable. IMSSA is currently consulting a wide range of actors to develop strategies to ensure that its services are affordable and remain of a high standard.

IMSSA continues to build capacity

IMSSA always has and continues to place a high premium on developing skills in dispute resolution. In the new labour relations context, IMSSA will seek to deepen and expand its capacity building activities.

In addition to the traditional Arbitration and Mediation skills courses, an array of other courses, which are in accordance with the provisions of the new Labour Relations Act (LRA) have been designed to provide management and unionists with equal understanding, communication skills, conflict analysis and negotiation capacity.

IMSSA applies the *Training for Learning* methodology, which makes use of adult education principles. It assumes that everyone has experience in these skills and that the role of training is to offer a framework to further develop this experience. This methodology ensures the maximum amount of learning takes place in any training event. It is experiential and participatory.

Our multi-skilled panel of experienced trainers are drawn from the ranks of IMSSA's professionally accredited mediators and arbitrators. Trainers are administered from IMSSA offices in Johannesburg, Cape Town, Durban and Port Elizabeth.

Format

Each course is limited to a minimum of ten and a maximum of 14 participants. These figures allow maximum participation in role plays, and allow for a good trainer-participant ratio. Our courses are arranged into the following standard format.

- case studies;
- group discussions that open opportunities to exchange views, experiences and ideas,

by *Nobom Tsbiki, Research Co-ordinator, IMSSA*

- exercises to develop and transfer skills;
- extensive practice and role plays

Recognition

The capacity that IMSSA possesses has been recognised by various stakeholders like government, the Commission for Conciliation, Mediation and Arbitration (CCMA), business, unions etc. This is shown by the dramatic rise in our training statistics. IMSSA was responsible for training the initial intake of CCMA commissioners in process skills in the following modules:

- Introduction to Conflict Resolution, Dispute Systems Design and Interpersonal Dispute Resolution
- Conciliator training
- Arbitrator training
- Facilitation training.

CCMA interpreters were also trained by IMSSA in interpretation services. The objective of this training is to overcome language barriers, which can prevent the effective resolution of disputes, to understand the different contexts in which disputes are resolved and to encourage interpreters to be impartial and professional when rendering their services.

Skills training courses

Negotiation and dispute resolution training

This three-day course provides parties with an understanding of the different options

available to them for resolving disputes, as well as the skills to do so more effectively. The objectives of the course are to further an understanding of the nature of conflict, explore the various approaches to managing conflict, learn and practice communication and conflict management skills, develop chairing (of meetings), problem-solving and mediation skills to facilitate dispute resolution.

Arbitration training

This four-day course explains arbitration and teaches participants the appropriate circumstances in which to use it and how to prepare and present cases at arbitration. This includes assessing the merits of a case, taking statements, leading witnesses, cross examination and presenting opening and closing arguments. It also deals with the law as it applies to arbitration.

Content training courses

New LRA

This two-day workshop offers a content overview of the new LRA. The objectives of the course are:

- to understand the purposes of the Act in the context of the South African and international environments;
- to gain foundation knowledge of the structure and contents of the Act;
- to develop insights on the likely implications of the Act;
- to identify the key issues and their possible implication for the employment relationship.

The new LRA hinges on alternative dispute resolution and its success will depend on whether its spirit can permeate the grassroots. Capacity building constitutes the most important task for the implementation of the LRA, as this will enable parties to effectively take part in either statutory or non-statutory dispute resolution mechanisms.

Employee participation and workplace forum workshop

This is a two-day course. It aims to develop:

- an understanding of the purpose of employee participation;
- an understanding of the statutory workplace forum requirements of the new LRA;
- an understanding of employee participation more generally, including non-statutory participative forums;
- considerations when setting up participative processes and structures;
- strategies for sustaining participative processes and structures.

Understanding business finance/information disclosure

This workshop assists parties to understand business finance and develop their capacity to successfully implement the provision in the new LRA on information disclosure.

IMSSA has entered into a training partnership with the Department of Labour as part of the government's commitment to strengthening civil society. In terms of this partnership IMSSA will be able to provide subsidised training for unions on all its courses.

Through this initiative IMSSA will be able to make available its considerable experience in alternative dispute resolution to trade union shop stewards and organisers, thereby, helping to ensure the success of the LRA and the CCMA.

Unions are encouraged to be pro-active by contacting the training administrators (*Kholisa Xintindlu and Rtdwana Yusufooma*) at 011-482 2390/1 for more information.

With all the expertise IMSSA has developed in the field of alternative dispute resolution, especially in the labour field, we expect to continue making an impact and building capacity.



INDEPENDENT MEDIATION SERVICE OF SOUTH AFRICA

EDUCATION AND TRAINING SERVICES

IMSSA LABOUR TRAINING COURSES INCLUDE

- ✦ Arbitration skills training (4 days)
- ✦ Negotiation and dispute resolution skills training (3 days)
(Introductory, intermediate and advanced levels)
- ✦ Labour Relations Act training (2 days)
- ✦ Understanding employee participation and workplace forums (2 days)
- ✦ Business finance and information disclosure

The structure of these events is:

- ✦ In-house training *(minimum of 14 participants per course)*
- ✦ Scheduled courses where individuals and small groups attend courses *(dates available on request)*

Training of trade union organisers and shop stewards is subsidised by a grant from the Department of Labour.

PUBLICATIONS

- ✦ The *IMSSA Review*, a quarterly publication that gives readers a greater and more varied insight into the field of alternative dispute resolution.
- ✦ The *IMSSA Digest of Arbitration Awards* contains summaries of IMSSA arbitration awards.

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"The alliance remains relevant"

Sakhela Buhlungu ("Flogging a dying horse?" *SA Labour Bulletin* Vol 21 No 1) draws a number of conclusions about COSATU and the alliance that require a response.

While Buhlungu ends his contribution by proclaiming that he has deliberately avoided answering the question of whether COSATU should pull out of the alliance, a careful reading of the article makes it clear that this is precisely the point of the article.

Before I get accused of creating straw people, let me summarise what I understand to be the basis of his arguments and ultimately flawed conclusions.

- Buhlungu argues that COSATU's attempts to revitalise and strengthen the alliance are tantamount to flogging a dead horse. He asserts that for historical and socio-economic reasons the alliance will die of natural causes. All that is left for us to do is to prepare for the funeral with a banner that reads "The alliance is dead, long live the alliance!"
- He uses what he calls 'post colonial situations' in Africa to debunk the 'mistaken view' that it is possible for progressive forces to continue to share a common vision on transformation and, by extension, democratisation.
- He goes on to assert, without a shred of evidence, that COSATU believes that the alliance is the only vehicle to influence the government. Because of this we have not used other strategies to influence

COSATU General Secretary, Sam Shilowa, puts the case for the tripartite alliance.

policy formulation, governance, and parliamentary and public debate.

The real situation

Nothing could be further from the truth. It is common knowledge that COSATU entered the alliance, and remains in it, not for historical and sentimental reasons, but because we are convinced that it is the main force for transformation and democratisation of our country. In unity with other progressive forces, such as the civics, students, youth, rural people, women and the landless we stand a better chance to bring about a better life for our people.

The fact that we are in alliance with the ANC and SACP does not make us one organisation. It does not mean that there will be no differences on major policies, strategies and tactics. This was well put by none other than President Mandela when he said: "We have won the elections as a result of the sweat and blood of the tripartite alliance. That alliance must go on. But that does not mean that COSATU and the SACP are subservient to the ANC. No. That's why you have criticised us in the past... We want

that, because when we face any issue we want the advice of strong, independent allies who can say to us 'Now you are right', and who can say to us, 'Now you are wrong'. That is why we have been so strong. We've been working with strong, independent organisations that are selfconfident, fearless, and who can express their views even when those views clash with ours' (President Mandela, *The Shopsteward* May 1996)

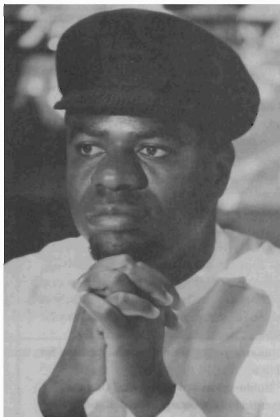
As a former Paper, Printing, Wood and Allied Workers' Union (PPWAWU) official, Buhlungu knows full well that when we decided to go into the alliance we agreed on the following

- The alliance consists of independent organisations with their own structures for mandating and decision making
- There is nonetheless agreement to co-operate, consult and take joint decisions on collective action in pursuit of social and economic emancipation
- The alliance and its programme will be evaluated and assessed from time to time

Programme

In October last year the COSATU Central Executive Committee (CEC) agreed that we cannot just complain about the non-functioning of the alliance. We must look at the problems in the alliance and put forward a programme which will not only revitalise it, but ensure the implementation of the Reconstruction and Development Programme (RDP), a voice in governance and policy formulation, mass mobilisation and organisation building

Are we flogging a dead horse? I do not think so. It is true that we have a new political situation, with a legitimate government. It is this government which



Sam Shilowa.

we expect to deliver on political, social and economic change. COSATU would be the first to agree that the process has not been an easy one. But it is simplistic to argue that the situation is such that it can not be remedied, or that the ANC as a whole panders to the whims of capital and forces opposed to change.

