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* The articles in this issue have been compiled by the Durban and Johannesburg Editors from documents provided by the unions involved in the disputes.

STRIKES AND THE AFRICAN WORKER

We have chosen in this edition to focus on three case-studies in industrial conflict. We have done this because we believe that these strikes demonstrate most clearly our central criticism of the industrial relations systems in S.A. viz. the unwillingness of management or the state to enter into negotiations with independent African trade unions.

Two introductory points need to be made about strikes and the black worker. Firstly, strikes are not new among African workers. In an article published in the S.A.L.B. (Vol 2, No 8) Warwick wrote "Organised industrial action by black workers can be traced back at least to the turn of the century, when a series of protests by black workers on the Rand took place". However, even this does not seem to go back far enough as the brief obituary to John Smalberger published in this issue indicates. The whole area has only been researched relatively recently. Of course, the pattern is not uniform - there have been periods of sharp industrial conflict, and there have been periods of relative industrial peace. For example, the number of Africans involved in officially reported strikes does not seem to have risen above 2000 per year between 1960 and 1969. However, industrial conflict re-emerged in the 1970's. It began in Durban in April 1969 when dockworkers struck in support of a demand for higher wages. 13 000 Ovambo workers went out on strike at the end of 1971 in Namibia. Again, in Durban in October 1972, 2000 dockworkers struck. The climax was the mass strike in the Durban metropolitan area in January - February 1973 when nearly 100 000 workers went on strike.

The second, and related introductory point, is the view that the African labour force is essentially passive, and consequently, if they strike, their action must be the result of 'agitators'. At the expense of being repetitive, it needs to be emphasized that to point to agitators is not an explanation of strikes; one cannot agitate successfully without widespread grievances. These grievances

range from low wages, unfair treatment in the workplace over such issues as victimisation or unfair dismissals, lack of recognition of worker representatives, dangerous and strenuous work conditions, crude racial discrimination and bad treatment from supervisors and managers. Where situations are likely to lead to conflict there will generally be leaders to organise it; the ability of such individuals to *create* conflict in the absence of circumstances that would induce it anyway seems to be highly unlikely. Of course this does not mean that in certain circumstances 'agitators' do not perform a significant role in articulating these grievances. For grievances to take on a collective character in the form of a strike, it is usually necessary for someone, initially at least, to give expression to workers' grievances. To attribute strikes to 'agitators' is therefore, at best, to point to the instrument of conflict rather than its cause.

Since our inception in 1974 we have carried numerous reports on strikes. If we exclude the mines, we see the following pattern. Firstly, workers do not perceive the Department of Labour officials as their representatives although in terms of the Bantu Labour Relations Regulation Amendment Act they are formally so. To allow Africans to attend Industrial Council meetings, but to deny them a vote, is not a solution. To amend the legislation to allow Africans to sit on the Central Bantu Labour Board, to become Bantu Labour Officers or Assistant Bantu Labour Officers, as the present Draft bill does, is not a solution either. What our reports reveal is the serious lack of communication between the African workers and their official representatives - the Department of Labour. Secondly, these reports reveal management's intransigence and their unilateral power to ignore both officially approved worker representatives such as works committees (see Duens Bakery, S.A.L.B., Vol.2, No. 9 & 10 & Vol. 3., No. 2) and democratically elected trade union leadership (Report on Leyland, Vol. 1, No 3, & vol 2, No. 5). Thirdly, the workers used the little power they are able to exercise in reformist rather than violent or revolutionary ways.

The demands for higher wages, better conditions, more rights are all expressed in quantitative terms and are understood by those demanding them to provide a 'fair' share, or equal rights within the system. These demands represent the immediate self-interest of the workers involved - usually workers in one factory. In general the demands are sectionalist in nature, being limited to the sector covered, and do not connect up with the non-wage earning poor. They tried to negotiate through the channels that were open to them, but management failed to respond in a creative way to the demands made on them.

This edition provides further evidence of the general pattern in previous reports. The Heine-mann and Natal Cotton strike reveals management's intransigence and the workers' preference for trade unions. Armourplate underlines the fact that without the right to picket and the recognition of unions the cumbersome provisions which provide for a 'legal strike' are meaningless. However, all these case-studies reveal a more central pattern - the tendency for management to rely on the police - both the criminal and the security section - to settle disputes in the factory.

Clearly the Minister of Labour is now aware of the failure of the system of industrial relations for Africans, yet his response remains confused. On the one hand, he proposes a draft bill whose central purpose is to turn the liaison committees into the key bodies where negotiation take place, with the power to negotiate legally binding agreements. Yet with no criminal sanctions (eg. with an Industrial Council Agreement contravention of the Agreement is a criminal act) no role for the trade union and confined to the factory, they are a recipe for disaster. The engineering industry alone could have at least 3000 agreements operating at the same time. On the other hand, the Minister announces the appointment of a commission of inquiry to investigate labour legislation. Professor Wiehahn is chairman and has apparently gone abroad to study industrial relations in other countries. While not necessarily opposed to

the importation of foreign ideas, we suggest that the commission begin with an examination of these and similar case studies in the failure of our industrial relations system. He will find in them the cause of industrial conflict - *management's intransigence* - and the solution - *independent unions for all workers*. We agree with Wiehahn that the present Industrial Conciliation Act is inadequate - the legislation reflects the dominance of employers' interests and has involved the creation and sustenance of a bureaucratic hierarchy of officials, distinct from the rank and file members, whose lifestyle, work and outlook has more in common with employers and state officials than with workers. We are not in disagreement with his publicly stated position of the need for more plant-based bargaining and grass-roots participation. But an analysis of industrial relations in Western Europe will show that works committees are seen *as an extension of trade union rights*, not, as in S.A., *a replacement for these rights*. As a guideline for the Commission we suggest Wiehahn take his own statement to the *Sunday Tribune* when he took office. "When I take office I would like to see South Africa moving towards an extension of the rights to bargain and organise for workers. This is necessary if this country is to be readmitted to international labour circles. We have to come back to the basic principles of labour democracy."

"The realisation of this is beginning in South Africa and the idea is to work towards basic rights for all workers through a gradual integration of the two existing systems". (23:1:77).

The question is whether we can afford a "gradual integration" when to workers this appears as intransigence in the face of reformist demands. Is it wise for employers to continue to seek confrontation rather than negotiation with independent African trade unions?

MILLS CONFRONTATION

The confrontation between management and workers at Natal Cotton and Woollen Mills (N.C.W.M.) in Durban lasted for two weeks from 27th October to the 9th November 1975. During these two weeks practically the whole black workforce did not work. As a case it focusses attention on a number of important issues in South African industrial relations.

For a start the word confrontation is used advisedly since the question of whether what happened constituted a strike or a lock-out has not been decided in any court of law. This illustrates the general ambiguity surrounding 'strikes' in South Africa. Since 1973 the Bantu Labour Relations Regulation Act has allowed for legal strikes by African workers in certain very restrictive circumstances. (1) So the numerous and often extensive 'strikes' by African workers that have occurred since the introduction of the Act have presumably all been illegal (with the apparent exception of the Armourplate strike reported elsewhere in this issue). Yet legal action against these workers has not followed in all cases. The reasons for this are clearly complex and mixed. In the case of extensive strikes such action would probably be politically dangerous because of the threat of an escalation leading to violence. Mass arrests and subsequent court cases also present practical problems. From a policy point of view this public tolerance of the illegal strike is designed to defuse the situation. In localised, more isolated and, therefore, less public situations the State options are still flexible and do not always lead to arrest and trial. Although as reports in the S.A.L.B. show such action is frequently taken.

However, the concern here is not to deal with the range of options open to the State in dealing with a challenge to legality. Rather it is to draw the obvious implication for industrial relations, and that is that the State is continuously involved in disputes involving African workers through one or all of the Labour Department, Police and Security Police.

This ambiguity and its consequences is surely unsatisfactory and detrimental to good industrial rela-

tions. It is a product of inadequate industrial legislation based on a dangerous perception of the issues at stake. What should be realised is that for workers a strike is the final recourse they have. The point of industrial legislation is to provide a bargaining process satisfactory to *both* parties that will obviate the need to go so far in the vast majority of cases. You cannot, however, deny workers their final recourse. Good industrial legislation makes this final recourse a calculated move with both parties aware of the implications.

For African workers in South Africa these basic requirements of industrial legislation don't exist. "Strikes" are stark, sudden events. The situation polarises immediately both because the legal structure is such that the State is perforce involved and because management all too often adopt an intransigent position even encouraging or soliciting police (and Security Police) assistance.

In this context the N.C.W.M. case study is particularly interesting for two reasons. Firstly management-employee relations were relatively good with a distinctly paternal dimension. Yet even this could not survive a serious dispute and disintegrated in a 'strike' situation. Secondly, the length of the shutdown was remarkable given the weak position of African workers in a 'strike' situation in this country. Unions are in a highly ambiguous position in such a situation. For unregistered unions in particular their institutionalised basis for action is negligible. Any union involvement in a 'strike', even if they are involved after workers have taken the initiative as in this case, is very precarious and vulnerable to police and Security Police action. Yet at the same time they have a membership who must surely expect something of their organisation in such a serious situation. The degree of success in this latter respect is highly specific to the situation. In the N.C.W.M. case the worker solidarity and the unions ability to maintain constructive involvement was in itself another remarkable feature. However, this was to be at a high cost to workers and the union.

'Strikes' crystallise in their starkest form the in-

adequacies of existing industrial legislation particularly as it applies to African worker which is for this reason that they deserve careful study.

BACKGROUND OF THE FIRM

N.C.W.M. was started as a private company by Mr Daitz (father of the present managing director, Mr. V. Daitz) producing relatively high quality blankets. Mr. V. Daitz took over the management of the firm in the late 1940's, and he was the sole owner of the firm until the time it merged with the Hippo Trading Group, in which Daitz now has a minor share-holding: the majority share holder being Holding Bank (Swiss).

During the slump in the textile industry in late 1974 N.C.W.M. was not seriously affected (in the way that the Frame Group was) and there were no staff reductions. This was largely because N.C.W.M. manufactures only high-quality blankets, and it was not seriously affected by the dumping of foreign low-quality textile articles.

In the past the management had adopted a paternal policy towards its employees with numerous mechanisms being used to generate a 'family' loyalty towards the firm. N.C.W.M., of all textile factories, had the highest proportion of long service employees in its total workforce. There are no women employed. Up until the early '60's the proportion of Indian to African employees had been roughly equivalent, but over the past 15 years the proportion of Indian employees has steadily decreased so that at the time of the conflict of the total workforce of 650 workers, some 150 were Indian, and the rest were Africans. The trend away from the employment of Indian men and their replacement by African men followed broadly-speaking, the 1957 strike at Consolidated Textile Mills (Wentex), Frame's largest factory in Natal at that time, and the head office of the group. It appears to have become systematic policy in the Frame Group (and, consequently, in the industry as a whole) to cut back organised workers (ie. Indians, a majority of whom were union members) and to replace them with unorganised workers, viz. African men who entered the industry for the first time in

large numbers. This tendency affected Natal Cotton which, as a minor company in the industry, followed the direction of the Frame Group. It is notable, however, that the Natal Cotton had not taken advantage of the Frame Group's most recent substantive change in employment practice, viz. the replacement of African men by African women.

In 1966 and again in 1969 the Textile Industrial Council broke in deadlock over Frame's request that women be paid 40% less than men for the same work. The dispute was referred to state arbitration which decided that women would in future be paid 20% less than men. Following this ruling, and particularly, following the January 1973 strikes throughout the Durban-Pinetown complex of Frame factories, African women are steadily replacing African males in Frame factories in Natal so that women are now a clear majority of employees. Natal Cotton has not employed any women thus far.

At the time of the conflict 107 Indian workers belonged to the registered textile union, the Textile Workers' Industrial Union (S.A.) Natal Branch, (TWIU), the non-members were mostly clerks who have a number of special privileges, and vested interests with the firm. Of the African workers about 200 belonged to the unregistered textile union, the National Union of Textile Workers (NUTW), but of these only about $\frac{1}{4}$ were up to date with their subscriptions. (All subscription payments to TWIU are by stop-order deductions, a right which by law is not available to NUTW members.)

The factory had no strike at the time of the two massive textile strikes in recent years, in January 1973 and January 1974, though there was a brief work stoppage and an increase was given on the first day of the latter strikes. The factory leadership was therefore an old one, it had remained unbroken for a notable period which is remarkable for the textile industry in which the average annual labour turn-over is in the region of 60%. (2)

THE BACKGROUND OF THE CONFLICT

N.C.W.M. had traditionally adopted a policy of 'liberal' management: the direct consequence of a 'family'

business in which employment, promotion, benefits, loans, bursaries, etc. were made on the basis of personal loyalty and personal generosity. The effect of this was that while it generated a high level of personal attachment to Daitz himself, it also made for considerable cohesion in the firm, and for a deep sense of the traditionally 'fair' social order in the factory. Communication between management and workers was usually undertaken directly, by visits to the Managing Director himself. Daitz was always regarded as a fair, straight-forward man who did not need to resort to devious methods of managerial control. The fact that N.C.W.M. customarily paid higher wages than the Frame Group (the primary comparison in workers' minds) added substantially to the bond that existed between workers and the firm. The union (TWIU) had had the right to meet workers in the canteen and to meet regularly with the firm's liaisons committee (consisting of both Indian and African workers). However, following the brief work stoppage at the time of the 1973 general strike, management decided to introduce their appointees onto the liaison committee. The stoppage seems to have provided the first indication that managements' traditionally paternalistic policy was no longer adequate to cope with an organised workforce.

