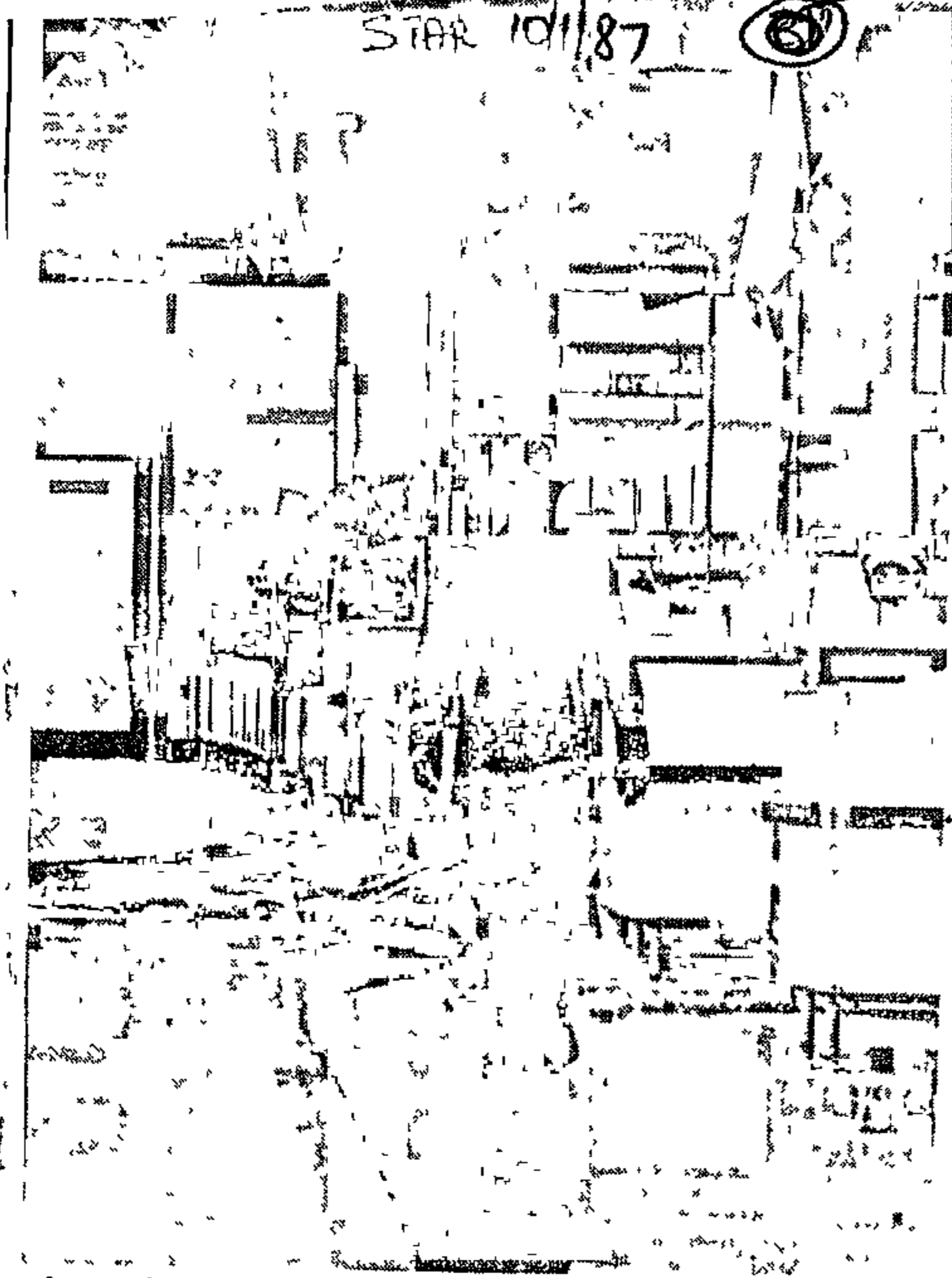


INDUST. REL. — DISPUTE

1987



A member of the Johannesburg Fire Brigade walks through the damaged ground floor of the OK Bazaars store after the bomb-blast yesterday. ● Photograph by Etienne Rothbart.

Telling it like it is was not easy . . .

The Star yesterday spent nearly two hours trying to gain even the sketchiest official version of the Eloff Street bomb blast

Inquiries to the Bureau for Information soon after the blast, about 2 pm, received the reply that the bureau had no information. Then the bureau said it had some details of the explosion, but needed ministerial approval to disseminate the information.

At 2 22 pm The Star sent the Inter-departmental Press Liaison Committee a telex containing its version of events and asking for approval to publish. A call to the IPLC while this was running elicited the reply that The Star needed to be patient. Reply would come by telex. Another call — and The Star was referred to the police and then referred back to the bureau. Then The Star was informed a "group of generals" was considering which information to release but ministerial approval still had to be sought.

After 3 pm the IPLC referred The Star to the bureau. About 3 30 pm the bureau phoned with some details — Pretoria Bureau.

Eloff Street blast put OK strike back in focus

By Mike Siluma

THE limpet mine blast at OK Bazaars' multi-storey headquarters in central Johannesburg has put the national retail chain firmly back on the front pages.

Daily reports updating the now three-week-old pay dispute with the Commercial, Catering and Allied Workers' Union have been slipping in interest though the strike has been peppered with controversy.

OK employees have been on strike since mid-December in more than 100 stores and warehouses countrywide for

- A R160-a-month wage increase, backdated to last April
- A minimum wage of R450 and better staff discounts
- The same increases for staff on maternity leave and in the national states
- The abolition of the anniversary increase system

After several months of negotiation the union declared a dispute and a conciliation board was convened on October 16.

After the collapse of negotiations at conciliation board level the union held strike ballots.

There has been uncertainty

over the number of strikers and affected stores. Disputes have arisen about the conduct of both sides and over salaries.

The union says just over 10 000 employees at nearly 130 OK stores are on strike. Management's figures are 6 000 people at 114 stores.

The chain employs about 23 000 people at 208 stores.