We must never forget the existence of a minority force, which continues to pit itself, inside and outside parliament, against the majority

Left alone, these forces would do everything possible to preserve the privileges acquired during the apartheid years. Only the alliance can ensure that these forces do not triumph and that the national democratic revolution is successful

GEAR

Buhlungu argues that the adoption of the Growth, Employment and Redistribution Strategy (GEAR) and the ANC's policy of privatisation indicate that new alliances are beginning to form, demonstrating the power of local and international capital.

Our view is that, having produced GEAR, government should subject it to scrutiny and criticism. To the extent that it cannot stand the test of employment creation and adequate provision of social services, it should be changed. Of course the ANC will argue for GEAR

That is fine. After all, it is their document. But if we are able to show its disastrous consequences, the masses may back us to a point where certain sections, particularly on industrial policy and social services, may be changed or reconsidered. After all, no economic policy should be cast in stone for all time.

Buhlungu may well respond that the emerging black bourgeoisie will soon wield such power that our voices will not be heard. In our discussion document (*A Draft Programme for the Alliance*) from which he selectively quotes, we put forward proposals on how to deal with this situation

We do not ignore economic change or ANC policies. At the same time we refuse to condemn the whole movement as having sold out. We do not believe that the situation is irreversible. We refuse to hand over the ANC to conservative forces.

Transformation

Buhlungu seems to have concluded that the alliance itself is no longer a viable vehicle for transformation. This view is mistaken for a number of reasons:

- Conservative elements represent only one strand of thought in the movement.
- The alliance remains the most powerful vehicle for transformation.

- The masses remain convinced that the alliance represents their strongest hope of implementing a programme of fundamental transformation.
- We must not ignore the fact that trade unions themselves are not inherently progressive or socialist. They are subject to both progressive and reactionary tendencies.

We intend to contest the need for a new alliance programme, both as COSATU and ANC members. We want to engage in building the ANC, not to take it over, as some would contend, but because we are convinced that at local, provincial and national level a significant number of comrades agree with our views on the future role of the ANC.

We should also not ignore the fact that there have been gains that we have made as COSATU, and as the working class, because of support from the ANC. These include the new constitution (particularly the lock out and collective bargaining clauses), the Labour Relations Act (LRA), health and safety in mines, abortion, broad proposals on public health, land policy, proposals on training, etc.

At local government level, many councillors, mayors and chairpersons come from COSATU. We need to look at building relationships at this level and how we can deliver basic services as well as mobilise people behind the Masakhane campaign. The same can be said of provincial government. In most provinces, there have been attempts to include COSATU in policy formulation.

Capital

It is simplistic to assume that all sections of capital have the same position on all issues. It is certainly not inconceivable that certain sections of capital may, over time, become more favourably disposed to a democratic state which, through transformation, can



We need to look at building relationships at local and provincial level Gauteng government workshop, November 1996

create conditions for rapid and sustainable growth

We need to distinguish between finance capital and those elements of the conglomerates wanting to move their money out, and sections of manufacturing, construction and international capital interested in long term investment. It may be possible to isolate elements of the latter from the anti-transformation agenda of the former

Setting the agenda

Our discussion document argues that, "It is a myth perpetuated by the bourgeoisie and the media that after only a few months into a new democracy, the 'honey moon period' is over. This is aimed at agitation of the masses against the new order as well as driving us into a panic - hoping we will abandon mobilisation of the masses behind reconstruction and development"

We are convinced that, given the political

will on the part of all components of the alliance, we can develop a programme for the alliance, bridge our main areas of difference on policy issues and mobilise our people behind such a programme.

In the absence of such a programme, government will continue to tend to play a 'mediating role' between business and labour. If the democratic forces do not set the agenda, but constantly react to proposals and initiatives which we have no part in formulating, we will be reduced to fighting a defensive battle on all fronts

Following on Gramsci's notion of hegemony, it is clear that failure to implement one's programme and mobilise one's own forces to defend it, will result in the disintegration of that programme. People are capable of defending a revolutionary programme only when they are committed to it

Above all, we will be failing in our duty if we do not give leadership to the alliance,



Joint action is taken on a number of issues. Alliance march against crime, Johannesburg, March 1997.

precisely at the time when very hard choices need to be made.

Leverage

Referring to the situation in post-colonial Africa, Buhlungu himself begrudgingly acknowledges that, "It does not appear likely that the South African unions will be subordinated or marginalised".

Of further surprise is his statement that "the size of the working class, functioning and relatively strong union structures and strong traditions of worker militancy and worker involvement in union affairs will gradually propel the movement towards a divorce with the ANC". One would have thought that this could strengthen the alliance, rather than destroy it.

While our situation is of course not unique, there is one respect in which we are different from the countries cited by Buhlungu. Ours was not only a liberation struggle; it also had a class content to it. That is why Oliver Tambo, a non-communist,

could speak of the working class bias of the ANC and implore workers to participate actively in the ANC's underground structures. We have a strong tradition of active progressive civil society, and various social institutions to structure participation and influence.

Compared to other post-colonial societies, South Africa's industrial base and its level of trade union organisation provide progressive forces with considerable strategic leverage.

Does COSATU believe that the alliance is the only vehicle to influence policy and governance? I do not know what led my learned friend to make such an unsubstantiated claim. He should know that we rely on both the alliance as well as our collective strength. In fact, business, with all its resources, has not been as successful as we have, particularly in the area of legislation. Not only do we participate in Nedlac, we have defended it even when some of our colleagues in government have seen it as a hindrance.

Pacts

During the constitutional negotiations, we held meetings with the National Party (NP). The reason we opened an office in Cape Town is to have a multi-pronged approach, depending on the situation.

There is, however, only one serious political party with a working class bias. It is a dream to think that we can have a short term pact with the Democratic Party, whose agenda is to defend the interests of capital at all costs.

The same applies to the NP and the Inkatha Freedom Party (IFP). Despite support from some sections of the black population, they have always opposed our positions in parliament and in public. Were they to agree to a pact, it would be for opportunistic reasons aimed at reducing the ANC's majority in parliament.

We are not engaged in a "lobbying process" equivalent to those in Western democracies. Rather we are engaged in a strategic alliance for transformation, a platform we share with the ANC. "Each component of the Alliance has a responsibility to organise and mobilise its social base and any other forces allied to it, for the defence of the democratic revolution, the implementation of the RDP and the mobilisation of the people as a whole for their constructive engagement in the process of the fundamental transformation of the country" (*Strategy and Tactics*, ANC Conference, December 1994).

While we are open to talking to other parties, in my view, only the ANC is capable of advancing our views. As long as this possibility exists we will stay in the alliance and continuously look at means to strengthen it. We will vigorously advance proposals for a programme within the alliance and our membership.

Dangers

Without a shared strategic vision and joint

programme between the trade union movement and our alliance partners, COSATU faces the danger of becoming increasingly reactive and defensive in its approach.

As our broad social role becomes increasingly difficult to sustain, we would face the danger of isolation and a retreat into narrow economism. Any attempt to play the role of a 'permanent opposition' would also see the marginalisation of unions and fragmentation of the democratic forces.

As for other formations, we are in touch with them on specific issues such as crime, women's issues, land reform, unemployment, public transport and housing.

Where improvements are required we are going to look at them very seriously. That is why we have argued in our discussion document as follows: "Concentration on the alliance to exclusively drive the transformation process would be a serious error. The ANC is heavily taxed by the pressures of governance, and all the organisational tensions and problems this has thrown up.