In time the union found it unsatisfactory that the committee consisted not only of workers' representatives but also management appointees, and therefore, discussion of tactics on particular complaints or problems was excluded. The union then requested that it be allowed to meet a works committee (consisting entirely of workers' elected representatives) but after considerable indecision and haggling, the firm refused this. The liaison committee then fell into default through the opposition of the workers to the management's refusal to restructure it. The then personnel officer promised workers a meeting at which he would allow elections to take place under the supervision of the union officials, but this offer was vetoed by the management. This decision marked an alteration in management's attitude to the union: they seem to have decided to exclude the union from participating in the affairs of the company from then on. They were clearly disturbed

by the enthusiasm shown by unorganised (African) workers to the initiatives of NUTW; and they were not prepared to make the minimum concessions that workers were demanding. Had the company been prepared to make certain concessions it is quite likely they would have contained workers' grievances, and, in effect, preserved the 'goodwill' which traditionally prevailed within the firm. The clearly demonstrated efficacy in containing workers' frustrations and complaints by conceding to trivial union demands (eg. as in South African Fabrics), and more effectively, by giving full union recognition (eg. Smith and Nephew) was lost on the Natal Cotton management who instead aggravated workers' grievances by promising improvements and then not carrying them out. Far from workers perceiving themselves to be well-treated, and even when they earned higher wages and worked in better circumstances than comparative workers in the Frame Group, they saw themselves as badly mistreated. Instances of unfulfilled promises and management's ham-handedness compounded this impression: eg. workers were promised after a work stoppage in 1973 an extra R1, but it was not paid; the firm tried to increase the number of looms per weaver without extra pay which resulted in a work stoppage; the long-service bonus (as provided by the Textile Agreement) was thought to be inadequate, and particularly, the unobtrusive manner in which it was simply slipped in with a wage increase left workers ignorant of its introduction and later confident that the money had not been paid, hence each wage increase after the introduction of the long-service allowance appeared to be short paid because the compounded increase on a worker's real wage was less than the compounded increase on the wage which appeared on his pay-slip, i.e. including the long service money. These 'pin-pricks' were combined with the increasing exclusion of the workers' union organisation. For management the exclusion became steadily more explicit and fraught, so that all difficulties in the firm came to be attributed to the union, and, every effort was made to undermine the status of the union in the factory. Workers' loyalty to the union increased in proportion to management's opposition, so that the contradiction became stead-

ily more antagonistic.

The absence of any serious regard for the liaison committee after the union decided no longer to meet with it, meant that workers' dissatisfaction was less articulated through the formal channel of the committee and more by direct actions: particularly through work stoppages for brief period of time. The non-racial alignment of workers in the unions (TWIU and NUTW) reinforced this and was proving to be too much for the paternal labour practices, traditionally so effective. Union officials made two visits to the management once they were informed of the work stoppages. The management, on both occasions, was reluctant to refer the problems for union consideration, but rather, argued that the matter was strictly domestic, and well within management's control.

Three work stoppages were severe, each lasting a number of hours. The first was provoked by the fact that weavers were required to man three machines when they had always worked two at a time. After the stoppage weavers were only required to man two machines, as before. The second stoppage was over the score that weavers were required to reach in a week's production. (3) The conflict was fought over the minimum score and after the stoppage the score was reduced to an acceptable level for the workers. The third stoppage occurred after the July increase was paid (4). Workers felt that they had not been paid their long service allowance, or, alternatively that they had not received the correct increase (if the long service allowance had been included), and they stopped work to challenge the amounts they had been paid. The union was accused of causing this stoppage because a union official had been at the factory gates two days before the stoppage (5) and had explained the increase to the workers. At the time workers would not accept they had been paid their long-service monies. The Industrial Council Agent was 83 years old and did not appear to play much of a role in dealing with the problem.

Shortly after the first stoppage the union called meetings of workers and from them a shop-steward committee was established. On one morning (on two

consecutive weeks) the union organisers arranged that all 3 TUACC (6) Combis were at the factory early in the morning to drive the workers to the union office after they had completed their night shift. They held two such meetings (with both shifts of weavers), discussing a number of issues with the workers, and persuading them to elect a shop-steward committee. Soon after these meetings the weavers elected shop-stewards, and they ensured that the other departments also held elections. The shop-steward committee was meeting after work on one night a week for three months before the confrontation took place. (7)

The union made several approaches to the management to institutionalise the conflict between management and workers by approving a working committee rather than a liaison committee, i.e. a committee consisting only of workers' representatives, and without any management appointees, to which the union could have access. Initially the management was split over the issue, but gradually they came to stand on the point that the company could manage its own affairs without union assistance.

The split within managements' ranks represented the difference between two modes of labour control. The paternalistic approach, personified in Daitz, had served the firm so well in the past by creating a set of patriarchal family loyalties (eg. some old employees spoke of Daitz as a father to them who had been tricked by the hard instrumental practices of Johnson) but it had reached the limits of its effectivity. By treating workers as part of a 'family', workers in turn came to expect certain rights, rights which were increasingly beyond the bounds of the firm to give. Workers had come to assume that a decision affecting their working conditions could not be taken unilaterally by the company but should in some way be referred to them. In circumstances that were generating growing organisation workers and management were moving beyond the limits of requests and petitions. Workers now had greater independence and the previously successful management tactic of referring to wages by comparisons to Frame were increasingly appear-

ing as evasive devices.

Simultaneously, and in direct contradiction, managements' paternalism began to be criticised from within its ranks by Johnson, who was promoted rapidly from the quality control department to production manager and to company director. He represented a new mode of labour control in the firm: treatment of workers as a force with opposing interests to those of management which needed to be confronted and suppressed rather than placated and appeased. In the circumstances of rising worker power, and of their united opposition to managements' initiatives, Johnson's approach became steadily more appropriate for managements' needs.

Daitz's move towards adopting Johnson's position may have been encouraged by what he saw as the 'desertion' of the union (TWIU) in the Council. In past Council Agreements the union had always agreed to raise minimum wage rates which had not affected Natal Cotton since they paid wages above the Council minimum, and they were therefore, free to pay what wage increases they saw to be appropriate. However, when the union agreed to across-the-board increases, penalising the better paying employers, and Natal Cotton (a minority interest in the Textile Manufacturers Association) was suddenly obliged to give a mandatory 12½% increase (during 1975) to all its old employees (ie. those employed on or before the 31st December, 1974), Daitz felt that he had been treated unfairly, and thereafter, felt no particular loyalty or obligation to the union. The steady adoption by Daitz, and the management as a whole, of Johnson's approach had the effect of evoking a heightened reaction from workers: frustrations and tensions were exacerbated - management's move away from conciliatory and compromising procedures was combined with the increase in workers' expectations.

It appeared that on Johnson's initiative, the company wanted a man strong enough to crush the union. At the last meeting with union officials before the confrontation, Johnson, the general manager, boasted that the company had found the perfect man for the job. Mr. Steenkamp was shortly to be employed.

He was to acquire many names, one being "Johnson's man", a fact which reflected increasingly badly on Johnson in workers' minds. The TWIU organiser responsible for organising N.C.W.M., who visited the factory once a week, went to visit the new personnel officer to introduce himself as a union official, and to relate the co-operation that existed between the firm and the union in the past. Steenkamp was extremely antagonistic to unions in general, claiming they were designed for those weaklings in society who could not fend for themselves, and he appeared to be dogmatically in favour of the liaison committee as the instrument best suited to the needs of 'Bantu' workers. He made much of the fact that he spoke fluently five Bantu languages and he regarded himself as a man who had studied "what might be called 'Bantu science'". He made himself clear that he would not under any circumstances co-operate with the union, and he warned the union official that he did not want what he called 'union interference' in the factory.

THE COURSE OF THE CONFLICT

The new personnel officer then embarked on a number of actions that were to sour workers' attitudes. His first act was to fire the African personnel clerk, who had worked in the firm for some time, for stealing workers' registration fees. (8) While the clerk was not particularly popular among workers it was obvious to them that, since Steenkamp had brought 2 African clerks of his own, the old clerk was likely to be fired. At the time workers were not disturbed by the dismissal but in hindsight, with the weight of other infringements on workers' status in the factory, the personnel clerk's dismissal was revived as an example of Steenkamp's ruthlessness. He proceeded to meet informally, and to question prominent workers from each department to persuade them of the necessity to form a committee inside the factory. Workers were determined at that stage to boycott the election because the firm would not allow an election in which the union could participate. Workers were aware that the test of the personnel officer by the management was whether he could establish a liaison committee within the factory. Shop stewards, who held meetings

at the union offices outside working hours, went to Steenkamp to introduce themselves as the workers' elected union representatives: they were met with a barrage of criticism, and they were warned not to organise the union inside the factory. He said while he was personnel officer there would be no union in Natal Cotton. This suggests that Steenkamp was employed to crush the union.

After a great deal of pressure, following the firing and possible victimization of one worker, and following a change of strategy on the part of the shop-steward committee, the workers participated in what was to be a very unsatisfactory election from their point of view. Those nominated for the election were mostly prominent leaders in the departments, but nominations were made by the personnel officer and not by the workers themselves. The election was conducted irregularly as the personnel clerks went from worker to worker asking them to make a preference from the nominations listed on a sheet of paper. The preference was then marked onto the paper by the clerk. Certain departments continued to boycott the election because of the undemocratic manner in which it was being carried out. In those departments workers were simply appointed.

Formerly, the firm had maintained a mixed committee of Indian and African workers, but the new personnel officer, Steenkamp, said that Indian workers would no longer be represented through the committee. This was a source of dissatisfaction, particularly among Indian workers. Cooperation between Indian and African workers in the factory had been notably good. This was despite definite differences in the location of Indian workers in the labour process and their overall employment situation. Most Indian workers were long service employees: some had over 30 years service, and many had 20 years service. However, they were not as cohesive a group as the African workers; being divided by individual loyalties to the company and, in general, socially separated from African workers and therefore pushed closer to management. Many had unfortunate memories of worker initiatives, eg. the occasion in 1972 when all the N.C.W.M. Indian workers set aside money

each week to be kept in trust by the union until the end of the year when the money was to be divided among them, only to find that the union secretary had stolen the money. Generally, however, management had not gone out of its way to make such differences too overt. Nonetheless, the ready participation by Indian workers in the conflict suggest considerable provocation by the personnel officer.

A grievance among Raising department workers bears no explicit relation to the Personnel Department, although the mood set by the personnel officer probably made departmental foremen more confident of their own prerogatives, but it was germane to the conflict as a whole: workers were being put on short-time for blankets torn by the raising machines. They were obliged to clock out their cards and yet remain on the factory premises until the torn blanket had been cleared off the machine. The period involved was up to 3 hours, representing unpaid labour time. The raisers argued that the tearing was the fault of hasty weaving (weavers trying to cover the minimum scores) in which the picks were led relatively wide apart thereby lightening and 'stretching' the blanket, making it more prone to tearing.

The most substantive change that Steenkamp made, and the one which played the most determining function, was the hiring of a number of new workers from the firm where he had previously been the personnel officer, namely Tri-ang Toys (commonly known as 'Jabula Toys'). During the 3 months before the confrontation Steenkamp employed about 80 new workers, most of them from Tri-ang. During the same period he fired about 20 old workers, most of whom were long service employees.

Many of the new workers had no work to do, and they were simply put next to the old workers to watch how their jobs were done. In the weaving department a large fan had been used to clear the department of dust, but this practice ended on Steenkamp's instruction. The new workers were made to stand beside the looms with a sheet of cardboard in their hands and to wave it up and down, ostensibly fanning the machines. The image of a man fanning a loom became

the expression of the new workers in the eyes of the old employees. Essentially, the new employees constituted a serious threat to the jobs of the old employees.

In certain instances the attempt to replace old employees with new workers (9), who were suspected of being Steenkamp's izimpimpi (spies), was carried out more directly. The African supervisor of the tearing department, who had worked (in the department) since 1954, was told to train a new worker from Tri-ang on the grounds that the department was to have 2 supervisors in the future. Steenkamp checked the progress of the trainee supervisor from time to time, and each time the old supervisor reported on the work the trainee had been doing. At one point Steenkamp threatened the established supervisor that he would be fired if he didn't teach the new man quickly. On Thursday, 2nd October, the supervisor was 'caught' with a piece of twine in his hands outside of his own department, although inside the factory. The twine was worth less than 50 cents, and he had worked with such twine for over 12 years. He had been in the company's service for 21 years. He was fired for stealing the twine, although, in compensation, the company gave him an early pension.

The company security guards who manned the factory gates were employees who had worked in the company for many years, and they constituted part of the old guard. One of Steenkamp's first acts was to fire them for reasons of staff reduction, and to replace them with professional security guards hired by the firm, though employed by a firm specializing in the factory security service. The change annoyed workers because on the first day the new guards were employed they demanded that workers present their reference books for inspection to prove they worked at N.C.W.M.

Another old worker to be fired and replaced was the surgery clerk who had been ordered by Steenkamp to count all the pills in the bottles and to write the number of pills in each bottle on the bottle labels. He pointed out to Steenkamp that the task was fruitless since his practice for the last 7 years, namely

to note which bottles had reached $\frac{1}{4}$ full ($\frac{3}{4}$ empty) and to see that they were replaced had worked well, and, in addition, some of the pills were very tiny and counting them would have been an endless task. He was fired and replaced by a new employee.

Workers were insulted by Steenkamp, which was a further source of dissatisfaction to them. For example, he attacked an African worker, who had approached him to find a job for an Indian friend, for having 'Coolie' friends, saying "I don't talk about Coolies in this factory, I only talk about Africans". He allegedly said to a member of his liaison committee "I'm tired of sucking your arse; my face is already covered with its smell". These incidents compounded the antagonism which was building up against him in the firm; the first being particularly insulting to Indian workers.