The union says the company pays "slave wages" — R265 or less in outlying areas — but management insists most workers earn substantially more but has given no figures.

The union, with others in the giant Congress of SA Trade Unions, has increased pressure on the OK through pickets and public warnings to the company to "negotiate in good faith".

At least 500 strikers have been dismissed for "unacceptable" behaviour and many have been arrested. After three weeks the sides have not spoken save to discuss strikers' conduct.

Yesterday's bomb, had it not been detected in time, would not have discriminated.

Management and staff could both have suffered.

Pavement fun despite blast

Mad Joe, Johannesburg's well-known pavement tap dancer, was at hand to relieve the crowd's tension at yesterday's OK blast.

Laughter suddenly broke out among the crowd pressing the barricades as he took advantage of a ready-made audience.

A small space had formed and there he danced for about 30 minutes, as the crowd sought relief from the tension in clapping and cheering. For others, the blast did not present a break from the usual tedium of a working day.

One man, who obviously could not afford to lose a minute's work, stood alongside the cordon dictating to a secretary. The male secretary scribbled furiously on a piece of paper as his boss rattled off information about stocks and shares. The boss had earlier suggested to less conscientious colleagues they hold an impromptu meeting on the pavement. However, they quietly slipped away.

chases the present ceiling for this 100% subsidy, estimated to have cost taxpay-

● To Page 2 →

the major concern of black traders — barring their exclusion from "white

Indaba report handed over with warning

THE KwaZulu government might have to rethink its attitude towards negotiation politics if government rejected the KwaNatal Indaba report.

This is the view of Dr Oscar Dhlomo, KwaZulu's representative in the four-man team, which handed the report to Minister of Constitutional Development and Planning Chris Heunis in Cape Town yesterday.

Heunis said at the ceremony it would be premature of him to react to the report at this stage.

But Indaba chairman Prof Des-

THE OK Bazaars and the Commercial, Catering and Allied Workers' Union (Ccawusa) confirmed yesterday that tentative moves to appoint a mediator to assist in ending the strike at the company are in the pipeline

However, both parties are extremely cautious about the possibility of these efforts achieving their goal

The OK strike is now almost four weeks old.

OK personnel director Richard Blackwell said: "Their (Ccawusa) lawyers are talking to ours to canvass all possibilities which may bring the dispute to a successful conclusion. Mediation is one of those"

Asked what conditions would have to be met for the OK to agree to this step, Blackwell replied that it would have to

A mediator for OK strike

ALAN FINE

be satisfied that mediation held some hope of success

He added the OK had proposed mediation before the strike but the union had rejected the offer

Ccawusa spokesman Vivi Masina said the union had not actually proposed mediation

But it considered it "an extension of negotiation" and had always said it was

● To Page 2 →

Mediation move in OK strike

prepared to talk.

Masina, asked why even talks about talks had to be conducted through a third party, said this was because neither side wanted to appear to be the first to give in.

The OK has consistently refused to resume negotiations until the union reduces its demand to a "realistic" level.

The two sides appear to be far apart, with the union demanding increases of R160 a month backdated to April 1986, while the OK has offered R85 from April 1987.

However, both have indicated their willingness to reconsider their positions.

returning home with vivid memories of the continent's wildlife.

However, it is not the four-legged wildlife of the game parks they remember but the two-legged species — and the South African kind fare badly as a particular danger point in their listing

Among hazards encountered by businessmen flying to Africa are surly customs officials, unhelpful hotel staff,

DAVID FURLONGER

thieves and trigger-happy troops and police.

The latest edition of *International Update*, magazine of the International Business Aviation Council, says Africa creates more problems for business travellers than anywhere else in the world

Its findings — many relating to African airports — are based on first-hand

experiences of US businessmen

On SA, "Update" says US consular officials have had difficulties gaining access to Americans arrested since the emergency was declared and recommends that all Americans register with the US embassy or a consulate upon their arrival in SA.

"Exercise caution in photographing or tape-recording events that may be construed as being anti-government"

PRICE MOVES AT A GLANCE

REUTERS

KEY MARKET MOVEMENTS — JANUARY 12 to JANUARY 13

Gold		JSE		Previous			Latest		Johannesburg Stock Exchange		
\$/oz	\$/oz	R/oz	Kruger-rand	\$/R Comm	\$/R Fin	DM/\$	£/R	3 months BA	All Gold BD Index	BD Indust Index	JSE Ov'all Index
411,00	411,10	866,02	1190	0,4795	0,2200	1,9010	0,3218	8,95	2033,8	1564,5	2133,0
↓	↓	↓	↓	↑	↓	↓	↑	↑	↓	↑	↓
409,00	409,00	852,97	1160	0,4747	0,2175	1,8730	0,3185	8,90	2013,0	1561,4	2121,0

3
4
5
0
9
9
0
0
1
12

LONDON CLOSE

LONDON AFTERNOON FIX

FRANKFURT CLOSE

LONDON CLOSE

E. Post

Steps taken for strike mediation

151 14/1/87

SPOKESMEN for both strike-hit OK Bazaars management and the union involved have confirmed that tentative moves were afoot to appoint a mediator to assist in resolving the strike

More employees from the chain's Constantia Centre, Port Elizabeth, branch joined the almost four-week-old national strike today

A spokesman for the Commercial, Catering and Allied Workers Union

(Cawusa) in the Eastern Cape said today moves were being made to appoint an arbitrator to resolve the dispute

He said the OK management had steadfastly refused to resume negotiations with union representatives until workers' demands were reduced to a reasonable level

The OK personnel director, Mr Richard Blackwell, said lawyers representing Cawusa and OK discussed ways of ending the dispute.



A PICKET stands outside the OK Bazaars yesterday as the strike involving thousands of workers in the group continues.

OK wants mediation, says union

157 15/11/87 SOWETO 7A

OK BAZAARS have stated in a telex to the Commercial, Catering and Allied Workers Union they were prepared to participate in mediation to try and resolve the four-week strike, strike co-ordinator Mr Jay Naidoo said yesterday.