On the other side COSATU only represents one, albeit critical, mass constituency. COSATU has to concentrate its efforts not only on the challenges of the transition, but also has to ensure that the shopfloor is on board in its activities."

The alliance remains relevant. It is not a holy cow, and is subject to review from time to time, taking into account the prevailing objective conditions. Indeed, one of the issues under debate in the September Commission is under what conditions COSATU would break away from the alliance.

Possibilities exist to revitalise and galvanise the alliance and the people behind transformation. As long as progressive forces have a clear agenda, there is no possibility of the alliance withering away. ★

Seizing the moment

union investment companies

I would like to respond to your comments and offer some thoughts on the potential significance of the union linked investment companies we have been developing

Leaving parliament

I was employed by SACTWU in the early 1990s as its general secretary I was 'deployed' by that union to participate in the ANC parliamentary list together with others from various COSATU unions.

Despite your comments about my rumoured frustrations in parliament, my overwhelming feeling about my stay there is one of having been greatly honoured by being a delegate to the first democratic parliament of the country. I will treasure that for the rest of my life.

It is true that the trade union movement has not really developed a parliamentary strategy to date. Its alliance with government has created open discussions between the cabinet and the current trade union leadership. Ordinary members of parliament have not really been part of that contact. I do not think this is a particularly bad thing. Tripartite structures and other forums where there is direct contact between trade union leadership and government is far preferable to attempting to route things through people who, no matter their sympathies and background, are no longer trade unionists.

I have always regarded SACTWU as my constituency and have tried to stay closely

John Copelyn responds to the 'open letter' to him and Marcel Golding published in the last issue of the Labour Bulletin.

connected to the union. My decision to leave parliament was taken in consultation with the union leadership and was unanimously endorsed by the National Executive Committee of SACTWU prior to its being finalised with the leadership of the ANC.

In truth the work we have done for the union investment companies never sat well with being a member of parliament. As it grew and grew beyond all our expectations it became obvious it could not be managed on the side. Replacing a parliamentary backbencher without the need of even a by-election is a lot easier than the union investment company finding someone with sufficient political will and commercial capability to run their investment company for them.

New challenges

The second issue you raise is how our activity contributes to worker ownership. While we do many things to promote this in South Africa, our moving to HCI is not to be justified in terms of its contribution to promoting worker ownership. It is



COSATU leaders deployed to participate in the ANC parliamentary list, September 1993

understandable more in terms of the appropriate development of the investment companies we have been running for the last four years

The union investment company's decision to reverse several of its assets into a publicly listed company together with the mineworkers' interests is one which was made in the best financial interests of those companies. Far from this value being 'speculative' it is very real and in our opinion is unquestionably the fastest way to achieve our objectives of building the capital base of our companies, maintaining their value in a fast growing but essentially tradeable form. In fact it released more than a billion rand in value to the two companies and gave them complete control of a major black empowerment vehicle. If the union investment companies were not supportive of our move into HCI they would not have been in favour of our employment there.

I would like to offer some comments about the significance of the development of the investment companies, because

worker ownership is only one part, albeit a critical part, of a far broader issue of the development of the working class under the general restraints of capitalism.

Frontier work

I have spent more years than seems diplomatic to count in the worker movement attempting to advance worker interests in new areas. Invariably working at new frontiers is controversial.

Initially, promoting trade unions was seen as reformist in comparison with general unions. Next, promoting union registration was seen to be collaborationist. Worse still was the support for the use of stop order facilities where employers would be asked to deduct union dues from members' salaries rather than the weekly hand collections on which we were previously obliged to rely. This was said to be fundamentally undemocratic and commercial. It was followed with the 'treacherous' decision to enter Industrial Councils.

While each step along the road seemed so controversial, the final picture once it emerged seemed so natural. The whole movement suddenly swung dramatically on each of these issues.

I hope the new frontiers we are tackling will prove over time to tell a similar story. In the meantime we are still at the controversial stages with no picture having emerged

The vision

In the hope of highlighting some of the far distant shores we are generally aiming towards I want to go back to Joe Foster's keynote address to the second congress of FOSATU in the early 1980s.

The speech was attacked as a hallmark of trade union syndicalism, allegedly because it did not accord a sufficient leadership role to the vanguard party. Nevertheless it has a surprisingly vibrant resonance in coming to grips with the tasks before us to deepen democracy for working class people.

At the risk of stirring Jeremy Cronin again, democracy is not only about the character of the state - be it the worker state he hoped it would be or the one we have. It has much to do with the family of civil and commercial institutions described in that address, which wrap themselves around the needs of the working class

The trade union movement may be a prominent institution in that family; but it is not the only one. Progressive worker leaders in the trade union movement need to focus not only on the traditional areas of trade union activity, which centre around organising industrial combinations of workers, but also on building new and different institutions which can help working class people with solutions to problems they have in capitalist societies and which are essentially outside that competence.

Consumer power

An example is the creation of institutions that develop the consumer power of workers. Unions in other countries have co-operated with, and even initiated, the development of financial institutions that focus on the needs of working people rather than corporate accounts. These often lead to better lending rates for workers and invariably make loans to workers easier to obtain.

Many unions offer credit cards through which discounted prices are achieved by such financial institutions negotiating retailer concessions on the mass collective consumer capacity of the union membership.

From these financial institutions came others. For example, unions set up huge housing corporations focused on building houses and flats affordable to union members, either to buy or, more commonly, to rent.

Mobilising consumer power is a new frontier for the worker movement. The politically correct can stand on their platforms and pronounce on the commercialisation of the union movement, but in years to come, notwithstanding their cries of 'deviations', there will be a far wider set of supporting institutions for working class people. These institutions may not in the end be owned by the trade union movement, but will function alongside them in providing different forms of support to working class people. Noting that this is not the job of a trade union is one thing. Saying that the class is not well served by such institutions is another. In South Africa this is the historic moment in which the trade union movement can facilitate such a development.

Class based institutions

Equally important is to develop institutions with social functions such as crèches,



2 500 children of SACTWU members will receive bursaries this year.

clinics, retirement homes and the like for workers. Every group with the capacity to do so develops institutions that care for its young, its old, sick and weak. Often these are done on an ethnic or religious basis but there is every reason to expect workers to do the same in South Africa.

Black empowerment opportunities afford South African workers the chance to take advantage of the transformation of South African capitalism. To the extent that they do not seize this moment on the grounds that it is still capitalism and that it makes no difference whether the rich are black or white, they will make that apathetic outlook a reality. Workers will simply be in the same position as they were before the window of opportunity came, long after it has come and gone.

However, we do not have to take such a negative position. Black empowerment can mean the opportunity for the working class to get ownership of billions of rand in independently owned investment companies. They can develop enormous capacity to independently provide for social and welfare needs of workers. These needs

can be transformed into institutions that are the natural beneficiaries of the investment companies we are building.

This may sound romantic, but armchair critics always miss the magic moments!

SACTWU's progress

SACTWU Employment Trust

SACTWU's 'corporatist deviation' began hesitantly in the late 1980s when it agreed to establish a factory to employ workers retrenched from a major textile company, using money from that company. I became the full-time general manager of that factory - Zenzeleni Clothing - in 1992.

The factory was said to be a great disappointment to the union world because it was not a worker co-operative. It was said to be based on an 'Israeli model' (pretty damning) instead of the far more politically correct 'Yugoslav model'. My obsession with making it economically viable while paying union industrial rates was the cause of serious uproar in co-op circles. Even today this is true. While the factory has been able to pay off all its debts and has continued to

offer new skills and stable employment to over half the union members retrenched from Frame in 1988, it is still held up as an example of confusion between the role of union as representative of those workers and its 'exploitative' function of being their employer.

Its profits were used to support Pakhamani hand painted textiles for several years. Its profits currently provide a third of the capital base for Masana, which produces hand woven carpets in Bushbuck Ridge. This factory was re-opened by us after it was placed into final liquidation after years of loss making production.

This may all be inconsequential to the politically correct. For me these are wonderful contributions, albeit small ones, by the SACTWU Employment Trust to protecting its own members who have been retrenched.

SACTWU Education Trust

In 1993 SACTWU's devolution developed in earnest. It established an investment company with an intention of ultimately developing a capital base of R100-million through commercial opportunities. The company was capitalised with R2-million of union money and was intended to develop the ability of the union bursary fund to become self-perpetuating.