Albertyn, a union organiser, also experienced Steenkamp's insults. On Wednesday, 3rd September he visited N.C.W.M. and workers complained to him that they had not been paid their due at the end of July. They claimed that they had not been paid their long service monies (R1 for 5 years service and R2 for 10 years). He told them to collect pay slips of the months in which increases were paid during 1974 and 1975 to check if the long-service money had been paid. On the following morning, Thursday 4th September, he received a telephone call from Steenkamp in which he was rudely told to go to N.C.W.M. to discuss "the claims" he had made on the previous day. He went to the factory expecting to discuss the long-service payment only to be abused, insulted and manhandled by Steenkamp who not only did not discuss the long-service money but never broke his harangue to let the organiser speak. Steenkamp threatened to kill him if he ever entered the factory premises again, and threatened to summon the police each time the organiser addressed workers outside the factory. After the incident, the organiser wrote a letter to Steenkamp on behalf of the union calling on him to apologise for his unprovoked outburst (to which no reply was received). The Union subsequently wrote to Daitz asking him to clarify whether Steenkamp's tirade represented

a change in company policy, and appealed to him that good relations between the union and the company in the past should not be jeopardised by the isolated acts of the personnel officer. The union received no reply to this letter, although, when asked of the incident, Daitz said that he did not condone uncivil behaviour and he had given instructions that the union letter be answered indicating his displeasure at the personnel officer's behaviour. These instructions were clearly not carried out.

Another source of antagonism was the separation of Indian from African workers on the liaison committee. Workers saw the separation of Indians and Africans on the committee as an attempt to divide workers, and to use the committee for its own purposes. This suspicion was compounded by the fact that Steenkamp instructed the liaison committee representatives not to report back to the workers of their departments. He said that the committee was still on trial, that he needed to train them properly before they could work as representatives from their departments, ie. as 'the ploughs' to help him root out all 'the weeds' in the factory. The term "weeds" was adopted as an epithet by the old workers to describe themselves. Later at meetings workers laughed, and their solidarity was enhanced whenever one of their number spoke of himself as a "weed"; a soft-spoken weed, or an old weed, or a tall weed (easily plucked), etc. He demanded information about particular workers from the committee members to use as justification to fire these workers. This implied turning the committee members into spies, which was resented by the members themselves, and loathed by workers.

Workers became increasingly displeased by the liaison committee's refusal to report back to them on the contents of their meetings (all of which took place with Steenkamp), and they blamed Steenkamp for this. Steenkamp seems to have used the liaison committee meetings as opportunities for encouraging discipline and authority in the factory and for pushing the usefulness of liaison committees for the expression of workers' grievances as opposed to unions. He frequently criticised "the two white boys" meaning Copelyn, the secretary of the Natal branch

of TWIU, and Albertyn, for misleading workers.

All these instances increasingly represented the implicit intention of the company to intimidate workers into abandoning the union and submitting entirely to management's authority. The previously paternalistic labour policy had proved inadequate in more difficult circumstances. Such paternalism builds no independent worker organisation so that as it collapsed such an independent worker base formed outside the control of management. Equally paternalistic management was not equipped to handle such independence and resorted to harsh labour controls which only exacerbated the problem.

THE WEEK BEFORE THE CONFLICT

Monday, 20th October

On Monday a weaver was injured on duty. He was taken by the 3 liaison committee representatives of his department to the personnel officer (whose office is beside the surgery) to organise that the injured worker be allowed to go to hospital. They were told to go back to the department and the injured worker was told to wait for the company doctor to arrive. The representatives said that the man was badly injured and that he needed to be taken to hospital promptly: they were insultingly told that this was not true. The doctor came about 3 hours later, he treated the worker and gave him 2 days off, although he was required to come to the factory for his injection.

On this day Steenkamp introduced a new arrangement for lunch-breaks; breaks would be staggered differently. Workers in the stores department (a large and well organised department) were no longer to have their lunch breaks with the workers of the weaving and raising departments (both relatively well organised departments), but rather, they were to eat in future at the same time as the spinners (a relatively poorly organised department). This was a source of resentment, and it was raised as a grievance against Steenkamp at a meeting of workers two weeks later.

Tuesday, 21st October

On Tuesday a delegation from the weaving department (all of whom were liaison committee members) went to their foreman, Dias, to ask permission to see the personnel officer in order to get an appointment to see Daitz, the managing director. The weaving department manager, Fox, was overseas at the time, on a business visit to Europe with the General Manager, Johnson. Daitz had returned from a visit to Europe the day before; the firm's general manager, Johnson, was still overseas, due to return on Monday, 27th October. The purpose of the appointment with Daitz was to inform him that workers wanted to meet him to discuss their grievances against Steenkamp. Dias gave permission for the delegation to see Steenkamp, but Steenkamp said he was busy and he promised to recall the delegation when he was no longer busy.

Wednesday, 22nd October

On Wednesday, since they had not been summoned by Steenkamp, the delegation again went to Dias to ask permission to see Steenkamp. Dias pressed them to tell him the reasons for the visits. They proceeded to explain all the grievances which workers had levelled against Steenkamp. Dias and Riggleston (the works' foreman) then advised the delegation to tell workers to wait until Monday, 27th October, when Johnson would have returned from Europe, because were they to have seen Daitz, they would merely have been referred to Johnson. The workers agreed to this suggestion, and matters were left until Monday, 27th. Albertyn and Khumalo, union organisers, came to the factory during the lunch-break to confirm that they would be having the regular weekly shop-steward meeting on the following day after work. Albertyn reminded the raising shop-steward to bring pay-slips to verify the complaint in his department. He pointed out how the change in the lunch-break schedule could be used to aid organisation since the spinning department could be organised by the well organised stores department. The organisers had the impression that workers were angry about the change, and less interested in its possible advantages. What particularly irritated them were the facts that the change

appeared to be Steenkamp's response to their requests for meetings at which the liaison committee could report back; and that Steenkamp appeared to have taken the decision while the management was overseas. Workers saw this as an act opposed to the practices of established management. To some extent they identified their interests with those of the company, against the new personnel officer.

Thursday, 23rd October

On Thursday shop-stewards were fetched as usual from the factory gate after work and taken to the union office. The meeting discussed non-factory matters for the most part, particularly the national campaign planned by TUACC for the recognition by employers and government of unregistered trade unions. Plans were made for the attendance of shop-stewards at the TUACC Council meeting on Sunday, 26th October. Shop-stewards reported that the liaison committee was to see the general manager on Monday, 27th October, about their complaints against Steenkamp. The question of short time without notice as a punitive measure in the raising department was discussed.

Friday, 24th October

On Friday a member of the liaison committee was called to the office of the personnel officer and told by Steenkamp that he had heard that the workers were planning to strike on Monday, 27th, and that two white foremen knew all about the planned strike, and were encouraging workers to strike. He said he had called one of the 2 foremen and asked him why he had not told him of the arrangements. The foreman replied that he had forgotten about the matter. Steenkamp said he himself was a very strong man and that he would be particularly tough if a confrontation took place. Steenkamp notified the liaison committee that they would meet on Monday morning.

THE START OF THE CONFLICT

Monday, 27th October.

On Monday some workers from the night shift arrived

at the factory in the morning. They arrived to hear the result of the liaison committee's meeting with the management. The weaving delegation (representative, now, of both shifts) went to see the Department manager, Fox to ask permission to see the management, but neither he nor Dias were in the department. The day-shift worked 2 hours until their tea-break at 9 am. (The night-shift workers who came to the factory arrived at about 8.15 am.) At 9.05, Dubazane, a liaison committee representative, and supervisor of the weaving department, who in 1976 was employed as an organiser in NUTW, saw Fox in his office in the weaving department and he went to speak to him. He told Fox that the liaison committee wanted to see the management. Dubazane was told to wait because Johnson, the general manager, was busy. At 9.25 am. the weavers' delegation was told that Johnson was looking for them. At the meeting with Johnson, Dubazane and Malima (the spokesman for the day-shift) handed over the list of grievances against Steenkamp in the form of a letter which workers had drawn up against Steenkamp. The raisers and weavers finished their tea-break at 9.15 but they did not return to work. The weaving and raising departments' tea-break was followed by the spinners' tea-break, and then by the stores workers' tea-break. Stores tea-break finished at 10.05 am., by which time the whole factory was in the canteen. Johnson sent Malima to tell the workers to wait in the canteen because he was coming there. By this time the liaison committee members from all the departments were gathered in the Conference room with officials from the Labour Department. Malima came twice to the workers to tell them that Johnson would arrive shortly. The Labour Department officials, Skeen, Bam and their interpreter, Mchunu, had the letter of complaints in their possession. The grievances were discussed with them. In the meantime Johnson sent Malima to the workers to tell them to leave the canteen and to go to the yard behind the factory. Then the liaison committee went with Johnson to the yard.

In the yard Johnson told the workers that he had received the letter of grievances levelled against the personnel officer (Steenkamp was not in the

yard), that he was satisfied with the grievances and that he would attend to the matter if the workers returned to work. The workers replied that if he were satisfied with the grievances then he should please meet the demand of firing Steenkamp. He said he was not prepared to say anything more, unless all the workers returned to work. The workers said that they wanted an answer - whether Steenkamp would be fired or not - before they returned to work. Johnson then said he was giving the workers 10 minutes to return to work. He told the Labour Department officials to tell the meeting to go back and he stood aside from the meeting and waited for the time to pass. The workers made the same point to the Labour Department. Johnson then said that he would give the workers another 5 minutes to return to work or he would fire them all. After the time was up he told the workers that they were all dismissed, and they should return to the factory on Friday 31st, to collect their pay. Then the workers left the factory. When workers went back to their departments before leaving the factory to clock out their clock cards, the cards had already been taken from the departments by the management staff. Workers did not therefore clock out before leaving the factory. Approximately 200 policemen were filing into the stores department during the meeting, and waited there until all the workers were out of the factory. (10) The gates were then locked at 2.20 pm.

Workers came down to the union office and reported the confrontation. Union officials suggested that workers return to the factory on the following morning to try to negotiate a settlement with the management. Workers were told of the scheduled Industrial Council meeting which was due to take place on the following day (Tuesday), and promised that the matter would be raised there in an effort to resolve the dispute.

Many workers who were due to work night-shift on Monday night came to the factory to be told that the gates were locked, and that they had been fired. They were also told to return on Friday 31st to collect their wages. (11)

Tuesday, 28th October

On Tuesday about 500 workers met in Bolton Hall. This was a meeting of Indian and African workers, an interesting occurrence in itself and evidence of the solidarity of the workforce commented on before. The involvement of Indian workers also meant the involvement of the registered Textile Workers Industrial Union and the Industrial Council. This illustrates a further ambiguity of the situation where TWIU officials were clearly in a de facto negotiating position for African workers.

The union officials initially took the line that workers should go back to the factory again on the following day, but workers were reluctant to do this. They had arrived at the factory to find hundreds of police who chased them from the factory gates with dogs. (12) After the meeting had been in progress for some three hours, a report came from the Industrial Council that there was a possibility of the union meeting the management on the following day. To this end the General-Secretary of TWIU, Norman Daniels, who had arrived the night before to attend the Council meeting, decided to stay on in Durban rather than return to Cape Town. Workers decided to meet again the following day to hear of the approaches made by the union to the management.

In the Industrial Council meeting the union representatives suggested that since all the workers were no longer at their jobs in N.C.W.M., the matter was one of great concern to the Council as a whole and needed the immediate attention of the Council. The management's response was that no problem existed since the work-force had been fired. On the previous day there had been a problem, but on that day there was not. Mr. Daitz, the managing director, took a similarly complacent position when interviewed by the "Natal Mercury". "If the workers wish to make representation to the management and reapply for their jobs, we will consider it, but in the meantime we are making arrangements for the hiring of an entire new labour force" (Natal Mercury", 28/10/75). However, privately, the N.C.W.M. representative at the Council suggested that the union might meet with N.C.W.M. management on the following day, although he was not able to promise this.

THE BREAKDOWN OF NEGOTIATIONS

Wednesday, 29th October

On Wednesday union officials waited in the union office in Jacobs for the call from the management to convene the proposed meeting. In the meantime workers met at Bolton Hall waiting for the result of the meeting. After a long wait, in the middle of the morning, the management phoned to say that they were not prepared to meet the union on the factory premises. The TWIU General Secretary said the union was prepared to meet anywhere as long as a settlement could be reached. The management said they would consider this. A short while later they phoned again to say that at that stage they were not prepared to meet the union at all. It is likely that this decision was the result of State suggestion to leave the union out of direct negotiations.

The meeting of some 450 workers was told by the TWIU General-Secretary that the Industrial Council Natal Regional Sub-Committee would be meeting on Thursday of the following week (6th November). The meeting was told that the matter of Natal Cotton would almost certainly come up for discussion at that meeting since the Industrial Council meeting of the previous day (Tuesday, 28th October) had agreed to refer the matter to the sub-committee meeting. The workers decided to wait until the next meeting of the Industrial Council, namely the regional sub-committee meeting. The General Secretary then promised the meeting that he would try to have the meeting arranged for an earlier date so that the dispute could be resolved as early as possible. However, it was clear to all that the struggle could be more protracted than people had previously imagined.

A report was made at the meeting that Radio Bantu had said that all N.C.W.M. workers had been fired, and that they could all re-apply for their jobs on Monday, 3rd November.