"OK lawyers have sent a telex to our lawyers stating that they are prepared to participate in mediation and have made certain proposals regarding mediation," Mr Naidoo said

"They suggested each side should have its own mediator and each side should pay its own costs. They propose mediators should meet at the earliest convenience in order to finalise an agenda for mediation proceedings and to appoint a date and venue"

The union had not yet worked out its attitude

to mediation and the means of resolving the dispute, "although it has been put to us by our lawyers," Mr Naidoo said

"We are finalising our attitude and should have a response later today"

OK personnel director Mr Richard Blackwell was not available for comment

According to Cca-wusa over 10 000 workers, of a total workforce of 24 000, are on a wage strike at 137 of OK's 208 outlets. Strikers have rejected management's offer of an increase of R85 on an anniversary basis, and demanded a minimum wage of R450 a month and an across-the-board increase of R160

Mr Blackwell has said just over 7 000 workers were on strike at 117 outlets — Sapa

ay, January 16 1987

Union accepts OK strike mediation offer

Labour Reporter

THE Commercial, Catering and Allied Workers' Union has accepted OK Bazaars management's offer of mediation in the wage dispute affecting thousands of workers throughout the country

Mr Jay Naidoo, a spokesman for Ccawusa in Durban, said yesterday that the union had agreed 'after much deliberation within its ranks' to the proposal from OK Bazaars to resolve the dispute which led to the four-week-long strike

Management last night welcomed the union's confirmation of their willingness to participate in mediation

'While we note the union's reservations, we believe both parties have a tremendous responsibility to explore every avenue to resolve the dispute,' said Mr Keith Hartshorne, OK's group personnel manager

The union had grave res-

ervations about the possibilities of success of mediation, unless the problems of harassment and arrest of union members could be resolved, Mr Naidoo said

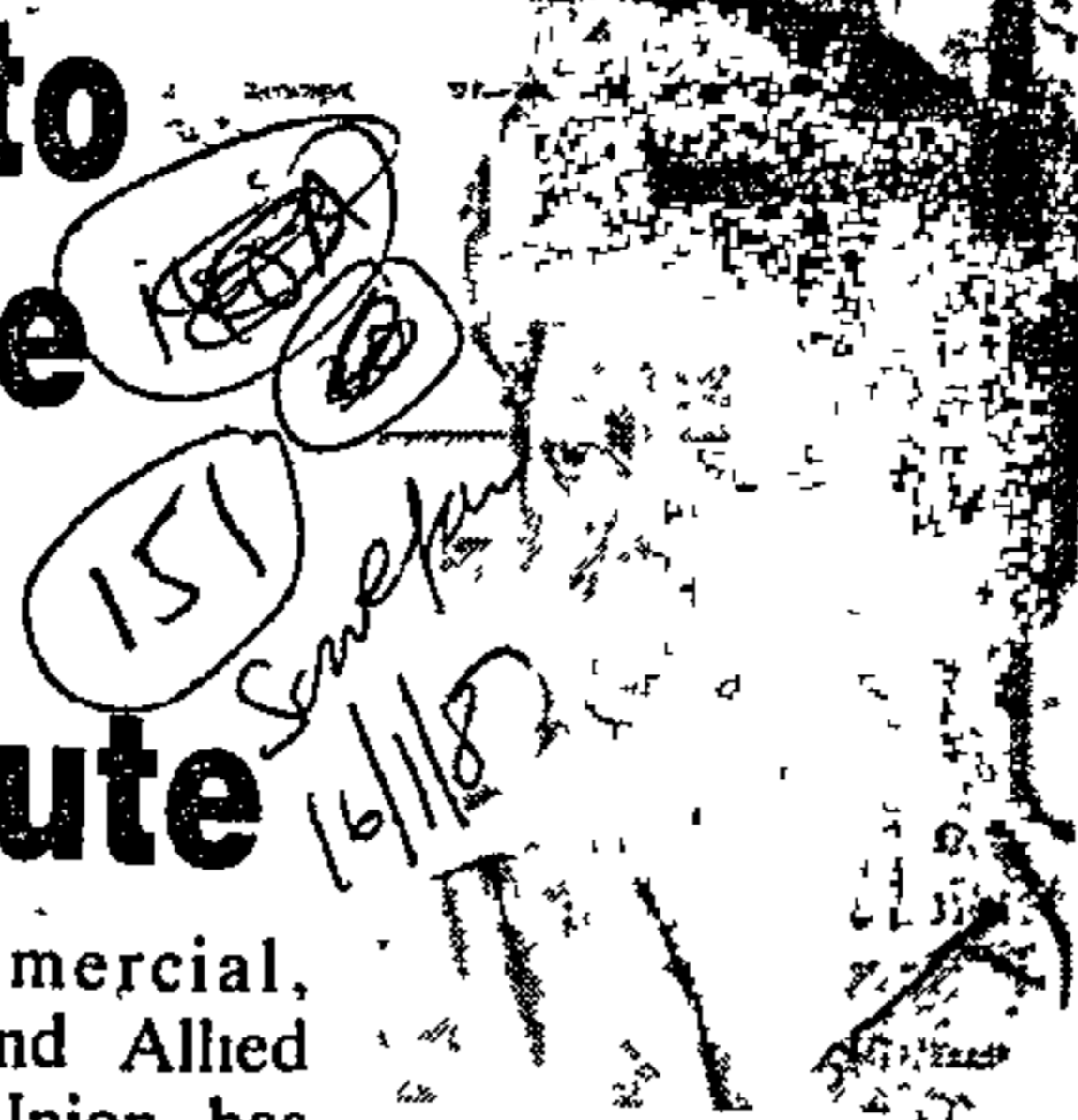
'At present, 103 union members are being held under the state of emergency as a result of the OK strike and more than 600 workers have been arrested'

The OK has nominated its industrial relations consultant Mr Gavin Brown, while the union has chosen Legal Resources Centre attorney Mr Charles Nupen

Mr Naidoo said mediation would have to cover the wage issue and subsequent developments

The workers are demanding a R160 across-the-board increase and a minimum wage of R450 a month, as well as a staff discount of 20 percent. They have rejected an offer of R85 a month increase on a yearly basis

Bid to solve OK dispute



JAY NAIDOO

THE Commercial, Catering and Allied Workers' Union has accepted management's offer of mediation in the wage dispute between OK Bazaars and thousands of Ccawusa members.