Over the last four years we have done an enormous amount of work building from this starting point. To date SACTWU's investment companies have accumulated several hundreds of millions of rand. While the storm continues to build around questions of whether this will not detract from the contribution of the union in the lives of its members, the practical side is totally different.

For the first time in the history of worker movements in this country we have a still inadequate, but at least significant, financial capability to help union members and their families.

This year over 2 500 children of SACTWU members will receive bursaries from the proceeds of the investment work, costing some R5-million.

The press reports even this negatively - suggesting that our solution to the problems of workers is that their children should escape to middle class lives of university graduates. Members, however, do not see it that way. They are prepared to make, and in fact do make, untold sacrifices to educate their children. We aim to help in those efforts.

This year the SACTWU Education Trust has resolved to begin extending its activities to educational assistance to primary and secondary schools which serve working class neighbourhoods where clothing and textile workers are concentrated. We will do this in co-operation with other bursary funds. Without trying to crow about the things we hope to do with money, the potential is unquestionably enormous. It is in reality a new horizon for the labour movement.

Seizing the moment

Over time I am sure we will make many mistakes down the path we are going and I hope we will not be too defensive about those errors. At the same time there are certain things that are fundamental to what we are doing.

The most central of those things is that we must build a substantial capital base to take advantage of the opportunities of our time. The second is that we must build up in the union movement a sense of opportunity just as challenging as the organising of the hundreds of thousands of workers into the trade union movement itself. Thereafter the contributions that flow to the working class can be assessed over the years that lie ahead, based on whether or not we succeed in implementing the vision set out in Foster's address. ★

Workplace challenge gets going

By Gideon Skhosana, General Manager, Productivity Awareness, NPI

The Workplace Challenge is an initiative of the NPI in the Trade and Industry chamber of Nedlac. It was set up to help meet the challenge of South Africa's re-entry into the global market. Here we report on the conclusions, recommendations and evaluation of phase one of this process.

The first phase was designed to ensure broad participation from the key players in four sectors (primary, manufacturing, economic and public service, trade and commercial service) in each province. Two-day workshops were held in all provinces except the Free State. A total of 700 people attended. The programme included inputs from provincial government, the Department of Trade and Industry (DTI), the NPI and private consultants. Participants broke into commissions to discuss the inputs and address specific questions relating to their sectors and workplace.

Provincial and national environment

The first input in each workshop was on the broad political and economic environment in which business operates. The major issues to emerge were:

- Trade and industry policy is now concentrating on creating an enabling environment for business rather than on protective measures, as was the case in the past
- This implies a shift from import control and tariff protection to supply-side measures

- Beneficiation of raw materials is essential for both job and wealth creation. A sectoral approach within a provincial context is needed to ensure that products are produced further downstream in the value chain
- The need for better and more effective marketing strategies in the provinces to ensure that they attract national and international investment
- The targeting of specific industries through the cluster studies initiatives and of underdeveloped areas through the corridor initiatives
- The promotion of tourism and the service sector as an important area of economic growth and job creation. Some concerns were raised with regards to the quality and wage rates of jobs in this sector
- Support for small, medium and micro enterprises

Concerns were raised in the commissions regarding the lack of communication with stakeholders on supply-side measures and the perceived haste with which tariffs are being removed. The perception is that tariff protection is being removed before supply-side measures have been effectively implemented.

Defining productivity

It was acknowledged that the very act of defining productivity has been a contentious one, given the antagonistic industrial relations environment that has characterised South Africa in the past.

A vital objective of the project is to bring the parties closer to adopting a mutually acceptable definition of productivity. In the past, productivity has been seen almost exclusively as the responsibility of labour. It was agreed that a broader definition of productivity, incorporating both labour (management and workers) and capital productivity is vital.

Workplace practices

There are two options for improving the competitiveness of South African companies. The first is the 'low wage low skill' or 'lean and mean' route. This emphasises keeping labour costs down as the key to improving competitiveness. This is also characterised by hierarchical management structures, little training and rigid job descriptions. This was not considered a feasible route for South Africa due to the strength of the union movement, the unwillingness of South African managers and technical people to have their salaries reduced, and the fact that other southern African countries are paying much lower wages and are therefore comparatively more competitive within this paradigm.

The second option is the high wage, high skill route which emphasises training and development, an integrated and negotiated human resource strategy, reward and incentive schemes linked to productivity improvements, democratisation of the workplace and organisational development.

A key ingredient is the institution of best operating practices at a shopfloor level.

Bargaining issues

Workplace change should be negotiated with workers to ensure their support for the process. The negotiation of a workplace change and a productivity framework agreement was advocated.

The change process should be integrated and holistic and incorporate all

aspects of the business such as training, grading, work organisation and the distribution of increased profits. The agreement would also govern the disclosure of relevant information and enhance the capacity of trade unions to impact on the process.

Employment

The connection between job security and productivity enhancement was thoroughly debated. The dominant feeling was that there is a need to improve productivity and competitiveness without cutting jobs. The need to change the focus from job security to employment security was raised. Job security means doing the same job in the same company for ever.

Employment security is doing different jobs in different companies and different industries.

Retrenched workers should be trained so that they can be absorbed by growing industries such as tourism. There were also calls for a social net to assist those who have been retrenched.

Training

Appropriate and focused training was identified as an essential condition for improving competitiveness and productivity. The need for team based and updated skills training was emphasised.

Business/labour relations

Lack of trust between management and labour is a constraint to productivity and growth. Cause of bad relations are: lack of information disclosure, lack of communication and consultation, hierarchical management structures and a lack of common understanding of productivity. It was felt that labour and management should be developing more co-operative relations but it was also emphasised that the traditional areas of disagreement such as wages and conditions of employment will continue to evoke conflict.

Breaking tradition

the struggle for freedom in Swaziland

On 3 February members of the Swaziland Federation of Trade Unions (SFTU) embarked on a month long general strike. This was the latest in a series of actions to force the Swazi regime to introduce democratic reforms

Four years ago the SFTU lodged 27 demands with the government. The regime has responded with only token 'reform' (see "Swaziland delaying the revolution" *SA Labour Bulletin* Vol 20 No 6 1996) Outstanding demands include the repeal of the King's Proclamation of 1973, which bans political parties, the establishment of a representative and legitimate constitutional forum; the inclusion of a reinstatement clause in the Industrial Relations Act of 1980, the introduction of a national minimum wage, the right to strike for all workers and legislation on the implementation of affirmative action

State response

The Swazi state responded to the strike with an iron fist. Three days before the strike began, an amendment to the Public Disturbances Act was passed, making the holding of public meetings and demonstrations non-bailable offences. This facilitated the arrest of the four top leaders of the SFTU.

Immediately after this, the government issued an extraordinary government gazette, providing for life sentences for anyone found guilty of sabotaging essential services.

Earlier this year workers in Swaziland embarked on another round of strike action. Kuseni Dlamini and Richard Levin find the roots of the current crisis in the tradition of tribal nationalism which has dominated the country since independence.

At the same time the cabinet ordered a blanket ban on state controlled radio and television broadcasters covering the strike. Anti-strike public broadcasts by the prime minister, members of the cabinet and hardcore traditionalists became the order of the day. An all-out propaganda campaign portrayed strike leaders as opportunists with sinister political ambitions. It was said that SFTU leader, Jan Sithole, and his colleagues were aiming to topple the government and establish a multi-party democracy.

In the two weeks prior to the strike police and army units were deployed to major towns. The government obtained two court orders which ruled the strike unlawful.

These measures failed to deter a determined SFTU leadership and its

membership. The strike went ahead and state forces swung into immediate action. On the first day police severely assaulted 20 executive and ordinary members of the SFTU following a trade union meeting.

The unionists were taken into police custody in Manzini, interrogated and released without charge early the next morning. In Big Bend, police shot and wounded six striking workers. Simon Noge, a founder member of the Human Rights Association of Swaziland (HUMARAS) and an executive member of the Swaziland Democratic Alliance (SDA), an umbrella organisation for pro-democracy groups, was also detained and charged.

The state had hoped this would put an end to the strike. Indeed, they insisted that the leaders would not be released until they called off the action. Instead, a second layer of leadership, assisted by PUDEMO (the banned opposition movement) activists ensured that the strike went ahead. Workers made it clear that no negotiations could take place whilst their leaders were still incarcerated.

When the leadership finally went on trial, they were acquitted on the grounds that the state had failed to prove its case. This was a major blow to the regime. It soon led to cracks within its ranks, with the king and the prime minister denying that they had any part in their detention. This was a damaging political blunder which may result in the government losing millions should the SFTU four go ahead with a threatened lawsuit.