In order to show that they were not fired, (in which

case the difficulties of settlement would be greatly compounded), and that they were prepared to work on condition that the personnel officer be moved from the factory, and that they had no intention of leaving the firm per se (since they had no gripe with the management besides Steenkamp), the meeting decided not to collect their wages on Friday, 31st, but instead to meet and to make plans for a speedy settlement.

The Garment Workers Industrial Union (Natal) was initially surprisingly approachable as regards allowing us to use Bolton Hall. In the past NUTW has had difficulty hiring the hall because the Garment Union first decided that it would not allow Africans to use the hall, then it decided that only those African Unions which had the sanction of a registered and parallel union (in line with TUSCA's policy of parallel unions) would be allowed to use the hall, but when the unions complied with this condition by sending a letter from the TWIU BEC approving all NUTW organised meetings, union officials were told that only an official letter from the TWIU's General Secretary would be acceptable. However, NUTW was not actually refused the use of the hall, at this stage, but each request required great diplomacy to be successful. The Secretary of the Garment union, Stanley, was generally helpful in giving workers use of the hall. After the Tuesday meeting he had complaints from the Clothing Industrial Council, whose offices are next to the hall, the N.C.W.M. workers had made too much noise, and they particularly objected to calls of "Amandla! A'wethu" and "Songoba! Simunye!" Union officials promised to try to keep the noise to a minimum, and appealed to workers in this regard.

However, as the week progressed, Stanley became less and less amenable to our approaches because he was being harrassed by the Security Police. On Saturday, 1st November, when a union official approached Stanley's assistant on behalf of workers to hire the hall (at R16,50 a time) for Monday, 3rd, he was told that, with regret, they could not make the hall available because they had been threatened by the Group Areas Board that their exemption (to keep the offices of an Indian union in a white area) would be withdrawn

if they opened the use of their hall to Africans. From Monday, 3rd November workers had to rely on the Cathedral hall to hold meetings.

Thursday, 30th October

On Thursday union officials sent a telegram to Charles Ford, General Secretary of the International Textile, Garment & Leather Workers' Federation. The contents of the telegram were: "All 600 workers fired Natal Cotton & Woollen Mills. Owned Holden Bank. Management refusing all negotiations. Require urgent assistance to help resolve dispute". Signed NUTW. The purpose of the telegram was primarily to make the management more amenable to negotiation considering their responsibilities to their Swiss financiers, and secondarily to inform the federation of the position although union officials did not expect anything from them considering the lack of information at their disposal. (13)

The newspapers made much of the union's telegram, playing particularly on the public suspicion of appeals to foreign agencies for assistance. They displayed their inclination to focus on symptoms and effects of the confrontation rather than the basic issues at the root of the conflict, which was symptomatic of the function of the press during the major part of the episode.

Friday, 31st October

At the meeting on Friday it was reported that pickets were at the factory to inform workers about the meeting. The union speakers supported the workers' line of not going to the factory to collect their wages. They assumed that if a settlement could be reached speedily workers need not break their service, nor need they have their holiday pay reduced or paid out prematurely. Thirdly, they felt that the struggle would become more protracted if workers had all their holiday pay at that time.

After, and during the meeting, organisers visited other factories to tell BEC members of TWIU and NUTW of the joint emergency meeting to be held on the following day to discuss the N.C.W.M. confrontation.

THE WEEK-END OF THE FIRST WEEK
OF THE CONFLICT

Saturday, 1st November

A Branch Executive Committee (BEC) meeting took place at which ways of finding a solution were discussed. At that meeting it was reported that only about 30 Indian workers had collected their money from the factory on the previous day, (remarkably few considering the fact that Diwali, the Indian equivalent of Christmas, was on Sunday 2nd November, and people anticipated having money to spend on the weekend). Many of the Indian workers who collected their money apologised to other workers for doing so and explained that they needed the money for Diwali. Less than 10 of the 450 African workers collected their money, and when doing so they were told to return to work on the following Monday (3rd November). They were also obliged to make an oath of loyalty to Steenkamp by raising the right hand and by signing a statement expressing their allegiance to the firm. Over the weekend, newspapers carried advertisements for N.C.W.M. calling on workers to apply for their jobs on Monday, 3rd. The factory had remained closed for the whole week.

At the BEC meeting it was reported that Radio Bantu had again urged workers to re-apply for their jobs on Monday. It was reported further that 'the strike' had appeared as part of a news item on SABC TV. Throughout the week police vans had been stationed at the factory. The line taken by the mass media, and the supposedly independent newspapers was not different from the directly controlled state agencies in this regard, namely that the confrontation was already over and that the majority of the workers were already returning to work, the aim being to create the impression that workers had broken and to indicate the foolishness of remaining out of work to those workers who were not present at meetings, and not aware of the unity being shown there. It was also aimed at workers who attended the meetings but who could never be sure if the other workers who attended the previous meeting with them might

not travel via the factory instead of going straight to the next meeting. Johnson made claims in the newspapers that pickets were intimidating workers. However, these efforts, both direct and more subtle, did not break the faith that workers had towards each other; this is especially notable considering that workers were in a sense 'out of their depth', in that they never anticipated the huge attention the state and media would concentrate on them.

The press, during the first week of the confrontation, made no effort to get the workers' account of the events taking place, but printed only the statements issued by management, and, in fact, served as a mouthpiece for the management both as rationalization of their position and as a source of threats to workers.

During the following week, the newspapers began to take a more definite interest in the position of workers. The change was caused primarily by the fact that management's supposed success and their complacency were becoming facile considering that despite management's statements to the contrary, production had not started and nor had any old workers returned to work. Union officials were told that relatively accurate accounts by reporters of management's and the workers' positions were being seriously re-adjusted by the newspaper sub-editors, and that the emphasis on management's position in the reports was not the fault of the reporters but of more senior editorial staff.

At the BEC meeting the point was made of just how high the stakes were for both sides. For management to 'give in' meant the recognition of the right of workers to demand the firing of a member of the management staff thereby threatening management's fundamental preserve, the right to hire and fire, which would have represented a serious undermining of management's authority in the factory. Workers, on the other hand, also had a lot to lose - the confrontation was something of an all - or - nothing affair, with few avenues for bargaining or negotiation - defeat meant that leaders would be fired, wages could be cut to the minimum, holiday pay would be short, the long service

bonus (which affected many of the old workers) would be taken off, and if one were re-employed, repression in the factory would be greater, heightened by the humiliations of an initial oath of loyalty and agreement to abide by a code of behaviour.

Sunday, 2nd November

N.C.W.M. foremen accompanied the police to the houses of Indian workers primarily, (but also to the houses of some African workers) to encourage them back to work.

THE SECOND WEEK OF THE CONFLICT

Management and State efforts to get workers to return to work were constantly supported by newspaper and radio reports which exaggerated the numbers of workers who had returned to work. These were repeated and accelerated during the next week, but they were only marginally successful. By the end of the next week, Friday, 7th November, only 53 old workers had scabbed, and only 63 new workers had been regarded as sufficiently skilled to be taken on as new workers. It was reported, though not confirmed, that some of the newly employed workers were angry that they had not readily been registered with the Bantu Affairs Department as company employees; but seeing themselves as 'stop-gaps' whom the company were using during the conflict and having no assurance of permanent employment, they decided to resign. The Labour Department, legally bound to ensure that unregistered labour is not used by companies, turned a blind-eye in this instance.

During the second week old workers who were seen near the factory were questioned and their names and 'dompas' numbers were noted by police. The Security police presence at the factory increased steadily during the course of the second week as did the surveillance of foremen, Johnson, Fox, Steenkamp and his African assistants, particularly Mahola, (who refrained from sleeping at his home during the period of the confrontation). This had the effect of steadily weakening the resolve of the pickets. The station near the factory, bus-ranks

near the factory and near-by cafés were patrolled by police and company personnel. The firm made accusations of intimidation at the factory gate on the part of a minority of workers to explain the continuing refusal of workers to return to work. (14)

Monday, 3rd November

A report-back was held where some of the above occurrences were discussed. The meeting then decided to re-convene on the next Wednesday the 5th, in the hope that the General Secretary would be successful in his efforts to have the Industrial Council sub-committee meeting brought forward to make an early settlement.

Tuesday, 4th November.

A Union organiser visited a personnel officer of another firm who informed him that Steenkamp had been phoning many other personnel officers in the Durban area telling them that he would signal a striker by signing off his pass in red ink. He said his information was reliable but that he was not prepared to stand for it in court. By this stage the union was helping those workers who needed to try and get financial support.

Wednesday, 5th November

On Wednesday, about 450 workers met at the Cathedral Hall. (Union organisers had no trouble hiring the Cathedral Hall on the 4 occasions when workers needed it). They were told that the attempt to have the Industrial Council meeting brought forward had been unsuccessful, but that the Industrial Council sub-committee would definitely meet on the next morning, ie. on Thursday, 6th. Three representatives of N.C.W.M. Indian workers were chosen to go as alternates to the Council meeting. This was in line with the TWIU BEC's decision of the previous Saturday to have as many N.C.W.M. employees as possible present to put forward the facts of the workers' case. In the event this tactic proved useless because alternate delegates to Industrial Council sub-committees can only be chosen from the people already named as principal or alternate de-

legates from the union to the Council. Two African workers, Dubazane and Malima, were elected by the meeting to represent the African workers. It was reported that announcements were made on Radio Bantu and at the Pass Office telling work-seekers that work was available at Natal Cotton. Management's statement was read to the workers' meeting on Wednesday, 5th November, and they loudly denied that anyone had kept them away from the factory. Workers were particularly disturbed by the idea that the Management should stand with one white man against 600 workers. In sharp contrast to Daitz's statement: "Hiring and firing is our concern. This is a matter on which the workers will not be consulted". (Natal Mercury 1/11/75.)

The meeting ended early and workers agreed to reconvene on the following afternoon after the results of the Industrial Council Sub-committee were known.

Thursday, 6th November

On Thursday morning union delegates to the Industrial Council Natal Regional Committee met with the employer representatives inside the head-office of the Frame Group. Regretfully, it is not possible to give a detailed account of the proceedings of this council meeting on account of the secrecy clause of the Industrial Conciliation Act. However, it is legitimate to say that sentiments expressed in the meeting were similar to those expressed publicly elsewhere. Employers believed that the strike had been caused by the union, by Albertyn in particular. Union officials denied this, pointing out that the workers' grievances and managements' mishandling of them determined the conflict. The Labour Department spokesman was critical of interference by registered union officials in the affairs of African workers. The meeting finally agreed that Daitz should confer with Daniels (the TWIU General-Secretary) since Daitz was unwilling to meet either Copelyn or Albertyn and with a representative from the Labour Department who would speak on behalf of African workers.

In the mid-afternoon Daniels reported to workers

that he had come with an offer from Daitz. As regards the principal matter, Steenkamp would be fired, but not immediately, because the firm would not like to be seen to be acceding to workers' demands. Workers who were re-employed would not have their service broken (15) nor would they have their wages rates cut. They would not be given their full holiday-pay but Daitz was prepared to pay it when the factory closed in December rather than straight away; however, Daitz was not prepared to say that all the 'fired' workers would be re-hired. The offer stood on condition that workers re-applied for their jobs before Tuesday 11th, i.e. either on Friday, 8th or on Monday, 10th. Union organisers encouraged workers to accept these conditions because the substantive issue of the conflict had been won. Workers were not so optimistic: they were not prepared to go back to work if they were not all taken back. The meeting agreed to convene on the next day to go to the factory in one block to try to negotiate the re-entry of all those formerly employed.

Friday, 8th November

In the morning an Indian shop steward was standing near the factory when a police car followed by his foreman in his own car drew up in front of him and he was whisked off into the factory. He was then grilled by a group consisting of management, (including Steenkamp) Labour Department officials, police, security police and his foreman. He was not allowed to leave the factory, and he was told not to have anything to do with the union office or with the union officials, namely Albertyn and Copelyn. The classical interrogation technique of switching between an angry, imposing attacker (in the case of the police) and an understanding, mollifying placator (in this case the management) was adopted.

Also in the morning, more than 450 workers assembled in the Cathedral Hall. Workers had received no pay for 2 weeks, and the sense of solidarity was remarkable. Workers agreed to take 4 coaches to the factory and wait at the gate to hear of management's response to the request of their representatives

(Dubazane and Malima) that all the workers be reinstated. Daitz and Johnson met the 2 delegates at the gate but refused to guarantee that all would be taken back. "Police and security branch members with undercover cameras were present outside the factory during today's negotiations". ("Daily News" 7/11/75.)

As a result workers decided to leave the factory and to return to the Cathedral Hall in town. The meeting which reassembled there was clearly disturbed; jolted by the implacability of the management. No clear direction was presented, although it was apparent that most workers wanted to collect their wages. The meeting finally decided that everyone would return to the factory to collect their wages, but that everyone would meet in the Cathedral again, without passing via the factory, on Monday, 9th November, so that workers could re-negotiate their entry back to the factory. All the workers then returned to the factory by bus, and proceeded to receive their wages and holiday pay individually. All signed for their money and most were told to return to the factory on the following Monday, 10th, to re-apply for their jobs. On Friday, 7th November, workers' pass books were not signed, they were all told to return during the following week to have their passes signed, and to collect their UIF cards (in the event, only those who were not re-employed had their passes signed off). (16)

Dubazane, the spokesman for the workers during the morning, was taken into Johnson's office after he had collected his pay in the afternoon. There he met Johnson and De Groot, a company director. Dubazane was promised after attempts to persuade him that only some of the workers should be re-employed, that if he returned to work on Monday with all of the workers ready to work, (as he had done in the morning) all would be re-employed. He accepted this undertaking and arranged that he would phone Johnson on Monday morning, 10th November, once all the workers had gathered at the Cathedral.