"Ccawusa has, after much deliberation within its ranks, agreed to a proposal from OK Bazaars to hold mediation to resolve the current wage dispute," Mr Jay Naidoo, a Ccawusa spokesman, said

"Further details regarding date, venue and agenda will be worked out by mediators on both sides in consultation with all parties," the statement said

The union had reservations about the success of mediation as more than 600 striking Ccawusa members had been arrested

"The union has grave

reservations about the possibilities of success of mediation unless the problems of harassment and arrest of union members can be resolved," the statement said

"At present, 103 union members are being held under the state of emergency as a result of the OK strike

"More than 600 workers have thus far been arrested"

The union has appointed Mr Charles Nupen as its mediator

Union demands remain a R160 across-the-board increase and a minimum wage of R450, as well as a staff discount of 20 percent

Management is offering an increase of R85 on an anniversary basis.

— Sapa

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Solve for
16/11/82

The *FM* brings its readers the most news, comment and interpretation possible under the new regulations restricting publication of certain matters.

It does not believe that the restrictions are necessary or in the public interest, but will obey the law.

of the dispute. Now that the possibility of mediation is being taken seriously, however, there is some hope that the dispute can be settled. Hopefully for all parties, it will be sooner rather than later. ■

mid-week. If both sides agree, it could signal the beginning of the end of the strike, which began on December 18 last year (*Current affairs*, January 9)

The potential breakthrough comes none too soon, because the past week brought a distinct escalation in the uglier sides of the dispute. Ugliest of all was, of course, the bombing incident at OK's Eloff Street store in Johannesburg last Friday. Miraculously, no one was killed or injured thanks to the quick thinking of an OK staff member who spotted the bombs and sounded the alarm. The bombs, for which the ANC's military wing has claimed responsibility, were a reminder of what can and sometimes does happen in labour disputes.

The past week saw Ccawusa and OK involved in a bitter argument in the media about wage levels after the union claimed that the average OK wage is R265 a month. Stung by the allegations that it pays "starvation wages," OK flatly denied Ccawusa's claims, pointing out that it would be impossible for it to pay so little as the minimum legal wage for the industry is R281 a month.

Average wage

According to OK, the average wage for all staff from supervisor level down is R489 a month, only 6% of staff (who include part-timers and temporaries) earn less than R300 a month, and the R85 increase it has offered from April this year would put the wages of all full-time employees above R300 a month.

Comments Ccawusa spokesman Salim Vally "We reject these figures as incorrect and aimed at hoodwinking the public. OK is hiding behind the emergency regulations as newspapers are not reporting half of what is happening to our members."

He claims strikers face various forms of persecution and intimidation daily. OK Personnel Director Richard Blackwell, on the other hand, says that if anyone is subject to harassment in the strike, it is the people who want to continue working.

In other developments

□ The Congress of South African Trade Unions (Cosatu), to which Ccawusa is affiliated, pledged solidarity action by its affiliates, and

□ The Council of SA Unions-Azanian Confederation of Trade Unions, which says it wants to back the strikers, held talks with Ccawusa. A Cusa-Azactu spokesman says a further meeting is planned for next Monday.

Cause for concern amid the sound and fury last week was that there seemed little prospect of movement on the fundamentals

FIN MATL 16/1/87
OK STRIKE 14/1/87 15/1/87

Settlement hopes

In the OK Bazaars wage strike the past week produced the first real sign of movement in the nearly month-old dispute between the chainstore group and the Commercial, Catering and Allied Workers' Union (Ccawusa). And it came despite bombs, pickets, arrests, dismissals and rhetoric.

Both sides confirmed this week that there had been contact between their lawyers. The *FM* understands that they discussed the possibility of referring the dispute to mediation, and that the parties were due to respond by

No early settlement to OK strike likely

An early settlement of the OK Bazaars wage dispute was unlikely, although some progress had been made in the mediation which resumes today, a spokesman for the mediators said.

Mediator Mr Gavin Brown said yesterday's proceedings had dealt mainly with issues that had arisen since the strike started and progress had been made in finding a formula to address some of the issues.

The issues were complex and a further statement would be issued in due course.

One important issue that would have been raised by the Commercial, Catering and Allied Workers' Union (Ccawusa) is the fate of about 100 members the

union says have been detained under the emergency since the strike began. About 500 union members have been dismissed during the strike.

On agreeing to mediation last week, Ccawusa called on OK management to help secure the release of the detained strikers.

Demands by Ccawusa members include a R160-a-month wage rise and a minimum wage of R450.

Although Ccawusa puts the number of strikers at 10 000, with the management figure being 7 000, an OK spokesman has said about 20 000 employees would be affected by a wage agreement between the two parties.

EVENING
POST

Some OK workers back before mediation

Post Reporter

WHILE mediation to resolve the five-week wage dispute between OK Bazaars and the Commercial, Catering and Allied Workers' Union (Ccawusa) is due to start, an estimated 300 strikers nationwide were reported to have returned to work.

Mediation proceedings are scheduled to start in Johannesburg this afternoon, union and management spokesmen said.

OK Bazaars' personnel director Mr Richard Blackwell said from Johannesburg yesterday that about 300 striking workers had been reporting back to work at various stores in the country over this period.

A spokesman for Ccawusa was not available for comment on the issue.

19/11/87
51
11/11/87

1/14/67

OK mediators to arrange talks

Labour Reporter

week.

THE two mediators appointed by the Commercial Catering and Allied Workers' Union and OK Bazaars are to meet this weekend to prepare a programme and an agenda for the talks to settle a wage dispute which led to the four-week strike at the national chain store.