External support

South Africa's ANC-led alliance openly supported the strike. While the ANC and SACP issued statements of support, it was COSATU which offered the most concrete forms of assistance. In February the Federation held a demonstration outside the Swazi Embassy in Pretoria. It called on the

Swazi government to release the SFTU leaders, repeal all legislation preventing the free exercise of trade union rights and repeal the 1973 decree outlawing democracy and opposition parties.

At the beginning of March, COSATU joined the OTM (Mozambique's trade union federation) in a one-day blockade of Swaziland. According to press reports the blockade was a huge success.

King Mswati described COSATU's actions as unwarranted interference. The state-owned newspaper the *Swazi Observer* wrote: "It is incumbent upon the government to send a protest note to the government of President Nelson Mandela in Pretoria, complaining about COSATU's interference and for inciting violence in this country." Swaziland's foreign minister, Arthur Khoza, met his South African counterpart, Alfred Nzo, in Pretoria to lodge a formal complaint about COSATU's 'interference' in the mountain kingdom's 'domestic' affairs. The Swazi government also issued a statement reminding the ANC that it had supported it during the liberation struggle in South Africa.

The South African government also put pressure on the Swazi king. In early February, Mpumalanga Premier, Matthews Phosa paid a secret visit to Swaziland to try and persuade King Mswati to introduce reforms. Soon afterwards the king made an angry speech in which he ordered the nation back to work, blamed foreigners for the country's troubles and threatened his opponents with war. This prompted an impatient response from President Mandela who described the situation in Swaziland as "explosive". He urged the king to release the trade union leaders.

Tribal nationalism

The standpoint adopted by the Swazi regime needs to be understood in the context of the tribal nationalist political



COSATU Assistant General Secretary, Zwelinzima Vavi, hands over a petition at the Swazi Embassy, Pretoria, February 1997.

project developed by King Sobhuza II and his Imbokodo Nationalist Movement (INM) which led the country to independence in 1968

Tribal nationalism mobilised Swazis against colonial rule. Drawing on the myths of the past, it was based on a revival of 'traditions', many of which were created for the purpose of promoting royal power and capital accumulation. It was spearheaded by the king, who steadily developed a cult of personality around himself. This was achieved primarily through an appeal to 'traditional' Swazi life which had been undermined by the colonial state.

The ultra-exploitative relations developing within the colonial economy also created the space for the emergence of another political and ideological project in the run up to independence. This was a popular democratic project spearheaded by the Ngwane National Liberatory Congress (NNLC) which drew on the support of the labour unrest that swept through the

country in the early 1960s. This tradition of resistance has never been eliminated and underlies the emergence of the popular democratic opposition spearheaded by PUDEMO and the SFTU, as well as recent strikes and stayaways.

However, during the decolonisation period, the monarchy proved its resilience, capitalising on the capacity of King Sobhuza to present himself as the 'father of the nation' to a people who revered the kingship.

This proved to be a decisive building block of the king's authoritarian tribal nationalist strategy. Addressing the independence celebrations, he told the 20 000 strong crowd: "It is the tradition of all African kingdoms that their kings are leaders as well as kings. This is also true for Swaziland."

Now, rightly or wrongly, some people have mistaken this dual capacity for a dictatorship. I would like to assure you here and now that in our kingdom, the king both

leads and is led by his people. I am my people's mouthpiece."

Class content

Tribal nationalism was not just a set of ideas, but was firmly grounded on a material base secured through control over the country's land and mineral resources. The class content of tribal nationalism was characterised by the emergence of indigenous bourgeois forces spearheaded by the monarchy. At an economic level, this

emergent bourgeoisie, in alliance with settler and foreign capital, pursued a comprador path of accumulation through joint ventures in the agro-forestry sector, the very sector paralysed by the recent strikes.

The key institution for these growing alliances was the Royal Investment Fund, Tibiyo Takangwane. Within the political realm, the comprador character of these emergent bourgeois forces was seen in their pro-imperialist position. Shortly before independence, King Sobhuza II made it clear

The strategic role of agriculture

Workers from the agricultural sector were central in the most recent strike wave.

Agriculture is the most powerful sector in the country and is therefore of strategic significance to all social forces. The alignment of political and economic forces in the country is such that labour and, especially agricultural labour, has a powerful influence and can actually bring down the government. The Swaziland Agricultural and Pulp Workers' Union (SAPWU) is arguably the strongest and biggest union in the country. Jan Sithole, SFTU General Secretary, is also the SAPWU General Secretary and has a long history with the union.

The manufacturing industry hardly exists in Swaziland. Most companies relocated to South Africa after the elections there as sanctions were lifted. The Swaziland Manufacturing and Allied Workers Union (SMAWU) is not only affiliated to the rival conservative union federation, the Swaziland Federation of Labour (SFL), but is organisationally weak.

There are also factors that militate against the emergence of a strong union in the manufacturing sector. These include the lack of job security, the high turnover of jobs and retrenchments. Some major manufacturing companies threatened to pull out of Swaziland if their workers

participated in the stayaway.

Civil servants' lack of participation also requires explanation as they are organised under the SFTU-affiliated Swaziland National Association of Civil Servants (SNACS). Civil servants are a crucial part of the middle class which is interested primarily in broad and butter issues.

The rival federation, the SFL, was not fully supportive of the strike, mainly because of its conservative and middle class character. The SFL has no clout because it has failed to position itself in the market. Its narrow support base in the banking sector is dwindling as more and more workers are retrenched by the banks. The SFL is being marginalised in the politics of change in the country.

Employers have shifted from their benign approach towards the state and in many cases expressed sympathy towards the action of their workers. They have realised that they need to actively engage the state to ensure a stable and predictable environment in which to do business.

It is quite unprecedented in Swaziland that labour and capital can come to some kind of a social contract and put pressure on the government. The impetus towards change is more broad based, however, and has led to the formation of new alliances.

that any talk of getting rid of Europeans and reserving Africa for Africans would not be tolerated "There are whites who have been here for generations," he argued, "and cases where whites formed firm friendships with Africans. What good is there in chasing away our friends?" This 'hand of friendship' was later extended to the Portuguese during their anti-Frelimo campaigns, and to the apartheid regime's attempts to eliminate the ANC in Swaziland.

The tribal nationalist project also carried within it the seeds of its own destruction. The pivotal position of the king ultimately contributed to the contemporary crisis of royal rule. The ideology of 'tradition', has been impotent in the face of growing problems, including neo-colonial under-development, inflation, retrenchments, unemployment and the undermining of democracy since 1973.



COSATU offered the most concrete form of assistance.

The SFTU-PUDEMO alliance

The Swaziland Democratic Alliance (SDA) was formed in November last year at an historic meeting convened by the SFTU and PUDEMO to map-out a 'common strategy' to overthrow the regime in Swaziland.

Since the formation of the SDA, the politics of change in Swaziland has gathered a new impetus. The resistance support base has been broadened to include organisations of the unemployed, youth, women, the church and, gradually, some chiefs in the rural areas.

The formation of the SDA can be said to represent a paradigm shift in the SFTU's political perspective. In the 1980s and early

1990s the Federation either deliberately shunned anything 'political' or had a very narrow and restricted conception of the meaning of trade union autonomy and independence. It did not see the lack of democracy in Swaziland as an issue that could be taken up by the unions because that would "compromise their autonomy and independence".

PUDEMO and the SFTU now enjoy a good working relationship. PUDEMO supports the need for the labour movement to be autonomous and holds the view that trade union autonomy and independence should not be undermined by whatever government is in power. SFTU has echoed

these views. The federation believes in a labour friendly government that would ensure worker involvement in crucial decision-making processes and macro-economic policy formulation

Both organisations have achieved remarkable success in sidelining, if not overcoming, certain elements within their ranks which were, and are, opposed to the alliance. The regime continues in its efforts to prop up these forces. The media has played a major but futile role in trying to undermine and vilify the alliance.

Overseas pressure

The principal form taken by local accumulation has been joint ventures between institutions controlled by the monarchy with foreign capital. Over the years, this has been paralleled by imperialist support for royal rule in Swaziland. The country was seen as an island of calm in a sea of southern African political turbulence

The movement towards democratisation, liberalisation and structural adjustment in the region during the post-cold war period has seen some realignments. While Britain has remained a bastion of support for the monarchy, America's approach has been more contradictory, with occasional mild pressure being exerted on the government towards democratic reform.