Workers who had waited for Dubazane outside of the factory were chased away by the police, but they

kept waiting for him some distance from the factory, to hear why he had been held back, and, on being informed of the management's undertaking, they agreed to urge workers to return to work on the following Monday.

THE COLLAPSE

Over the week-end of the 8th and 9th November, despite the promises made to Dubazane on the previous day, the management, aided by the police, visited many of the workers who were out and urged them to return straight to work on the following Monday, 10th November, without first attending the proposed meeting. On Monday morning about 300 of the workers who had not gone back to the factory for 2 weeks went straight to the factory gates. 'The strike' was clearly broken. The reasons for this were not clear; all the organisers and the 150 workers who attended the meeting, as arranged, in the Cathedral at 9am. were surprised by the reversal. On Friday afternoon, despite the initial lack of direction, the unity among workers had been immense, and the decision to meet again on Monday 10th had been loud and unanimous without a single dissenting opinion before the decision was taken.

Certainly, the decision to break a stand is usually taken privately, but it is not clear why so many workers decided to break at the same point, without it being once mentioned at the general factory meeting. Perhaps workers had expected more from the union's mediation, perhaps they bargained for less resistance from management. Possible, once everyone had collected their wages (which was paid with their holiday pay - something they had hoped would be in abeyance until the factory closed in mid-December) it is possible that the reality of their being fired was brought home to them, and the struggle appeared to be over.

At any event, on Monday morning, 10th November, it was clear that the workers no longer had a bargaining position: they had to take what they could get. Union officials advised them to go back to the factory and ask to be re-employed. Dubazane tried to

salvage what he could be sticking to his part of his agreement with the company, he phoned Johnson to say that he had sent straight down to the factory those workers whom he had seen and that only those workers who lived far from the factory had gathered at the Cathedral, and that he would send them down to the factory as soon as they had all arrived at the Cathedral. He said to Johnson that he hoped he would keep his side of the agreement. Johnson was understandably non-committal in his reply. The discipline among workers was clearly broken.

The meeting in the Cathedral consisted of the most hardy, and steady of the Natal Cotton workers, and when it became clear what their position was, many stood up and said that despite their 20 years, or 15 years service, they would not degrade themselves by having to return to beg for their jobs, particularly when 'the snake', Steenkamp, was still in the factory, 'ready to bite' them. They could not accept the humiliation of making an oath to the company, and their faith in the civility and fairness of the management (including Daitz) had been broken. Union organisers discouraged this approach, arguing that they had to recover what they could, that organisation within the factory had to be gradually revived, and that the strongest employees (namely, those gathered in the hall) were the ones who, more than anyone, needed to return to the factory.

The meeting finally, and reluctantly, accepted this view, and it agreed to go back in a block, on buses, to the factory. Of the 150 workers who were at the meeting not more than 15 were re-employed; and of those who had gone directly to the factory in the morning to reclaim their jobs, a further 40 workers were not re-employed. Roughly 1/3 of the total work-force before the confrontation was fired once it ended. So ended one of the longest stoppages in the history of the South African textile industry.

STATE INVESTIGATION

The following week demonstrated the most direct co-

operation between the State and the management. From Monday, 10th, when workers were not re-employed, they were taken by Security Police and interrogated. On Monday 10th, two leading shop-stewards (liaison committee members too) were interrogated and forced to make statements. The direction of the inquiry was to suggest that union organisers incited workers to strike. The shop-stewards were forced to make statements under threats of detention, endorsement out of Durban to Pondoland, and banning in Pondoland.

On each day of the week following the conflict the three to six shop-stewards, liaison committee members, or prominent speakers were taken for questioning. The firm would tell workers that their UIF cards were not at the factory, that they should look for them in the union offices, in the Cathedral, in the buses, at 320 (a large building in the centre of Durban where workers in the textile industry go to collect their pension monies on leaving the industry) and at the Labour Department. Union officials phoned the Labour Department to object to the management's 'jokes', and after repeated telephone calls were assured by the Labour Department that the firm had mistakenly sent some of the cards through to the UIF section of the Labour Department, and that the matter would be rectified shortly, once the cards were received and returned to the firm. In fact, it appears that the firm deliberately held onto the cards, telling workers to return to the firm on a particular date at which time their cards would be available.

The visits by workers were suitably spaced so that no more than a few of the 'leaders' came to collect their cards each day. Once they arrived at the factory the police were notified and on collecting their cards they were taken to the police station to make statements. Malima, a liaison committee member, was seen waiting at the gate by the weaving department manager, Fox. Shortly thereafter the police arrived to take Malima for interrogation. The gist of the questioning was to suggest that the union organisers both incited workers and furthered the aims of the strike by encouraging them not to return to the factory if all were not re-hired.

Workers UIF forms requiring reasons for dismissal were signed 'strike' by the firm. Union officials heard that Steenkamp was making workers sign a preliminary statement before they were taken by the Security police investigating the case.

The interrogations grew progressively more aggressive during the week both inside and outside the factory. Steenkamp promised to fire workers who would not give information, i.e. those who would not say that the union had caused 'the strike'. On Friday, 14th, the police assaulted two shop-stewards. One was hit repeatedly, and a formal complaint was lodged with the white Security Police officer on the following Monday, (17th November) by a lawyer hired by the union to protect its members. The other has signed an affidavit saying that he was struck on the head such that his hearing is damaged, that he was made to do an exercise tensing his thigh muscles, and he was then kicked on the thighs, and punched in the stomach. A charge was subsequently laid. However, the case will only be heard on 3rd August 1977, nearly two years later. In the interim the man concerned has become a religious fanatic and the prospects of him even attending court are remote. After the appearance of a lawyer with one of the workers and the lodging of a formal complaint against the use of unlawful methods of interrogation the treatment of workers by the Security Police improved. Two workers who refused to make statements were simply permitted to leave.

To protect themselves, opportunists among those re-employed excused themselves for 'striking' by claiming that they had been forced from the factory by union pickets. The Security Police obviously latched onto this deception, taking statements to the effect.

The police took people for more than one statement to correct 'inconsistencies', i.e. to get workers to concentrate their statements against one union organiser rather than to spread the accusation and weaken its effect. The aim was to prepare a body of affidavits stating that Albertyn primarily incited workers to strike. His action was supposedly out of hatred and resentment for Steenkamp who had

chased him from the factory. The strike was therefore explained in terms of the subjective motivation of a single individual. The combination of non-subjective forces which condensed into 'the strike' were not recognized as causal by the State or by employers. It appeared that agitators, conspiracy and personal grudges rather than objective conflicts caused the confrontation.

During the week after the conflict many workers had their passes signed in red ink. This was to be a sign to other prospective employers that the job applicant was in some sense unsuitable. Two workers who had their passes signed off together witnessed that Steenkamp's African assistant, Majola, picked up the blue ink pen for the one and the red ink pen for the other. When a Daily News reporter phoned the firm to inquire about the matter he was told that the firm was not signing any passes in red ink, but if, through an oversight, any had been signed in red ink, he suggested that those workers return to the firm to have the entry in their passes changed. (The obvious change from red to blue ink, was not, of course, considered a problem).

Later, when a worker was refused employment because of the red ink signifying his Natal Cotton dismissal the union raised the matter with the company and they produced a printed statement saying that no significance should be attributed to the colour of the ink.

Steenkamp refused to give references to workers who found new jobs. In addition, those workers who found employment elsewhere have been hastily dismissed by the new employers once they have phoned Steenkamp for service references.

One of the workers interrogated, was offered a job, in N.C.W.M. by the police if he promised not to tell the court, in the event of a trial, that Steenkamp was the source of the confrontation.

The objective of the state investigations appeared to be to prove that no problems existed in the factory, and that the conflict was simply the product of agitation. The interrogating police con-

stantly told workers that they were simply being used by the union officials who took their money to send it to Communists abroad, in particular, 'to finance the Russians'. Some of those questioned were told that if they incriminated union officials they would not themselves be charged for striking. One worker, a Liaison Committee member, was told that the police could find him a job (which the union couldn't), and that if he gave information, he would receive money from the police.

THE AFTERMATH

By the end of the first week of supposedly full production, after about 1/3 of the workforce had been replaced, total production was down from the usual average of about 36 000 blankets a week to 12 000. The workers were given full overtime: working 7 days a week to cover-up the short fall in production. In February 1976, weekly production of 1st grade blankets was seldom above 15 000. It is understood that orders from distributors were being cancelled. This drop was explicable if one considered the large proportion of trainee and unskilled weavers in the department as a whole.

Management decided not to deduct stop-order subscriptions for TWIU during the first week after the confrontation. The reason being that 70 new Indian workers had been re-employed and the union was no longer representative (i.e. having over 50% membership) of the employees (i.e. Coloured and Indian workers). The union secretary disputed this with Daitz, who was kind enough to give him the new figure of Indian workers employed. It was demonstrated to him that the union had well over 50% of the employees as members. He promised that the stop-order deductions would be continued as before.

On Monday, 24th November, however, Managers in each department summoned each of the Indian workers in the department, one at a time, and told them to sign a form notifying the union of their resignation from the union. The Managers said that the union never helped its members, that it had caused the strike and that in the future the company would take care

of its workers (sic).

Following a major rangle between the union and N.C.W.M. both in and out of the Industrial Council over the withdrawal of stop-orders, a notice was pinned on factory notice-boards stating that every Indian worker was free to join the union without fear of company disapproval.

Coincidentally TWIU (Natal) introduced a death benefit for its members during the week in which workers were being encouraged to resign from the union. Negotiations with an Insurance Company were finally concluded during the week in question and union organisers announced the benefit to members at N.C.W.M. The following day the management presented their own death-benefit scheme through which workers would receive an extra R5. for each of the benefits offered by the union. Managers presented the two schemes as alternatives (which was unlawful since to exclude union members from the company scheme would constitute victimization) and this confused many workers. The general result was that a number of Indian workers resigned from the union, and stop-order facilities were withdrawn with effect from the last week in December 1975.

In mid-December, over the Christmas shut-down, and in the starting weeks of 1976, union organisers and shop stewards signed on a clear majority of the Indian workers, expanding and strenghtening the registered union in the factory, far more than previously. Stop-order facilities have since been restored.

More sobering, however, is the information that 130 African workers resigned from N.C.W.M. when the factory closed for the Christmas break. Workers subsequently refused to elect a new Liaison Committee saying that they elected representatives who were fired, and for a committee to exist the representatives must be re-employed. The fact that a position for a TWIU shop-steward was made available on the committee was not a sufficient act of faith to win back workers' confidence.

Then in March 1976 Chris Albertyn and John Copelyn, organiser and branch secretary respectively of TWIU and Junerose Nala and Thizi Khumalo, organisers for NUTW were charged by the State because they

"instigated a strike as defined in Section 18(5) of the said Act, or incited the Bantu employees concerned to take part in or continue a strike so defined, or took part in a strike or a continuation of a strike so defined, namely a strike in which there was a refusal or failure to continue to work or a refusal or failure to resume work."

The case was to be heard on the 17th May 1976. On this date the case was remanded until June. However, on the 19th May Junerose Nala was detained under Section 6 of the Terrorism Act. She was only to be released with no charge against her in December 1976.

In June the charges against the accused were withdrawn *not* dropped and no more has been heard of the case.

CONCLUSIONS

Apart from the points made in the introduction it is hard to draw further lessons from the whole confrontation. This is largely because of the exceedingly difficult conditions under which African workers are organised. At the same time as Junerose Nala was detained Obed Zuma was also detained under Section 6 until December. This had a disruptive effect on organisation in NUTW and in those crucial months at the beginning of the year there was no experienced organiser to try and rebuild N.C.W.M. After the detentions the Union gave priority effort with its limited manpower to the Pinetown area which had been experiencing difficulty. Just as attempts were being made to embark on an organising drive in the Jacobs/Mobeni area (where N.C.W.M. is located) Copelyn and Albertyn, along with 5 other organisers in the TUACC unions were banned in November 1976.

This inability to maintain stability in all the fac-

tories organised seems inevitable in the current climate within which the unregistered unions operate. Whether organisation can capitalise on a show of solidarity such as that at N.C.W.M. is, therefore, difficult to gauge accurately. A limited victory was achieved in that Steenkamp's responsibilities were curtailed and he then left N.C.W.M. early in 1976. However, what is clear is that the costs of a strike are likely to be very high for the unregistered union as they have been for all struggling union movements. But management has little to comfort from this since the legacy of bitterness and distrust is not easily overcome. Furthermore, the lack of organisation is very seldom the product of general hostility to unions; it reflects rather the objective possibilities open to workers and unions in an environment of persistent union repression.

FOOTNOTES:

- 1) The latest amendment to this Act appears to have withdrawn even this right.
- 2) The following statistics are taken from the National Productivity Institute publication, ISBN 062001 072 x NPI/1/1973 - *'Productivity of the Spinning and Weaving Industry in South Africa of 1970'*. (p.77). The average labour turnover rate for all companies cited was 63,9%, the average for Natal, 56%. However, on average, approximately two-thirds of workers have been employed by any particular firm for a period exceeding one year. The average labour turnover in Natal of workers with less than 1 years employment was 95%, and of workers with more than 1 years employment was 38%; for the industry as a whole the average is 119% for workers with less than 1 years employment, and 34% for workers with more than 1 years employment. The majority of leavers resigned their positions, "this might be partly because of the fact that firms employing mainly females pay lower wages and that women leaving for reasons of pregnancy are recorded as having resigned".
- 3) The company did not work a piece-rate system although weavers and cutters (in the Stores department) are required to cover a minimum score if they are not to be fired. There is no payment for bonus.