A spokesman for the union, Mr Jay Naidoo, said the mediation talks were likely to begin early next

OK's personnel director, Mr Richard Blackwell, yesterday confirmed that mediators would be meeting for the first time this week to prepare a programme.

The union has appointed Legal Resources lawyer Charles Nupen as its mediator and the company has appointed industrial relations consultant Gavin Brown as its representative.

OK and union start mediation

BLVD DAY 20/1/87

252
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ALAN FINE

OK BAZAARS and the Commercial, Catering and Allied Workers' Union (Ccausa) met yesterday for their first mediation session aimed at resolving the strike which began on December 18, and involves thousands of workers at at least 120 outlets.

Mediators, industrial relations consultant Gavin Brown and attorney Charles Nupen, said in a statement last night that talks would continue today.

But they described as unlikely a quick settlement on grounds of the scale and complexity of the dispute.

Yesterday's talks dealt mainly with issues which have arisen since they commenced and the parties have made progress in arriving at a formula to address some of these

issues, the mediators said. Appropriately, the meeting was held on "neutral ground" at a Johannesburg hotel more or less equidistant from their respective head offices.

The union is demanding a R160 a month increase backdated to last April and a R450 minimum monthly wage, while the OK has offered R85 from this April.

Any agreement reached could have implications beyond merely the OK and its employees. One observer notes that such a settlement could set the wage increase benchmark for retailing in the same way as did the R85 Pick 'n' Pay agreement which followed a week-long strike last May.

~~1403~~ (151) DP 5/2/87
NUM slams
dismissal of
2 200 miners

JOHANNESBURG —
The National Union of
Mine Workers (NUM)
has condemned the dis-
missal by Anglo Ameri-
can of 2 200 workers at
the President Steyn
Gold Mine near Welkom
this week.

A NUM spokesman,
Mr Marcel Golding, de-
scribed the dismissals
as "typical of a high-
handed management"
that had failed to ad-
dress the issues which
gave rise to conflict on
the mine.

A spokesman for
Anglo American, Mr
John Kingsley-Jones,
said the workers were
dismissed following
fighting at the mine
which had left 39 dead
and 177 injured. — Sapa

Hard bargaining

FIM 6/2/87

FACE TO FACE

(183)

(157)



At the end of last year's industrial council negotiations, metal employers and trade unions agreed to start wide-ranging talks on changing collective bargaining practices in the industry, and other substantive issues. Steel and Engineering Industries Federation (Seifsa) director Sam van Coller speaks to the *FM* about what has happened since.

FM: What have Seifsa and the unions been discussing?

Van Coller: There have been negotiations in a number of areas. They've included the levels at which collective bargaining takes place in the industry and negotiation procedures, job and wage structures, hours of work; maternity benefits, the rules governing termination of service, and public holidays. **Will you conclude your business in time for this year's council negotiations?**

We're dealing with a lot of complex issues. It's unlikely that we'll be finished with all of them before those negotiations get under way.

The metal industrial council is the biggest in SA, with over 40 employer associations and 14 trade unions. Bargaining there has become a very complex affair. What changes are under consideration?

Seifsa's policy has always been that collective bargaining structures are best established voluntarily, with the support of all parties. We would always want to ensure that there is a strong Main Agreement for the industry — a sentiment which all the

unions share. But we also recognise that there is a need for greater flexibility, so Seifsa has drawn up a set of guidelines setting out the circumstances under which there can be further separate bargaining for various sectors and for house agreements. These negotiations have been held up, however, because we first needed to talk about job structures and wages.

You have not mentioned bargaining at company level. Is Seifsa still opposed to companies and unions negotiating independently on wages and other issues?

Seifsa is not in favour of companies bargaining outside the council on matters covered in the Main Agreement. But we cannot stop people from doing so as we believe in voluntarism in industrial relations. However, where companies have established wage-related practices such as merit increases and long service bonuses and unions wish to negotiate on those issues, we would encourage them to bargain.

Our main concern in this regard is that companies should not be compelled to bargain on the same issues at both industry and plant level.

What are the issues in the talks about the job structure and wages?

The unions say there are serious distortions in our wage curve. Employers have embarked on a major examination of the job structure. Once that is done, they will have to work out the appropriate wages for the jobs. It's a complex exercise which will take some time to complete.

The metal industry works a 45-hour week. What changes are proposed?

Unions want the hours of work reduced, one of them wanting a 40-hour week. A

special committee has been investigating the cost implication of a reduction and is due to submit proposals to the unions before the end of February.

You've also been working on a clause regulating termination of service.

That's right. We've had a series of meetings with the unions on issues like notice, summary dismissal, retrenchment, redundancy, lay-offs, short-time work and limited duration contracts.

We've submitted proposals to the unions and are awaiting their response.

The black unions are clamouring for paid public holidays on days like May 1 and June 16. Both Seifsa and the Chamber of Mines have asked government to investigate public holidays. What's happened?

This is an extremely difficult and sensitive area. We've made proposals to the unions and they've submitted counter-proposals. A very real difficulty is that this is a national issue and there is no decision at this point as to whether government will investigate the question.

We understand that the Metal and Allied Workers' Union has already submitted its demands for this year's wage negotiations. Does this mean that the talks will start earlier than usual?

We'll be setting the date at the next meeting of the council's executive committee. If all the unions put in their demands, they could start earlier.

Any predictions for the negotiations?

They will be difficult — for several reasons. For one, inflation remains very high and our industry is in a serious recession. Sanctions and the political climate make matters even more difficult.

Clover, Fawu talks collapse

By Mike Siluma

The dispute between the Food and Allied Workers' Union (Fawu) and Clover Dairies seems to be far from settlement, with the union yesterday accusing the company of "invoking the emergency regulations to settle a dispute with its own workers"

The accusation came after the collapse of talks between the company and the union over the fate of 166 workers dismissed by the Maritzburg plant last June.

According to a Fawu spokesman, talks broke down after the union had rejected as unacceptable a company offer of selective re-employment for some workers and a cash settlement for the rest. The company had then turned down a union counter proposal and suggestion of a further meeting, saying it would proceed with legal action against Fawu over action against Clover products.