The British High Commission on the other hand has attempted to exert a moderating pressure on the democratic opposition, encouraging patience and co-operation with attempts by the monarchy to bring about reform

Ultimately, the major imperialist powers cannot be relied upon to exert serious pressure on the monarchy to accelerate the pace of reform, as their interests are to a large extent served by and intertwined with the monarchy.

Within the sub-region, the major form of pressure, as recent events have

demonstrated, will come from democratic forces within South Africa, spearheaded by COSATU. The South African government, through its participation in SADC, as well as its role as powerful neighbour will continue to apply 'friendly' pressure on the monarch, encouraging him to speed up the pace of reform and to ensure that any reforms introduced enjoy the legitimacy and support of the democratic opposition.

Prospects for transformation

The latest round of strikes in Swaziland are a positive development in the struggle for democracy. Nevertheless, a number of challenges still face the popular democratic alliance.

The democratic forces are calling for the establishment of a constitutional monarchy. There has not been sufficient debate around the nature and extent of the powers of such an institution.

While the P/UDMO-SFTU alliance has been successful in mobilising the working class and elements of the middle class, the overwhelming mass of popular forces reside in the countryside.

Mobilisation of the rural communities constitutes a major challenge for the democratic opposition. While workers and elements of the petty bourgeoisie have seen through the monarch's tribal nationalist political project, the masses in the countryside, remain, to a large extent, in awe of royalist notions of 'tradition'. Breaking the hold of the monarchy over the peasantry is the key to far-going democratic transformation. ★

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Korea

striking at the heart of the 'miracle'

The strike was the first co-ordinated national general strike in South Korea since 1948. It was a response to President Kim Yong Sam's imposition of draconian anti-union labour laws and the introduction of extensive new powers of state repression.

The new laws were passed in a secret pre-dawn meeting of the national assembly. One hundred and fifty-four members of the ruling New Korean Party were bussed in for the clandestine 6am session, where they passed eleven new laws in just six minutes without any trouble from the empty opposition benches. They left again at 6.15am, to be bussed back to their beds.

The first wave

They did not anticipate that by 6.30am the banned Korean Confederation of Trade Unions (KCTU), which has 500,000 members, would declare an indefinite general strike against this 'parliamentary coup' and that in the next four weeks this would become a tidal wave of opposition encompassing every industrial sector.

First to heed the strike call were workers at Kia Motors, who immediately left their assembly lines to march to the Catholic Myong Dong Cathedral, long a focal point for labour protests, to set up the KCTU general strike headquarters. They were soon joined by striking workers from Hyosung Heavy Industry, Daehung Machinery, Tongil Heavy Industry and Korea Fukoku.

By noon of the first day of the strike

On 26 December last year, hundreds of thousands of workers in South Korea's key export industries downed tools. Paul Field and Jane Barrett examine the reasons for the strike and trace its progress.

143,695 workers from 85 KCTU unions around the country had left their workplaces. By the end of the second day the figure had grown to 210,055 workers from 165 affiliated unions, with another 120,000 in attendance at public demonstrations in 15 major cities - Incheon, Suwan, Kwangju, Ansan and Changwon.

Workers from the manufacturing sector, especially those at major heavy machinery and petrochemical plants with unions affiliated to the KCTU, were at the forefront of the first strike wave. South Korea's four major auto plants - Hyundai, Kia, Sangyong and Asia - were brought to a stand-still as well as the world's largest shipyard, owned by Hyundai Heavy Industries and South Korea's second largest shipyard, owned by Daewoo Shipbuilding.

In the south eastern industrial port of Ulsan, tens of thousands of Hyundai workers joined mass protest rallies against the laws. South Korea's auto industry, the sixth largest

in the world, was completely paralysed as was most of the country's iron and steel industry.

In the capital city of Seoul, 10 644 doctors, nurses, technicians and manual workers left their jobs, while 9 399 members of the Seoul subway workers union brought major lines to a halt.

Strategy

From the outset, the KCTU pursued a sophisticated strategy, taking care to maintain a skeletal workforce in essential public services while maximising the economic losses incurred by the government and giant conglomerates (Chaebol). Dynamic new methods of struggle were used to win over and activate wider working class and public support for the strikers.

For example, at Seoul National University Hospital, one of the largest teaching hospitals in the country, 1 200 health staff withdrew their labour while 800 remained at their posts to cover cardiac, emergency and prenatal units. This pattern was followed by the 40 other hospitals across the country.

The KCTU insisted that, if Kim Yong Sam did not completely revoke the laws, this flexible strategy, sometimes called 'the elastic general strike', would continue right up until the presidential elections.

The second and third waves

After a temporary pause "for the sake of public convenience" over the New Year holiday, KCTU chairperson Kwon Yong gil launched the second wave of the general strike on 6 January. The second and third waves (which started on 21 January) saw thousands of public sector and white-collar workers join the strike action initiated by the manufacturing unions. Workers at four major broadcasting companies as well as unionised workers from security corporations, banks and insurance

companies, closed down their offices.

About 50 000 banking personnel joined the strike. This was the first nationwide stoppage of banking workers since the banking system was introduced to Korea over one hundred years ago. On 8 January thousands gathered for 'a white-collar-workers' assembly in downtown Seoul that saw the entry of clerical workers, technicians, journalists, telecommunication workers, university employees and teachers into the struggle.

Government reaction

The government's first response was to seek warrants for the arrest of 50 union leaders and to place police troopers on alert in preparation for a crackdown. However, as the evidence of widespread public support for the strikers grew and international protests intensified, the government became increasingly unsure of its hard-line approach. With one opinion poll indicating 88% of Koreans now opposed Kim's presidency and as the cost of the strikes passed the \$3-billion mark, the President told opposition parties that he deeply regretted the underhand methods used to introduce the new laws and would consider their revision if the parties called off their boycott of the national assembly.

Support from unexpected quarters

Conscious that the unions now spoke for millions, the bourgeois opposition parties followed the KCTU lead in demanding nothing less than the complete nullification of the laws. Even more surprising was the decision by the official trade union organisation, the Federation of Korean Trade Unions (FKTU), to back the demands and call its membership out on strike in mid January. The FKTU's cautious and conservative past resulted in a somewhat weak response from its membership.



Kwon Yong gil and KCTU leaders defy arrest warrants to lead a mass demonstration through Seoul

(50 000 of the FKTU's 1.2 million members joined the strike), but the move was nevertheless highly significant

Despite the ongoing impasse, the pressure of public and international opinion effectively prevented the state forces launching an assault on the cathedral where strike headquarters had been established

On 25 January, four leading trade unionists were released and 15 other outstanding arrest warrants for KCTU leaders were returned to court, thus invalidating them. Nevertheless, a further 420 warrants against labour activists from 55 unions across South Korea remained in place

In partial response to the government's call for a 'negotiated solution' to the crisis and partly as a result of the fatigue experienced by 'front line' strikers after 23 days of continuous struggle without pay, Kwon Yong gil announced the all-out strike would be placed on temporary hold in favour of one-day walk-outs on Wednesdays and mass rallies on Saturdays. However, this respite would only last until 18 February, when the fourth wave would be launched

with renewed vigour under the personal stewardship of KCTU president, Kwon

Speaking at a 200 000 strong mass rally at Yoido Square on 26 January Kwon declared,

"When we began we thought not 20 but 2 000 leaders would be arrested." In response to the ruling party's charge that job security and improved pay and conditions are responsible for the steep downturn in economy, he pointed to the recent scandal surrounding the collapse of the Hanbo steel and construction Chaebol, whose executives bribed state officials in return for \$6-billion in government loans

"Do you think a new labour law will revive our economy?" he asked, and was greeted by shouts of "No!". "Who is killing our economy? It is the government and the Chaebol!"

Replacement bill and the fourth wave

In late February the government stated that it would not enforce the law in its present form and established a Parliamentary Committee to consider amendments. This

action fell short of the demands for the law to be fully revoked

The Parliamentary Committee was initially expected to produce a new version of the law to be tabled in parliament on 28 February. As a restatement of its demands for the abandonment of the new law the KCTU declared a campaign of civil (industrial) disobedience and announced its intention to hold an emergency conference of all social and civic organisations to prepare a consolidated programme of action. The planned actions, which included a call for the resumption of the general strike constituted the fourth wave of protest.