- 4) The 12% increase for 1975, agreed upon by the Textile Industrial Council, was to be paid by July 1975. N.C.W.M. had given workers a R1 increase in January 1975, and the remainder of the 12% was to be given in July. This was complicated by the fact that some workers understood the R1 in January to be their long-service money (which had, in fact, been paid in March 1974) and, consequently, they thought their July increase was short of 12½%.
- 5) Two union officials (one from NUTW and one from TWIU) make regular weekly visits to the factory together over the workers' lunch-break period.
- 6) The Trade Union Advisory and Co-ordinating Council (TUACC) consists of the major unregistered trade unions in Natal, viz. the National Union of Textile Workers (NUTW), Chemical Workers' Industrial Union, Metal and Allied Workers' Union, Transport and General Workers' Union and Furniture and Timber Workers' Union, with the Institute for Industrial Education as its educational wing.
- 7) The company worked a two-shift system, so that the spinning, weaving, and raising departments had two sets of shop-stewards one of which would meet each week. The stores department works day shift only, and its African representatives provided the continuity between the two committees.
- 8) Workers who live outside of the Durban magisterial district in areas controlled by the KwaZulu Government are required to pay R1 (until October 1975 the amount was R3) to KwaZulu for their employment outside of KwaZulu. The employer is required by Government Gazette No. 2029, Proclamation R 74, 1968 to repay the money to the worker concerned. It is possible for a personnel clerk to keep the money due to a worker who is ignorant of his right to have the money repaid.
- 9) It is possible this followed a deliberate policy of the firm, which is partly born out by the

firing of a majority of long-service employees after the confrontation had ended. The firm resented being forced to pay the 12½% across-the-board increase during 1975 as agreed by the Textile Industrial Council (largely initiated by the Frame Group) as well as a R1 and R2 long-service allowance for 5 years and 10 years service respectively. The across-the-board increase doubly affected NCWM (a minority party of the Council's employers' association) because it paid relatively higher wages than the Frame Group (the majority voice in the employers' association) and it employed a higher proportion of long-service employees. Since the minimum rates were not substantially increased, and since the NCWM had previously paid higher wages than the Agreement minimums (the Frame Group had not) the effect of the across-the-board increase was therefore to widen the discrepancy in the wage payments between NCWM and the Frame Group, its chief competitor.

- 10) It was alleged that the white policemen were later given 2 blankets each by the company. It was also alleged that subsequently Labour Department officials were also given donations of 2 blankets each.
- 11) All workers not re-employed by Natal Cotton after the confrontation who applied for unemployment benefits were penalized of 6 weeks initial payments by the Claims officer on the grounds that they had lost their employment through their own default. Appeals made by some night-shift workers on the grounds that there was nothing they could have done to have prevented being locked out when they arrived to work at 4.30 a.m. were upheld by the Unemployment Benefit Committee sitting on the 11th February 1976. This suggests that the night-shift workers were locked-out.
- 12) According to the Managing Director of the firm, the police were called in by the Department of

- 13) Labour after the company had contacted the department to help with negotiations.
(Daily News 27/10/75)
- 14) It is understood from recent correspondence from the General-Secretary of the ITGLWF that he sent a telegram to NUTW asking for more information once he had received the union telegram. Union officials never received his telegram, which would have been an immense boost to workers, which suggests that it may have been intercepted.
- 15) "I know that 95% of them want to work, but intimidators are keeping them away," said Mr. S. Johnson, a director. "We have observers out, and we know who the culprits are. They are standing in strategic positions and are keeping people away from work."
(Natal Mercury 6/11/75)
- 16) This had important implications: it meant that workers' long service bonus, R1 for 5 years service, R2 for 10 years, was not taken from their wages, and, more importantly, they did not lose their rate of pay. This must be seen in light of the fact that the Textile Agreement minimum rates are low in relation to the wages of workers employed in Natal Cotton on or before 31st December 1974, whose wages had been increased by 12½% during 1975, and would be increased by a further 10% in January 1976. While the increment to minimum Agreement rates was of the same proportions, in absolute terms it represented a much lower wage. (The mandatory increase of 12½% in 1975, 10% in 1976 and 10% in 1977 is the result of the across-the-board provisions of the Textile Agreement.) Therefore had workers' rates of pay been reduced to the Agreement minimum rates their wages would have been cut substantially.
- 17) Workers' reference books were signed off during the following week '27/10/75' written

as the date of their dismissal from work which meant that those workers registered outside of the magisterial district of Durban could not get the required 'special' form which must be collected within 72 hours of the date written in the pass book as the date on which employment was terminated if the worker concerned is to be registered as a work-seeker by Bantu Affairs Department and not endorsed out of town. The procedure of endorsing workers out of town depends, in fact, largely on market requirements for labour in the area concerned. Therefore, since Durban industry could absorb those eligible for endorsement out of town at that time (at the time of writing the position has changed sharply in the opposite direction), most were not endorsed out.

AN EXAMINATION OF THE LABOUR DISPUTE

AT HEINEMANN ELECTRIC COMPANY

In March 1976 the members of the Metal and Allied Workers Union (M.A.W.U.) demanded recognition by the management of Heinemann Electric, a company based in Elandsfontein, near Johannesburg. The reaction to this demand was a possible lock-out by the factory management and a subsequent baton charge by the South African Police. Both these actions, indeed the dispute between M.A.W.U. and the Heinemann management, are a reflection of industrial relations in South Africa. The Heinemann dispute re-affirms in brutal starkness the rejection by African workers of the system of liaison and works committees. The lockout and baton charge have their roots in the refusal by both management and the government to grant the same recognition to non-racial and African trade unions as is accorded to White, Indian and Coloured unions under the Industrial Conciliation Act. The Heinemann dispute is in fact merely one spotlight which throws the inadequacy of South Africa's industrial legislation into sharp relief.

THE BACKGROUND TO THE DISPUTE

There had been a liaison committee at Heinemann for some time. This committee was considered impotent by most workers. It was considered unsatisfactory because of the statutory management appointees on a liaison committee. It also did not meet regularly, and workers felt that there was no procedure for allowing them to articulate their views adequately. It was unable to satisfactorily resolve any of the workers' grievances. These included complaints about canteen food, allegations of bribery and corruption, commonplace arbitrary dismissals and the fact that women who became pregnant simply lost their jobs. In addition complaints against the Personnel Officer had been voiced, never to be answered or resolved. The committee ceased to exist in early January 1976 when the majority of its members resigned on the grounds that it was an ineffective body.

Heinemann workers began joining M.A.W.U. in October 1975. By the end of January 1976 more than 75% of the work force - 484 out of 606 - had joined the Union. A shop steward committee was elected which met once a week. In addition regular factory meetings were held to discuss union and factory affairs. Some of the shop stewards were elected to the Union Executive. It can thus be seen that Heinemann was a highly organised factory in which workers participated continuously and at all levels in the running of Union affairs.

The widespread support by the workers for the Union as their preferred form of organisation and representation was clearly shown by the almost unanimous boycott of Management instituted liaison committee elections on 26th January. Only 27 of 606 workers voted. A further liaison committee election was attempted on 19th February. Again, despite management attempts to ensure their success, the elections were boycotted. This time no workers voted in this election.

Heinemann workers had several times instructed their Union officials to open negotiations with Management. Union officials met with the Managing Director, Mr. Wolfgang Wilckens on 20th February. They presented him with a petition signed by 480 workers calling for recognition of M.A.W.U. They also informed Mr. Wilckens of a number of grievances among the workers. According to Union officials a cordial discussion on the nature of trade unions was held on this occasion. The union officials outlined what they saw as union recognition. This would basically mean management granting union officials access to the factory and its workers at certain times. It would also involve an agreed dismissal and grievance procedure. It would mean management recognising union officials and shop stewards for the purpose of bargaining over factory issues. Mr. Wilckens said that he was not unsympathetic towards Unions and was prepared to discuss ways in which the Union could operate within the factory. He said that he would think things over and contact Union officials the following week.

At this point it seemed as though Heinemann management was indeed open to workers needs and was willing to regularise negotiating procedures along lines acceptable to workers, and in accordance with the policy pronouncements (as opposed to practice) of many employers. Events were to prove otherwise.

Immediately after his meeting with Union officials, Mr. Wilckens addressed ex-members of the liaison committee. He strongly criticised Heinemann workers for joining M.A.W.U. and according to those who were at that meeting, condemned Union intervention in company affairs. He maintained that grievances within Heinemann could be sorted out without the participation of a union. He made a number of promises to the effect that workers grievances would be attended to, promises which were never realised.

On March 3rd a letter was sent to Mr. Wilckens by the Union. It contained an article by Mr. B. Godsell (SALB Vol 2 No 6) of the Anglo American Corporation outlining the inadequacies of the in-factory committee system which were not complimented by an industry wide trade union. The letter also noted the concern felt by workers for the recent dismissal of a female employee. On the same day, Mr. Wilckens phoned the union officials to inform them that he had met with a group of 40 workers. Although unelected, he claimed that this group was 'representative' of the factory. According to Mr. Wilckens this group was not adverse to a liaison committee. They were going to consult with other workers on this issue and report back to him on the following Monday.

Union officials brought this phone conversation up at a factory meeting on the 6th March. The workers felt that Mr. Wilckens had misrepresented their position and decided to *elect* an ad hoc group of 16 to meet with Wilckens. It is important to note that the workers decided that the whole shop steward committee should not go to this meeting for they felt the possibility of victimisation very keenly and were unwilling to expose all the shop stewards. Events were, once more, to prove the workers right.

At a meeting between Mr. Wilckens and the ad hoc group of 16, Wilckens was informed that workers did not want a liaison committee. He was asked to accept this as a democratically arrived at decision of the workers in this factory. He was also asked to stop trying to force a liaison committee on the workers. At this point Wilckens introduced representatives of the Steel and Engineering Industries Federation of South Africa (SEIFSA). SEIFSA's anti union stance is well known, and their intervention in local factory disputes has been frequent. The SEIFSA representatives addressed the meeting and attempted to persuade the workers that they should accept a liaison committee. They also denigrated the union officials. MAWU is considering legal action as a result of this action.

After this meeting Mr. Wilckens told the workers that he would be calling a general factory meeting on 10th March. The Union Executive instructed its officials to request permission from Wilckens to be present at this meeting. Wilckens refused and said that he would have no further contact with the Union. The meeting turned out to be a statement by Wilckens on the virtues of the liaison committee. Having made his statement, he closed the meeting, allowing no discussion by workers at all. As a result of the preremptory handling of this meeting, 400 highly frustrated workers congregated outside his office appealing for union recognition. The shop stewards, recognising the explosive situation -something which management seemed blissfully unaware of- called on workers to disperse. They did so, revealing once more the highly responsible reaction of union members to highly irresponsible and insensitive actions on the part of management.

THE BUILD-UP TO THE CONFRONTATION

On the 11th March, Mr. Wilckens instructed the ad hoc committee to meet with him. He again stressed the advantages of a liaison committee, this time calling it a 'management-worker committee'. The ad hoc committee rejected the proposal once more. Wilckens ignored this rejection and instructed them to distribute pamphlets outlining the committee system proposed by the Heineman management.

At the same time as these meetings were taking place, a systematic offensive against union organisation within the factory occurred. Shop stewards were moved out of their departments and isolated from other workers. Some foremen attempted to prevent workers speaking to each other in the factory. There was also an attempt to introduce disunity along racial lines within the workforce. A group of four coloured workers were called to the office and told that management preferred them to African workers. The coloured workers were urged not to ally with African workers but to join a registered union, which by law they were permitted to do. Rumours also swept through the factory that the African workers were going to attack the coloured workers. The workers however were not taken in by these attempts at splitting their ranks and maintained solidarity throughout the period.

On 13th March the workers held a factory meeting. They decided to dissolve the ad hoc committee of 16 since it was obvious that Wilckens was attempting to use it for his own ends. On 15th March Wilckens was informed that this committee was no longer considered representative of the workforce. On the same day workers observed policemen inside the factory.

On 17th March elections for a 'management-worker committee' were held. This was seen by workers for what it was - a disguised form of a liaison committee. Despite a vigorous campaigning by the management to force workers to cast votes for candidates who had been nominated by management against their expressed wish, the election failed. 3 out of 606 workers voted in the elections.

On 18th March, management circulated a memorandum stating that there would be no committee at all in Heinemann. A new management offensive had obviously begun. On Friday, 19th March, workers were told that they were required to work overtime on that Saturday - which was the date of a pre-arranged factory meeting. Despite what seemed to workers an attempt at preventing this meeting, the meeting was held. A decision was made to present Wilckens

with a memorandum requesting fresh negotiations between the M.A.W.U. and himself. It was immediately drawn up and circulated for signature by all workers. This initiative was simply ignored by Wilckens. The management of Heinemann had obviously decided on more vigorous action in the factory.

Between Monday 22nd March and Thursday 25th March, police were present on the factory premises. Their presence, and rumours spread by foremen that action against union members was imminent only increased the tension within the factory. Several shop stewards were pointed out by foremen during work and accused of being the 'poison in the department'. On Wednesday 24th and Thursday 25th several new workers were hired. With one exception they were people who had not worked at the factory before. On Thursday 25th 20 Union members, including 3 leading shop stewards were fired. They were notified of their dismissal five minutes before the factory closed for the night. They were also told that the reason they were being fired was 'a general reduction in the work force'. This reason is obviously spurious given the timing of the dismissals and the fact that they were preceded by the hiring of other workers. Heinemann workers perceived these dismissals as part of a policy of victimisation of shop stewards.

THE CONFRONTATION BEGINS

Events now moved to a climax. The management of Heinemann and of its parent company, Barlow Rand, have presented the events after 26th of March as a strike by workers. They have claimed that it was necessary to call in the police to protect workers from intimidation. The facts contradict this picture.