A Clover spokesman said the negotiations with Fawu had not been fruitful and the company did not see the need for a further meeting.

● The National Union of Mineworkers and the Phalaborwa Mining Company yesterday reached settlement on wages and working conditions for more than 2 500 workers employed by the mine, a union spokesman said.

(a) How many applications for the (i) establishment of conciliation boards in terms of section 35, and (ii) appointment of a mediator in terms of section 44, of the Labour Relations Act, No 28 of 1956, were (aa) made and (bb) approved in 1986 and (b) in respect of what percentage of the approved applications were the disputes settled, in each case?

The MINISTER OF MANPOWER

- (a) (i) (aa) 1 294
(bb) 306
(ii) (aa) Nil
(bb) Nil

(b) Conciliation boards—36,9 per cent Mediators—falls away

Note As at the end of 1986, 58 disputes were still under consideration by conciliation boards

Unemployed insurance cards

390 Mr P H P GASTROW asked the Minister of Manpower

Whether any employers were (a) prosecuted and (b) warned in 1986 for failing to keep their employees' unemployment insurance cards up to date, if so, how many in each category?

The MINISTER OF MANPOWER

- (a) Yes, 4 638
(b) Yes many were warned during 1986 but separate figures on the number of warnings given are not readily available

Strikes

391 Mr P H P GASTROW asked the Minister of Manpower

(a) How many (i) disputes, (ii) work stoppages and (iii) strikes were reported in 1986 in terms of the Labour Relations Act, No 28 of 1956, to (aa) his Department and (bb) the Wage Board and (b) in what industries, trades or occupations did (i) work stoppages and (ii) strikes occur?

The MINISTER OF MANPOWER

- (a) (i) (aa) and (bb) The Labour Relations Act, 1956, does not contain provisions in terms of which disputes must be reported to the Department of Manpower or the Wage Board
(ii) (aa) 150
(iii) (aa) 643
(ii) (bb) and (iii) (bb) Work stoppages and strikes are not reportable to the Wage Board

(b) (i) and (ii)

Construction	30
Electricity	4
Finance and insurance	5
Government and services	19
Manufacturing	433
Mining	96
Trade and accommodation services	171
Transport and communication	35
Total	793

Note These figures include strikes and work stoppages. Separate figures for the different industries, trades or occupations are not available

Regional newspapers

392 Mr P G SOAL asked the Deputy Minister of Information

- (1) (a) How many regional newspapers are published by the Bureau for Information, (b) what is the purpose of these newspapers, (c) what is the name of each of the newspapers published, (d) where is each newspaper distributed, (e) to whom are copies distributed, (f) what number of copies of each newspaper is printed, (g) what is the total amount allocated to the production and distribution of these regional newspapers during the current financial year and (h) who prints each of these newspapers,

(2) whether the printing of each of these newspapers was put out to tender, if not, why not, if so, (a) from whom were tenders received and (b) what was the amount of each tender,

The DEPUTY MINISTER OF INFORMATION

- (3) whether these newspapers carry political news, if so, on what basis,
(4) (a) what is the editorial policy of each

- (1) (a) Eight
(b) To act as a means of communication between the Government and the various groups at the regional level
(c) and (d)

Regional Newspapers	Regional Offices	Area of Distribution
Paisano	Bloemfontein	Orange Free State
Phoenix	Durban	Natal
Metropolitan Digest	Johannesburg	Witwatersrand
Die Karet	Cape Town	Cape Province
Izindaba	Pietermaritzburg	Natal
Umso	Port Elizabeth	Eastern Cape
Lighv/Khanya	Pretoria	Northern and Western Transvaal
Silulu	Nelspruit	Eastern Transvaal

(e) The newspapers are distributed to persons who express interest in receiving them and whose names are then added to the relevant circulation list. Some copies are also distributed through libraries, clinics and housing offices. Liaison officials also distribute copies during their normal liaison activities

(f)	(g)
Paisano	80 000
Phoenix	13 000
Metropolitan Digest	65 000
Die Karet	100 000
Izindaba	40 000
Umso	50 000
Lighv/Khanya	70 000
Silulu	20 000

(g) R1 402 200

(h)	(i)
Paisano	Perskor (Kroonstad)
Phoenix	Drakensberg Pers
Metropolitan Digest	(Durban)
Die Karet	Perskor (Johannesburg)
Izindaba	Galvin & Sales (Cape Town)
Umso	Drakensberg Pers
Lighv/Khanya	(Port Elizabeth)
Silulu	Hoofstad Pers (Pretoria)
	Laeveld Pers (Nelspruit)

Saawu, ICS Foods ^{27/2/87} sign new agreement

Dispatch Reporter (HSI) DD

EAST LONDON — The South African Allied Workers' Union (Saawu) signed a recognition and procedural agreement with ICS Foods on February 23 to improve relationships in the workplace

In a statement, the branch secretary of Saawu, Mr Boyce Melitafa, said negotiations with ICS Foods began during August 1986

The agreement covers the main recognition agreement, and grievance, disciplinary, retrenchment and dispute procedures. This is the 22nd such recognition and procedural agreement negotiated by Saawu

Mr Melitafa said seven such agreements would be signed before June in the Border region, involving a workforce of about 53, of whom 50 were Saawu members.

He said Saawu applauded this progressive line taken by managements in respecting their employees' freedom of association, and appealed to other managements to respect worker/management relations

The manager of ICS Foods, Mr Norman Schultz, said he saw the signing of the agreement as a positive step

"We have entered into wage negotiations, and I feel that the agreement will go a long way towards enhancing relationships in the workplace"

Judges Order board to probe dismissal

Cap 711/23 28/2/81 20151

Own Correspondent

DURBAN — Supreme Court judges yesterday ordered the Minister of Manpower to establish a conciliation board within 14 days to discuss the summary dismissal of a Durban father of three by the State Fuel Fund Association (SFF) after 17 years' service, because he failed to gain a security clearance from the South African Police (SAP).