On 28 February, 130 000 workers resumed the general strike for half a day.

Workers in the public sector held meetings at their workplaces, and more than 100 000 workers took to the streets for public protest rallies across Korea. On the same day, negotiations between the ruling party and the opposition in the Parliamentary Committee broke down. The parties agreed, however, to attempt a final re-write by 8 March.

Meanwhile the government was in a state of disarray. In the wake of a massive corruption scandal involving Hanbo, the prime minister resigned and the cabinet was reshuffled, with ten ministers being replaced.

On 10 March 1997, a revised version of the law was tabled and adopted in parliament. On 12 March the labour bills

The new labour and security laws

The key elements of the labour and security laws passed in a secret session of the Korean parliament on 26 December 1996 are.

- The scope of an employer to use scab labour during a dispute massively extended.
- Collective action for a new category of 'essential public enterprises' banned and compulsory arbitration imposed
- A penalty of three years imprisonment and/or 30 million Won (approximately R148 994) fine for striking workers who are deemed to have used "violence, threats and other forcible action as a means to appeal or persuade" non-strikers.
- Strikes that may "cause damage to production facilities or the deformation or corruption of raw material" banned.
- The prohibition on violence extended to include "the occupation of production and other important facilities" punishable by three years in prison or a 30 million Won fine.
- Employers prohibited from paying workers during a strike.
- All "official" or "wildcat" strikes outlawed.
- Where a trade union already exists, no new union to be formed until

31 December 2001.

- The ban on political activities by trade unions reinstated.
- The formation of a genuine trade union among teachers prohibited.
- Recognition of a trade union denied if it "allows a person who is not a worker to be a member" (this would include a prohibition on membership of dismissed workers).
- The definition of a federation of trade unions designed to outlaw those democratic union federations that stretch across the giant Chaebol conglomerates and unite workers in such diverse commercial activities as shipbuilding, automobiles, banking and petrochemicals.
- The practice of employers providing wages to a full-time union officer defined as "unfair" and to be stopped by 2001.
- The power of the notorious Agency for National Security Planning to spy on Korean citizens extended.
- The agency's authority to arrest and interrogate people making favourable comments about or belonging to groups sympathetic to North Korea reinstated.



The worker's guard for the strike headquarters at Myong Dong Cathedral, Seoul

were approved by the cabinet and signed by the President. They will be enforceable from 25 March

The new law

The new version of the law fails to satisfy the key demands of the trade unions. Most significantly, it prohibits teachers and public servants from forming unions. In addition, it requires the abolition of salary payments to full-time union officials within five years, and upholds the principle of 'no work no pay' for striking workers. Although multiple unions will be allowed at a national level (which means that the KCTU will be allowed to exist), they will continue to be outlawed at the workplace level.

Both the KCTU and the FKTU have issued statements of protest against the revised law. Both have threatened to resume strike action should the law be enforced.

A new political formation?

At the height of the February general strike, Kwang Ho Lee, chief editor of the KCTU, spoke of the significance of the united action of workers and other organised

sectors of society. He emphasised that the important task of the future is to concentrate on building effective solidarity action with any group or organisation of workers prepared to join the struggle for democracy. "Our standpoint now is not to focus on criticising the FKTU", he said, especially since the rank and file members of the FKTU itself were moving towards action.

On the question of the longer term transformation of Korean society he said "The broad coalition that has been assembled in support of the strikes represents the discontent that is felt against [President] Kim Yong Sam rather than a popular movement for the formation of a workers' party. We must proceed carefully. But it remains our [KCTU] medium to long term objective to move in that direction. This struggle is an excellent opportunity to advance towards that aim."

Whether or not the latest wave of social and political upheaval results in the formation of a new party in Korea, there is no doubt that demands for a democratic society will not be rubbed off workers' agenda in a hurry. ★

The Republic of Korea (South Korea)

Population: 45 000 000

Capital: Seoul

Korea was annexed by Japan in 1910. Following the Second World War it was divided into two military occupation zones with Soviet forces in the north and US forces in the south. In 1948 the Democratic Peoples Republic of Korea (commonly known as North Korea) was proclaimed, as was the Republic of Korea (South Korea). Both North and South Korea have claimed jurisdiction over the other since the inception of the divided states.

Since its inception South Korea has repeatedly been subjected to military rule – both direct (for example, military coups in 1961 and 1979, and martial law in 1972 and again in 1979) and indirect. Between 1960 and 1992 every successive president had a military connection of one kind or another. The harsh repression of successive governments has, however, been resisted strongly by workers, and students in particular. The pattern of repression and resistance over the past two decades is very reminiscent of South Africa's pre-liberation period, and especially the period of PW Botha's 'Total Strategy'.

Strategies of liberalisation (both economic and political) have been coupled with the practice of severe repression. The table opposite illustrates the pattern, by highlighting the most dramatic events.

The context in which decades of repression have operated, is one in which the state has sought to promote and maintain rapid economic growth. Indeed, from the mid-1960s right until the early 1990s South Korea experienced phenomenal economic growth. By the mid-1980s, and after 20 years of export oriented policies, the country was one of the world's largest trading nations. In the late-1980s Gross National Product (GNP) growth was

above 12% for three successive years.

The official trade union movement, the Federation of Korean Trade Unions (FKTU), which was established in 1961 after all preceding labour organisations were dissolved by the government, co-operated with the government by accepting a limited role. Collective bargaining was almost non-existent during the period of growth, and the FKTU's activities were largely restricted to representation to government on particular issues. South Korea joined the International Labour Organisation (ILO) in 1991, but has not ratified the most fundamental Conventions, including those on the Right to Organise and Collectively Bargain, and the Right to Freedom of Association.

Despite the stance of the official trade union movement, and continued repression, independent dissident unions emerged from time to time. In 1986, 14 dissident unions were banned with the backing of the FKTU. However, by the late-1980s the force for independent unionism was growing. Over 300 independent unions (many workplace based) were in existence by then, and increasingly won *de facto* recognition by calling wage strikes (including the Hyundai plants). In 1994, 602 independent unions established the Korean Confederation of Trade Unions (KCTU). An explosion of trade union membership followed.

The growth in independent trade unionism in the early 1990s had much to do with a slowly changing economy. By then growth was beginning to fall, the current account deficit was growing, as was unemployment. Workers' wages and conditions of work were being squeezed from every angle. It is not, therefore, surprising that when the government attempted to further limit trade union rights workers rose up in fierce opposition.

YEAR	GOVERNMENT ACTION	PROTEST
1975	Opposition to government banned and political trials follow	Serious rioting follows
1979	Leader of Opposition expelled from National Assembly martial law reintroduced, followed by a military coup	
1980	Martial law extended National Assembly suspended, all political activity banned, and 500 individuals banned	Extensive demonstrations, 200 people killed in one clash between troops and demonstrators
1980	Martial law ended and new parties are formed	
1984		Student unrest
1985	Political blacklist abolished	
1987	Process of 'reform' suspended pending Olympic Games.	Violent clashes between demonstrators and riot police, continuing into 1988 Increased trade union activity, with over 300 democratic unions established and a rush of pay related strikes
1990	Plans to restructure the military and reorganise broadcasting all opposition members of the national assembly resign	Extensive industrial unrest and student protests, including a protest of 200 000 in the streets of Seoul
1991	First local elections in 30 years	Escalation of unrest
1992	Reformer Kim Young Sam elected as president, amnesty for 42 000 people including 2 000 political prisoners, promotes a tripartite consultative framework for industrial relations, but excludes dissident unions	
1993	Kim Young Sam initiates an anti corruption drive, and launches an economic reform programme beginning with a public sector wage freeze This is followed by restrictions on the conglomerates the liberalisation of the financial sector, and the promotion of a five year economic plan	
1994		Students contravene public mourning ban and are arrested
1994/5	Three person-made disasters - the collapse of a bridge the collapse of a department store, and a gas explosion (which together killed 780) fuel the lack of confidence in government A series of political scandals involving corruption and bribery follow	
1996	Secret passage of more restrictive trade union laws, and a tightening up of the security laws	General strike spilling into 1997

Paul Field is a Labour Party activist and on the editorial board of Labour Left Briefing, a journal produced by the left within the Labour Party. He visited South Korea for three weeks in February this year. Jane Barrett is a researcher in the Maritime section of the International Transport Workers Federation (ITF) based in London, a former general secretary of the Transport and General Workers Union (TGWU) and a member of the Labour Bulletin Editorial Board. This article is written in her personal capacity.