The evidence in one of the trials following the baton charge revealed further behind the scenes activities on the part of the management of Heinemann. Under cross examination Mr. Wilckens admitted that the possibility of dismissing the whole work force and employing them on condition they accepted the firms policy of working through a liaison committee had been discussed. This strategy was dis-

cussed, according to the court evidence, with the labour office of SEIFSA. In his judgement, the Magistrate noted:

"There is also evidence to show that the complainant firm was not blameless in the march of events, and there must be more than a suspicion that the events were in fact engineered by the firm. In order to reach a show-down with their workers."

Just before 7.30 a.m. on Friday the workforce gathered outside the gates. Normally workers would enter the factory through two fully opened gates. On this occasion only one gate was partially opened and the factory manager and some white employees stood in this opening. The chairman of the shop stewards committee asked for permission for a meeting with Mr. Wilckens. They wished to discuss the previous days dismissals. This meeting was refused.

A few minutes later the entire workforce was addressed through a megaphone. They were told that they had all been dismissed and that they could re-apply for their jobs on the following Monday.

Workers requested that they be allowed to discuss this with Mr. Wilckens. They remained outside the factory for some time waiting in vain for him to arrive. They had requested union officials to come out to the factory to represent their view. When he did not turn up, the workers decided to return on the Monday, they hoped then to be able to meet with Wilckens.

The workers arrived on Monday 28th to keep their meeting with Mr. Wilckens. They found the gates locked once more, and a large force of police armed with pick handles, batons and dogs present. The workers and Union officials asked to see Mr. Wilckens only to be told that he would arrive at 9.30 a.m. Wilckens had not arrived by this time, and the workers were told by Mr. Van Lieres, the factory manager, to collect their leave pay, and U.I.F. cards by 10.00 am. If they did not do so by that stipulated time, they would have to go to the Industrial Coun-

cil offices to do so. By 9.55 a.m. he told them they had four minutes left to collect their pay and cards. Only a few workers did this, the rest were waiting to discuss the matter with Mr. Wilckens.

THE BATON CHARGE

At 10.00 a.m. a policeman told the workers to disperse within half an hour. Police pickup trucks began to arrive, and police dogs were brought out from inside the factory. The tension began to rise dramatically. At about 10.20 a.m. the secretary of M.A.W.U., Mr. Siphó Kubheka appealed to the workers to leave. He noted that there was no point in them being arrested. Workers agreed with him and began to move off singing. One worker, who had been with Heinemann for 14 years was quoted in the Newspaper as saying "As people were walking away from the factory, the police attacked with truncheons and dogs." (R.D.M. 30/3/76). Independent eye witnesses maintain that the police charged at least five minutes before the appointed time. In addition it would seem that workers were already moving off when the police attacked. A large number of workers were badly beaten, including pregnant women. 24 were taken to Natalspruit hospital in two ambulances. Four others were treated at other hospitals. One Union official, Mr. Gavin Anderson, was detained in hospital where he was treated for a broken arm.

An editorial comment by the Star newspaper sums up the widespread condemnation of the police action. It also reveals the inherent failure of Heinemann management, and by implication all those who refuse to recognise legitimate worker demands and negotiating procedures, to conduct labour relations in an amicable and civilised manner. The Star said:

'Labour disputes are settled by negotiations, by spokesmen of management and workers talking around tables as equals. Labour peace and improved race relations do not come with batons and police dogs.'
(March 30th, 1976)

The magistrate in the trial of Anderson and Khubeka noted ".....it has not been proved that the accused engineered the beginning of the strike; and that being so it appears to me that events would have taken much the same course even had the accused played no role." The fact is that those who will not recognise the legitimate aspirations of workers in their attempt to gain meaningful negotiation rights cannot but resort to punitive action and repression. The Heinemann incident reveals this inherent tendency in South Africa's industrial legislation in its starkest form.

THE AFTERMATH

As a result of the Heinemann affair two union officials, Mr. Siphso Kubheka, the secretary, and Mr. Gavin Anderson, an organiser, were charged with inciting a strike and with obstructing the police in their duty. These were charges in terms of the Bantu Labour Regulations Act, the Industrial Conciliation Act, the Riotous Assemblies Act and the Police Act. Four Heinemann workers were arrested on Elandsfontein station and charged under the Riotous Assemblies Act, The Bantu Labour Regulations Act and the Industrial Conciliation Act. These workers were twice refused bail, and it was only after appeal to the Supreme Court that bail was permitted to them. They have been found not guilty and discharged.

In the case of Messrs. Kubheka and Anderson, they were found guilty of instigating employees to strike. Mr. Kubheka was sentenced to a fine of R45 or 30 days goal, while Mr. Anderson was sentenced to R90 or 45 days. Both were acquitted of the charges under the Riotous Assemblies Act and of obstructing the police. Notice of appeal against these sentences has been given. Further cases arising out of Heinemann are charges against the Minister of Police for assault. A defamation case against SEIFSA is also being investigated, as is a possible victimisation charge.

Heinemann management has continued in its campaign to institute a liaison committee. It refused to

give jobs to any of its dismissed workers unless they undertook to support a liaison committee. As a result it had to hire more than 300 new workers. Management then forced workers to participate in a liaison committee election. It took photographs of some workers who reluctantly accepted management nomination for the liaison committee. Workers were then forced to put a disc in a box underneath each picture, thus indicating which candidate they wished to vote for. In this way Heinemann management instituted what it saw as a system of negotiation between workers and management. Heinemann management has obviously not learnt the lesson of those days in March which were destructive to the Company, its work force and the Union.

THE PROBLEM REFLECTED BY HEINEMANN

The Heinemann dispute thus speaks volumes about the inadequate nature of South Africa's industrial legislation. Until such time as employers and government are prepared to heed workers demands for meaningful participation in the system of industrial bargaining through independent trade unions, incidents like Heinemann will continue to scar industrial relations in South Africa. Workers have recognised the deficiencies of the in-factory committee system. Managements only response to workers' rejection of the system has been pious and inaccurate statements concerning their inability to go beyond government policy in this regard. One such statement was made by Barlow Rand, Heinemanns parent company, following the March events. A Barlow Rand statement said that the group would not recognise unregistered African trade unions.

"We feel obliged to negotiate within the framework created by law and cannot opt out of industrial agreements which apply to the whole industry. This does not imply that we are happy with the existing industrial relations legislation. We believe it needs drastic revision." (R.D.M. 3/4/76

The fact is that employers can recognise trade unions. This was acknowledged recently by the Minister of Police in a public statement. Mr. Kruger stated quite explicitly that unregistered trade unions were not illegal and the example of one Natal firm shows that meaningful negotiation procedures with trade unions can be established. Barlow Rand and Heinemann must realise that it is they who make the choice. In almost every incident noted in this article, it is Heinemann management who have been the antagonistic and provocative party. The workers and their recognised representatives have always attempted to negotiate over the issues involved. Even in the face of police presence, workers and union officials attempted to avoid a confrontation. Employers and the state must realise that the insistence on the in-factory committee system leads logically to workers under the baton.

AT ARMOURPLATE SAFETY GLASS

FROM 6TH SEPTEMBER 1976 TO 1ST NOVEMBER,

BEING THE FIRST LEGAL STRIKE

BY BLACK WORKERS IN SOUTH AFRICA.

by Glass and Allied Workers Union.

Armourplate Safety Glass (Pty) Ltd., is a subsidiary Company of Pilkington Brothers, St Helens, United Kingdom. The factory is situated in Springs, Transvaal about 45km from Johannesburg. The South African Pilkington Company is nearby. There were approximately two hundred (200) Black workers employed. Of these one hundred and forty (140) belonged to the Glass and Allied Workers Union, a Black Union with Head Office in Benoni and branch offices in Johannesburg, Pretoria, Springs and Port Elizabeth.

BACKGROUND: FORMATION OF GLASS UNION

The Union was originally firmly entrenched in Pilkington but not in Armourplate. In 1974 workers at Pilkington were interested in the formation of a Union and were planning to do so when the arbitrary dismissal of workers and general frustration in getting grievances attended to resulted in a strike at Pilkington in November 1974. Twenty-two workers were sacked by the Company. The sacked workers were assisted to seek an interdict from the Supreme Court for their reinstatement. Settlement was reached with the Company which included the subject of the Trade Union. The relevant paragraph of the settlement which was signed by O.T. Breakspear on behalf of Pilkington Brothers (S.A.) (Pty) Ltd., read as follows:

"The respondent records that it has no objection to the establishment of a Trade Union with a reasonable constitution, and the Respondent may at its discretion consult with the Urban Training Project in the pursuit of creating better labour relations."

Correspondence was entered into between the Company and the Union on an amicable and promising basis but ended when the Company decided that it would have nothing to do with the Union but would talk with the Works Committee only (100% Union membership). With the exception of this section the settlement was made a Court Order. Dismissed workers which it should be noted were claimed by the Company to have resigned were reinstated and R2 000 paid which covered legal costs and lost pay. Preparation was made to form the Glass and Allied Workers Union and this was established on 5th April, 1975.

At Armourplate great difficulty had been experienced in trying to organise both Works Committee and Union in the face of harsh management. The Union had ensured that at least the majority of the Works Committee members were Union members but this committee had difficulty in carrying on, and went out of existence until a new committee was elected. The new committee was making some progress as evidenced by an agreement with the firm in June 1976 to scrap old service records which it was agreed by management had been unfairly compiled.

ARBITRARY MANAGEMENT ACTION

In July 1976 the management consulted the Works Committee on the subject of the effects of the current recessions and obtained through them the workers agreement to work a four day week in order to avoid reduction of staff.

Ten days later with no prior warning or consultation with the committee three workers were fired one of whom was a committee representative. The workers were very angry at this action. They saw this as management breaking its word to them and almost started an illegal strike. The management, when pressed, said that the three workers had not actually been retrenched but dismissed for bad records.

Retrenchment had been recorded in order to give a good recommendation. Management then produced the old record cards which it had been agreed in June 1976 would no longer be used, claiming that the workers were fired because of these. The workers had two and a half years, three and a half years and nine years service respectively. The most serious complaint about the latter was evidently that he had been involved in an accident when driving the forklift; denting a folding door which had to be knocked straight. Management said that the dismissal was no business of the Works Committee.

Workers were furious at this clear breach of faith and decided to take the required steps to commence a legal strike in order to try to get the sacked workers reinstated. After a meeting with the management at which the subject was discussed and no agreement reached the committee informed management of their intention to strike unless the workers were reinstated and requested that the Bantu Labour Officer be informed of their intention. Both he and later the Bantu Labour Inspector, after trying to settle the dispute, confirmed that the workers could carry out a legal strike as from September, 23rd. (thirty days later) if the matter had not been settled.

On two occasions that the Armourplate Committee met with the Union executive, it was pointed out to the workers the great difficulty in pursuing a strike in the present economic situation. It was eventually agreed that a final decision to strike be left to the weekend preceeding the first working day after the third which was Monday, September 6th 1976. It was hoped that the evident intention of the workers to strike would encourage the management to discuss the so called retrenchment and reach a mutually acceptable agreement.

Two offers were made by the Union to the management to assist in the matter, both were refused.

On Thursday 2nd September, 1976 Mr Breakspear, Chairman of Armourplate, was quoted in the Rand Daily Mail as making amongst others the following statements:

"Minimum rate of pay without overtime was R150 per month".

"Black workers had the same pension and leave benefits as white staff"

"The call for strike action by the Works Committee had been taken without sounding out the workers in the factory."

These statements and the last in particular so infuriated the workers that it made it impossible to persuade them not to go ahead with the strike. The workers claimed that it was not true that the minimum rate of pay was R150 per month. They claimed that they were forced to belong to a Pension Fund called "Pilkington Group Non European Pension Fund" and did not therefore believe that the benefits were the same as for "European". The final decision to strike was made at a meeting of workers held on 5th September 1976 in Kwa-Thema, Springs.

THE STRIKE COMMENCES

On Monday, 6th September, 180 of the workers went to the Company, waited in the changeroom and sent the Committee in to talk with Mr. Fitzhenry, the manager. Police were outside the factory and warned the Secretary and Organiser of the Union standing outside that they should disperse as they were contravening the Riotous Assemblies Act ban on gatherings.

The Committee proceeded to the office of Mr. Fitzhenry. The Chairman, Ephraim Mabena went in and found Mr. Fitzhenry with three men he did not recognise. On the table in front of each of the three strangers was a revolver. Mr. Mabena asked Mr. Fitzhenry if the Committee could meet him. This was refused and Mr. Fitzhenry said he could see Mabena alone. Mr. Mabena and the Committee then withdrew to join the other workers. The Bantu Labour Officer arrived at the factory later and brought Mr. Fitzhenry to meet with the Committee. He said the firm was not prepared to reinstate the retrenched workers. Those workers who

wanted to go back to work should collect their pay the following day. Almost all the workers left; that is one hundred and eighty.

The following day 7th September, the workers went to collect their pay but found the gate locked. In view of the ban on gatherings existing and the presence of police they decided to leave. At a subsequent meeting held it was decided not to collect the outstanding monies in view of claims made by the Company that the strikers had resigned. The view of the Bantu Labour Officer was first that they had been dismissed. Later he stated that they had deserted.

On the 16th September, the Works Committee members called at the factory to test the position. They were asked to produce their reference books to be signed off. They said they did not have them on their persons. It was then suggested that they could take their money if they signed a list. This they also refused stating they still regarded themselves as employees, that they were on strike; that they had not resigned, and that normal procedure when collecting pay was to sign the duplicate slip.