The court was told that Mr Frederick James Dalrymple Jenkin, 52, of Yellowwood Park, had worked as a "sanctions-buster" for an unnamed country on behalf of the SA government, while employed by the SFF. In an application before Mr Justice

Howard and Mr Justice Kriek, Mr Jenkin said he had been given no reasons for his dismissal other than that he had failed to get the necessary security clearance from the SAP. At the time he was operations superintendent in Durban.

He said the general manager of the SFF, Mr T Osler, had summoned him on February 15, 1985 and told him his services were terminated.

The company had not adhered to its normal disciplinary code before dismissing him and he had been given no opportunity to reply to any allegations.

It was stated in papers before the

court that despite appeals to the State President, the Minister of Defence, the Minister of Law and Order, the Minister of Mineral and Energy Affairs and the SFF, Mr Jenkin was unable to find out why he had been refused a security clearance.

Finally in January last year the Minister of Manpower had refused to establish a conciliation board.

Mr Jenkin said he could not think why he should be considered a security risk since he was not politically active, his lifestyle was quiet and he moved within a small, respectable circle of friends.

In a letter before the Court, his wife,

Mrs Eve Jenkin, said her husband had been involved in top-secret and confidential work for the SFF, and that the contention that he was a security risk was "absurd".

"For two years he carried the burden of 'sanctions-busting' for an unnamed country on behalf of the South African government," she said. "He acted as operations man, contact man, go-between, document carrier — you name it — he fought bitter battles, now conveniently forgotten to ensure the secrecy and success of this operation."

"This is the man you people call a security problem," she said.

DISPUTE SETTLED

THE two-week-old dispute by members of the Electrical and Allied Workers' Trade Union of South Africa, employed at a Pretoria electronic firm, ended on Monday after management allegedly threatened to fire the entire workforce.

It started when a white employee threatened to paint another white employee with black paint because of her friendliness to them. The workers demanded the immediate dismissal of the woman as they felt she was "racist".

18/3/87
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SOWETAN

By CHRIS STEYN

COMPANIES and employers should solve labour disputes as quickly as possible because drawn-out discussions attract the attention of the African National Congress (ANC), Deputy Commissioner of Police Brigadier Hermann Stadler said yesterday.

"Business has no option but to take security precautions," Brig Stadler told a lunch hosted by the Tygerberg Chamber of Commerce and Industrial Association in Parow.

He said that to counter terrorism, companies and employers should:

Try to solve labour disputes

Cape Times 20/3/87

Security warning to city businesses

as quickly as possible because long-drawn-out discussions attracted the attention of the ANC, which appeared determined to attack businesses involved in labour disputes.

Maintain a good working relationship with their staff so as to avoid possible sabotage in the workplace or a situation in which

workers called for action against the company.

Improve security. "This must include protection for employees. If workers are convinced that security measures are for the good of all and are not simply to protect the interests of the capitalists, much can be gained," Brig Stadler said.

He said that for effective counter-measures to predict terrorists' actions, businesses should be in close contact with police anti-terrorist units and security organizations.

"The ANC is committed to disrupting the South African economy. This means businesses will become a more important target for terrorism. Business has no other option than to accept the risks and invest in their own security."

Director of Cape Town Chamber of Commerce Mr Allan Lighton said yesterday, in response to Brig Stadler's comments, that he believed city businessmen were "well aware" of the security situation "and members are taking the necessary steps".

Brig Stadler said the ANC/SA Communist Party alliance had attacked a wide range of targets in South Africa.

Last year terrorists were responsible for 229 acts of violence.

Between 1976 and February 1987 terrorists were responsible for 656 incidents of terror, in which 145 people were killed.

Maponya dispute in deadlock

MEDIATION talks between the Commercial, Catering and Allied Workers' Union (Cawusa) and Maponya Discount Stores in Soweto have deadlocked

This week, Cawusa applied to the Industrial Council for the appointment of a conciliation board in a bid to resolve the month-old dispute

Should the conciliation board fail to resolve the issue, it will open the way for a legal strike at the supermarket — one of the first in the township.

Last weekend's mediation meeting ran into early snags when the union rejected store owner Richard Maponya's classification of workers

By SEFAKO NYAKA

A Cawusa representative said Maponya categorised workers at his store as either "unskilled workers", supervisors or cashiers

Cawusa argued that all the supervisors at the store are immediate relatives of the owners

Maponya's mediator proposed a R65 increase for the nine supervisors and R55 for the 118 cashiers and "unskilled workers"

Cawusa's mediators were demanding a R120 increase across the board, but after consulting with workers the offer was lowered to

R110

Maponya then offered ^{W/Mu 27/3} ~~R80~~ ^{27/11/87} for supervisors and R70 for cashiers and "unskilled" workers

The offer was rejected, as it was felt it was not in line with the "living wage" standards set by the Congress of SA Trade Unions (Cosatu), of which Cawusa is an affiliate

● Cawusa has also referred the dismissal of seven of its members to the Industrial Court