"Its a question of working now"

I was born in Newcastle, in Natal, in March 1953. My mother is Zulu, but my father came from Kimberley. He was a bricklayer.

My parents had three children - my eldest brother, my sister and then myself. When I was about four my father came to Johannesburg and subsequently to Kimberley, where he died. So I grew up in Newcastle in my mother's village and I speak Zulu.

I went to a village school in Bloubosch, near Newcastle, until Standard 8. My mother didn't have money for me to go any further, so I got a job as a prison warder. I worked there from 1971 to 1975. I didn't have much contact with the prisoners, because I was a personnel clerk. Most of the time I was dealing with the staff. I started doing my Standard 10 then and when I finished I qualified as a certified bookkeeper.

In the Prisons Department, we called the white warders 'baas'. There was also the KwaZulu Government. I thought maybe it's better to work for my own people. So I got a job as an accounts clerk at the Head Office of the Department of Finance of the KwaZulu Government in Pietermaritzburg.

At that time the black consciousness movement, BPC, Black People's Convention was active. I attended meetings. One of the things that was topical was the Bantustan Administration. We saw ourselves as people with a mission to smash the Bantustans. By this time my job had moved to Ulundi. I was becoming politically mature then, and

Mathews Oliphant, General Secretary of the Construction and Allied Workers' Union (CAWU) talks to Deanne Collins and William Matlala.

I saw that there was no difference between a Bantustan and the central government.

I left at the beginning of 1977 and was employed by Checkers Supermarket in Newcastle as a Trainee Manager. Because of the Group Areas Act, we could not supervise whites. The plan was to train us and put us in charge of supermarkets which Checkers was planning to open in the townships. When they opened a store in Madadeni, I was transferred there.

Union work

I worked for some years in the retail trade, finally ending up at Frasers as a credit manager. By then I was beginning to get more involved in political work. In 1979 I was approached by the Black Allied Workers Union (BAWU). They asked me to join the union. I said I couldn't because I am a manager. They said 'no, you're a black person, you're not a manager, you're just called a manager'. So I joined the union and recruited others. At the end of 1979 they said that they needed a Branch Secretary for

their New castle office, would I take the job? There was less pay, but I agreed. At the time I was getting R350 per month BAWU offered R180 per month.

BAWU didn't tell me that they were planning a congress and that they wanted me to stand as General Secretary! I worked there for two weeks before the congress where I was elected.

I also didn't know that they had internal problems. I was the General Secretary, but the Transvaal Region was not happy and after some time they broke away to form GAWU - the General and Allied Workers Union.

I couldn't last in BAWU, because I didn't know the background of the squabbles and such, I did come out on a number of issues and I was immediately identified with the break away group which was SAAWU, South African Allied Workers Union, which was formed in May 1979. As General Secretary of BAWU I had no problems working with them. Then BAWU fired me. The Natal BAWU branches would not accept this. They moved out and we formed the National Federation of Workers (NFW). We worked very closely with SAAWU and GAWU. Incidentally, it was at that time that I joined the South African Congress of Trade Unions (SACTU) underground.

COSATU

Then, of course, my role really changed. The political organisations were banned and the trade union movement offered a space. My comrades and I had to concentrate on uniting workers. I was one of the people whose task it was to participate in the process that was to end up in the formation of COSATU.

By the time we formed COSATU the



NTW had a number of unions, including a metal workers union. I was assigned to that union and when we joined COSATU it was merged into MAWU - the Metal and Allied Workers Union. When COSATU formed regions I was elected as the Regional Secretary for Northern Natal. Then there was the State of Emergency. Because of my political activities in the UDF I was arrested.

In 1986/1987 I became a victim of the political violence in Natal. My home was damaged twice and in 1987 I was shot at. It was decided I should leave the region and come to the Transvaal. I was asked to come and work for CAWU. It was still a project of COSATU then.

I've been with CAWU since 1988. In 1989 I went to work for SACTU in their international department - first in Lusaka and then in London. I had effectively left the country, but fortunately De Klerk decided to

unban the organisations in 1990, and I was able to come back. I went back to CAWU. I've been General Secretary since June 1991.

The construction sector

There are many, many problems in the construction sector. Sometimes I wonder if COSATU really understands them. I remember, one day in a COSATU Central Executive Committee meeting I said, 'the only way you know about these problems is by reading about them in the *Labour Bulletin!*'

First of all, you've got hostile management. Apart from the big companies where you have sophisticated management, you are often dealing with Piet Smit - he's a good bricklayer, who got retrenched, he went to the Small Business Development Corporation, got a loan and started his own small company. He is not trained in human relations, he is not trained in management, but he employs people.

The workers he employs are scared of joining a union. If they do join, they want to hide the fact. They come to you only when they have a problem or when they are fired.

Job security is just not there. For the last four or five years the construction industry has been going down. Retrenchments are taking place almost on a daily basis.

Go into any of our offices. You will see a number of cabinets full of membership forms. Only 5% of those people are still in the union. You recruit, you set up a meeting for recognition, you get a meeting for retrenchment.

To maintain our current membership of 35 000 we have concentrated on other sectors within the construction industry, like cement, where workers are in a factory situation and are more likely to have permanent jobs. We are also trying to attract the black artisans, though they are very few. The industry is relying more and more on semi skilled labour.

Having outlined the problems, I must say that the union has never had sufficient resources to come up with a proper organising strategy. Finally, COSATU has agreed to set up a committee to assist with this. The federation now accepts that they will have to put some resources into organising the construction union. They will also be helping us to organise our administration more efficiently.

Moving on

I'm fortunate - or unfortunate - I don't know! - in that my wife also works for CAWU. We met when I came to CAWU. She was an organiser at Witbank and I was in Johannesburg. I was divorced then and we got married. She now works in the Johannesburg office.

So there's no conflict of interest in our home! But I must say that now that I am growing older I am also beginning to say 'why would I work with my wife in CAWU?' I mean, it's a question of working now, it's no longer a question of struggle!

I've gone through three CAWU Congresses. We have another Congress in June. I've decided that I'm getting old for union work. At this Congress I would like to leave... I've already discussed it with my colleagues.

I won't go to government. I think I'll go to the private sector and try for work there. I've got seven children, three of whom are at university. In the past there were always excuses about the struggle. Now I think it would be proper for any parent - under the new conditions - to do his or her best to make up for the years of struggle where we could not be with our families. I think that the struggle has produced enough people - we have reproduced ourselves - it's not like before. But I feel I really have to concentrate on my family.*

William Matlala is a freelance photographer

Ditsela, meaning "Pathways" in Sotho/Tswana, is a trade union controlled institution guided by the aims, objectives and principles of its constituency. It aims to empower workers, increase trade union capacity and enhance labour's contribution to political and economic democracy.

From April to June 1997, Ditsela will co-ordinate the setting up of pilot schools aimed at training union organisers in the use of the LRA.

Ditsela, together with IMMSA and CALS, is piloting a special Arbitration Course aimed at preparing union officials to represent members in individual dismissal cases. Dates for this course will be announced in late April.



Dates of courses

Course	Johannesburg	Cape Town	Durban	Port Elizabeth	Mpumalanga	Pretoria
Individual dismissals	7-8 April	14-15 April	5-6 May	17-18 June	19-20 May	12-13 May
Retrenchment	9-10 April	16-17 April	7-8 May	19-20 June	21-22 May	14-15 May
Workplace forums	11 April	18 April	9 May	27 June	23 May	16 May
Organisational rights	14-15 April	21-22 April	12-13 May	23-24 June	26-27 May	19-20 May
Strikes	16-17 April	23-24 April	14-15 May	25-26 June	28-29 May	21-22 May

For more information contact your union regional or head office.



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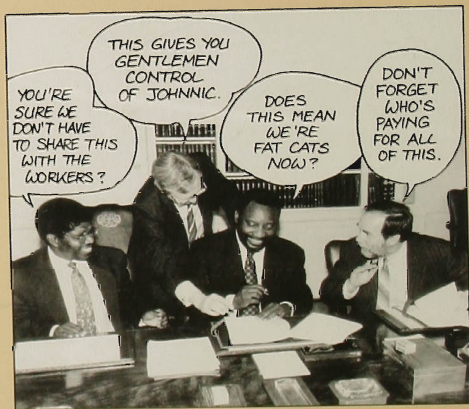
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