It was reported that workers at Pilkington had been asked to take on work at Armourplate. This had been refused by the workers. Later two Coloured workers from Armourplate Port Elizabeth were flown up to teach new workers. When they discovered what was happening they made contact with the strikers and shortly after returned to Port Elizabeth. Management would not talk.

Both Works Committee and Trade Union continued to make efforts to persuade management to negotiate a return to work. Altogether three letters were sent with no reply received, and a number of phone calls were made in vain.

Mr. Breakspear on the one hand maintained that he would negotiate with the Works Committee only. When pressed he then maintained that he could not talk to the Works Committee as it did not exist any longer.

FURTHER POLICE INVOLVEMENT

On September 22nd it was reported that Armourplate strikers were being called in for interrogation by the Special Branch Police. A statement from one worker reports that he was taken in on the 21st September. He was questioned as to who caused the workers to strike to which he replied "Mr Fitzhenry". He was asked if he was a Union member and if the Union had done anything for the strikers. The policeman then suggested that the Union was rich, had been in business for a long time, and had beautiful cars. The worker was then told about certain workers who had criminal records who were planning to murder the Chairman and four other strike leaders. He was asked not to tell others what had happened and to give information to the police.

THE PICKET

On September 23rd striking workers commenced a picket at Armourplate. Workers holding placards walked at deliberately big intervals along the pavement up to the firm and back. First to appear was management who took a close look and went into the factory. Shortly after one policeman arrived by car. Later police vans arrived and 27 workers were taken to the Police Station. Within a few hours they were in front of a Magistrate and convicted under the Riotous Assemblies Act. They were each fined R50,00 or 75 days and detained at Modderbee prison. The following day the Union borrowed the money necessary and had the 27 men released. The unusual speed with which this case was handled surprised everyone including legal advisors, and the men were not represented in Court. They also did not realise that they could be represented and thus declined when asked by the Magistrate. The workers convicted have had an appeal noted in the Supreme Court.*

The Union in a letter to Mr. Breakspear dated 28th September, told him that the workers believed that the Company was calling in the police, and asked him that if it was true, to see that it ceased as

* All convictions and sentences against the accused were set aside on appeal in May in the Supreme Court on the grounds that there had been irregularities in the trial of the accused.

ugly feelings were aroused by this type of action. The Union then arranged for an application to be made to the Magistrate of Springs for permission to hold a picket. This application was refused. No reasons were given. Armourplate regarded the workers as having resigned. Armourplate would not negotiate with the Works Committee.

UNION ASKS FOR MEDIATION

On the 12th October 1976, the Union with the agreement of the strikers asked the director of the Institute for Industrial Relations to mediate in the dispute. This was agreed and Mr. S. Van Coller contacted the Company to find out whether it would agree.

He was informed that Mr. Breakspear who was overseas at the time would have to consider this proposal. After his return Mr. Breakspear was not available and the manager of the factory indicated that Mr. Breakspear was not interested in the proposal.

THE STRIKE ENDS

On Monday, November 1st, eight weeks after the strike began, the strikers met to consider the rejection by Armourplate of the suggested mediation and their next move.

They decided, in view of this, to go to the factory, collect their money and refuse re-engagement for the following reasons:

1. Management had refused mediation.
2. Reports had been received of ill treatment by Whites of strikers who had previously returned to work.
3. Skilled workers expected that they would be used to train new workers and then be dismissed.
4. Management had stated that only some workers would be accepted.
5. Victimisation of Union members was anticipated.

The strikers further decided that all should feel free to seek employment where they could from the following day. It was also agreed to request the Union to instruct its attorney to demand payment of pro rata leave pay which the Company had withheld.

Workers then went to the factory, had their passes signed off, collected outstanding pay and pension money, and when asked whether they wished to apply for reinstatement, declined.

COMPANY TRIES TO NEGOTIATE THROUGH THE PRESS

On the 7th and 8th of November, conflicting press reports appeared on a statement made by the Chairman of Armourplate, Mr. O.T. Brookspears, who said that as a gesture of goodwill outstanding pro-rata leave pay would be paid to all. This would cost the Company R13 000. One report indicated that Armourplate "had decided to re-employ any of them (strikers) still looking for jobs with the Company on the basis of continuous service." Another report stated that Mr. Brookspears had said the Company had its full complement at present which was 113 in the present economic climate and that the strikers would not be re-employed.

LOCAL SUPPORT

Branches of other Unions in the East Rand started to help the Glass and Allied Workers Union to assist striking members by collecting financial help from their members. Donations were also made by the Engineering and Allied Workers Union, the Laundry Workers Association, and the National Union of Motor Assembly Workers.

INTERNATIONAL SUPPORT

The British TUC was asked by the Union to assist in efforts to resolve the matter and action was taken on several occasions by the General and Municipal Workers Union who cover glass workers at the mother company Pilkington Brothers at St Helens, England. Several attempts were made but were not successful

in as far as the strike was concerned. Glass workers in the UK donated money through the above Union to help the strikers to pay rent and electricity. Money was also received from ICFTU and the Canadian Labour Congress.

The International Chemical Workers Federation was also kept informed of the position and the matter was discussed at the World Council for Pilkington held in Canada in October 1976. This Council consists of Unions at all Pilkington factories throughout the world.

FINANCIAL SUPPORT TO STRIKERS

The Union was able to pay out the amount of £5,00 per worker on **three** occasions and R12,00 per worker once. The latter amount was to assist in paying rent and light or rent and candles and paraffin. Total paid out was close to R4 000.

SEMINAR

At the request of the strikers the Union arranged to hold seminars for the strikers. These were conducted by Urban Training Project and were attended by about eighty workers on each occasion.

INFORMATION FROM THE FACTORY

During the strike the following unconfirmed information came from workers in the factory, who for the first four weeks numbered approximately 30-40, some old workers returned, others new. This increased by another 50-60 afterwards.

1. Workers who had been on strike and returned to work complained about the hostile attitude and bad treatment from the whites - who called them bloody strikers and made life miserable for them.
2. Two white workers threatened to hand their notice if the factory did not get back to normal.

3. Six whites were operating one machine usually operated by three black workers.
4. Due to mistakes made in one section preparing glass windows for delivering to railway carriage makers a penalty was suffered by the firm.
5. Two whites who were put on to driving lorries resigned. New drivers were having great difficulty with deliveries.
6. Glass delivered by Pilkington was piling up at the factory.

SUFFERINGS OF THE WORKERS

This was considerable. Pressures were exerted by some neighbours tired of borrowing, and some wives and children trying to get enough to eat. In the majority of cases, however, families and neighbours were magnificent in their support of their men. Problems were created by certain Retail Stores who took a hard line on the non payment of accounts by strikers. Pass problems were also acute as the reference book held by an African man has to be signed each month by the employer. All strikers were liable to arrest on this account. The only case reported was that of one worker who spent four nights in jail and was released. When workers did again register for work no difficulty was experienced at the Labour Bureau. Workers were not entitled to Unemployment Insurance Benefits as persons leaving employment as a result of an industrial dispute are specifically disqualified.

WHAT KEPT THE STRIKERS GOING

The men were really well united in their determination. Most attended a meeting of strikers held each weekday and night. They were pleased that the action they took was completely legal and although their expectations from such legal action were rudely shattered they believed that they had done the right thing.

They said that even should they lose the struggle

they felt they had taught management a lesson which they would not easily forget. They believed that things would thus be better for Black workers in the future. They were proud to be able to give Black workers in general an example of what unity can do. When they learned that the answer to the Unions request for mediation would take almost two weeks for reply they said they had suffered for so long why not a further two weeks.

They were particularly encouraged by the support received from their own Union, the other Unions locally and Urban Training Project. Support from glass and other workers overseas also meant a great deal to them.

ATTITUDE OF ARMOURPLATE TO STRIKE

This appeared to be one of complete rejection of any form of compromise or even talking with workers. In spite of the fact that there was at very least a mismanagement of a simple situation, Pilkington and Armourplate refused to make even a conciliatory gesture. The Union, in a letter to the firm, attempted to assist the firm not to lose face by appealing to it to accept the possibility that the workers could have been given a wrong impression by the actions of management. This was in a bid to settle matters and get the men back to work without further trouble. This made no impression. Management has on occasion talked to the Press. Some of the sentiments conveyed were as follows:

"The dismissal of the three workers was due to recession. They were chosen because they had least satisfactory records of service, no assurance was given that workers would not be retrenched. The Company would not negotiate with the Union." "We feel we have our lines of communication with the workers Committee. We will stay with it." "As all the ex-employees have resigned we don't have a Works Committee at this stage. There is nobody to negotiate with."

"We are not trying to be vicious. I can

not, however, avoid the impression that this was instigated from outside. Relations with the Works Committee have been good and we have had no complaints about conditions here before the Strike."

When the workers on strike learned that the Company had claimed that they had resigned the Works Committee approached the Bantu Labour officer on this question. He had previously told them they had been dismissed. On the second occasion he claimed that they had deserted.

In a letter to the Bantu Labour Officer the Works Committee Chairman asked for progress made in settlement of the dispute. The reply received was. "In view of the fact that you are no longer in the employ of Messrs. Armourplate Safety Glass, I am unable to divulge any information to you by virtue of the secrecy provisions of the above mentioned Act."

The Glass and Allied Workers Union released the following statement to the press on November, 1976:

The Executive Committee of the Glass and Allied Workers Union has issued the following comments on the strike by Black workers at Armourplate Safety Glass, Springs which lasted eight weeks from 6th September to 1st November, 1976.

1. This strike has shown that Black workers have courage to take severe but disciplined and orderly action in the face of injustice. For this they needed the backing and support of their Trade Union.
2. The right to strike is a mockery without the right to conduct a lawful picket and without Trade Union organisation to assist members with their legal struggle and with the establishment of the strike fund.
3. Employers are going to have to enter into relations with emerging Black unions. Had such

a relationship existed in this case the Union is confident that the strike could have been avoided.

4. Management in South Africa is **going** to be forced to treat workers with **respect** and **show this** by being **prepared** to **negotiate** with Black workers through their union on all issues.
5. Any management that allows a **comparitively** small issue to blow up into a one of major proportions as this did, will have to take a good look at the education of management in sound Industrial **Relations**.
6. The Union which has been trying for two years to enter into a relationship with Pilkington Brothers, the Parent Company of Armourplate, is still prepared to extend the hand of friendship to the Company.

BY BLACK WORKERS IN SOUTH AFRICA

by Keith Gottschalk and John Smalberger

John Michael Smalberger's tragic death has meant a premature loss to labour historians of a painstaking worker with thorough command of the primary sources, and a loss to his friends of a gentle, and always helpful, personality.

As an economic and social historian, John Smalberger explored diverse themes ranging from the forging of the pass system as a technique of labour control in nineteenth-century Kimberley to the oppression of gay persons in South Africa. This note is intended as both an obituary to him, and to draw the attention of labour historians and other scholars to the location of his personal papers.

Most of his notes, microfilms and photostats of archival material now form the John Smalberger Papers in the Manuscripts division of Jagger Library, at the University of Cape Town. The rest, under the care of Professor George Shepperson, is deposited in the library of the University of Edinburgh.

Major themes in this material of interest to labour history include

- i) the history of copper mining in Namaqualand from the 1850's;
- ii) labour on the Kimberley diamond fields in the nineteenth century;
- iii) early industrial action by black workers during the nineteenth century.

The supply of black labour in the nineteenth century, the Black Flag Rebellion in Kimberley in 1875, and the Griqualand East Rebellion of 1897 were amongst the topics he was gathering information on at the time of his death. Social topics are also to be found amongst his extensive papers.

By way of a memorial to his work and life, and to draw attention to little-known facts on hitherto forgotten industrial action by black workers, this note concludes with a table listing some information on

early strikes from his papers, and a bibliography of his published works.

TABLE 1

EARLIEST KNOWN STRIKES BY BLACK WORKERS IN SOUTH AFRICA

DATE	PLACE	REASON	STRIKERS
March 1854	CT	Wages	Coloured boatmen and stevedores
31 May 1856	PE		African workers in docks
7 Jan 1857	EL		African workers in docks
Oct 1858	Kowie	Food	200 African workers leave work
Jan 1861			Railway workers
1860s-70s		Many strikes by African navvies on railway and other public works construction - see seminar papers by Andrew Perkins.	
23 Jul 1877	Kim	Wages	50 African workers for Mining Boards (ie public works)
Jul 1877	PE	Wages	African workers in harbour
May 1878	EL		Dock workers
Dec 1880	EL		African workers on railway works
Aug 1882	CT		Asian workers in docks
5 Apr 1887	Kim	Anal examinations	African miners
Oct 1896	Jhbg		6000 African miners

Abbreviations:

CT - Cape Town	SOURCE : abstracted from
EL - East London	papers of John Smalberger
Jhb - Johannesburg	(13 Feb 1945 - 20 Jan 1977)
Kim - Kimberley	
PE - Port Elizabeth	

BIBLIOGRAPHY OF PUBLISHED WORKS:

A History of Copper Mining in Namaqualand 1846-1931, Cape Town, Struik, 1975, 143 pp.

"I.D.B. and the Mining Compound System in the 1880's", *South African Journal of Economics*, 42 (4) 1974 pp 398-417.

"Alfred Alyward, the continuing Rebel: Early Days on the Diamond Fields", *South African Historical Journal*, 7, (Nov 1975), pp 33-42.

"The role of the Diamond Mining Industry in the Development of the Pass Law System in South Africa" *African Historical Studies*, IX 3, (1976) pp 419-434.

"Mrs Helps' Zulus: Barkly, Southey and the Colonial Office" (forthcoming, 1977).

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