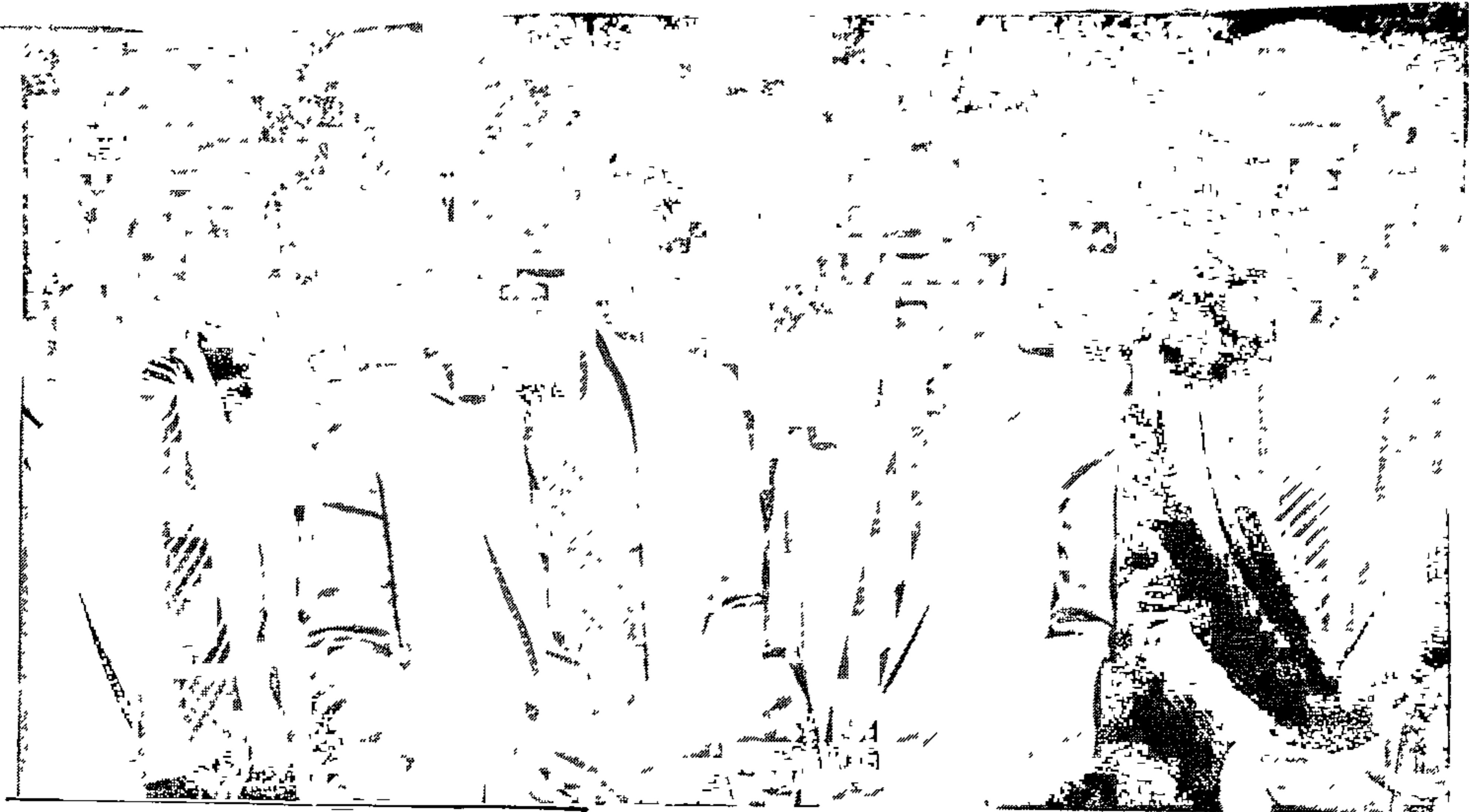
The union claims the workers, including a shopsteward, were dismissed for "petty reasons" and accused the company of union-bashing — an allegation denied by Maponya

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Mr JAPHTA Lekgetho (second from left), the president of the National Environment Awareness Campaign (Neac), was over the moon last Thursday when South African Breweries (SAB) presented them with a cheque for R12 000. With Mr Lekgetho is Mr Gary May and Mr Windsor Shuenyane, both of SAB and Mr Walter Mokoape (extreme right), chairman of Neac.

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8/4/87

SAB IN DISPUTE

Food Beverage Workers Union has declared a dispute with the South African Breweries following a deadlock in present wage negotiations.

Mr Moyalefa Vinqi, secretary for the Northern Transvaal region, announced yesterday that trade union officials met with management in Victoria on Friday to negotiate wages for the Witbank and Nelspruit areas.

He said his organisation's request for a weekly increase of R52 across the board was rejected by company officials. Management instead offered an increase of R24.

Afford

"We found the SAB's offer unacceptable as we know that the company can afford to pay more. If implemented, the amount we asked for would bring the average weekly wage to R170," said Mr Vinqi.

Mr Graham Mackay, the director for SAB in the Northern Transvaal region, said the trade union official "broke off talks".

"The workers have however informed us that they are not prepared to declare a dispute," said Mr Mackay.

8/4/87

Dispute in pay-rise talks with publishers

Staff Reporter
THE Media Workers Association of South Africa (Mwasa) has declared a dispute in its pay negotiations with Allied Publishing Company

Union spokesman Mr P Grobler said Mwasa rejected Allied's proposed increases for this year as inadequate

Allied had offered the lowest paid workers an increase of 17,5 percent, but this was unacceptable, Mr Grobler said

Vendors earned R60 a week. The union proposed that their salaries be increased to R108 a week, but Allied was unwilling to do this, Mr Grobler said

"Administrative staff, drivers and cash collectors were offered 17 percent but the union demanded 28 percent," Mr Grobler said

"Allied wants to give qualified and unqualified mechanics an increase of 15 percent but Mwasa wants 25 percent," he said

Allied managing director Mr J C Mould said "Our offer is graded between 15 and 20 percent — the highest increases going to lowest paid workers

"We have undertaken to give vendors an increase of 20 percent now and a further 11,1 percent in October, bringing the minimum wage to R80 a week, plus commission. We have guaranteed a minimum wage of R100 per week, plus commission, by the end of 1988

"This offer was rejected outright by Mwasa," said Mr Mould

TREVIRA

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OLD STRA

KROMB

Mwasa talks with Allied in deadlock

By MOIRA LEVY

THE Media Workers Association of South Africa (Mwasa) is to declare a dispute with the management of Allied Publishing after almost four weeks of wage negotiations resulted in deadlock.

Union representatives described the R60 a week paid to newspaper vendors as "a disgrace." They emphasised that vendors were often married men with families to support.

Vendors were employed on a permanent basis for the first time last year.

"They had always been employed as casuals until then, even if they had worked 20 years or more," union official Mr J

Smith said.

Mwasa has demanded wage increases of between 25 and 32%, but management is offering between 15 and 17,5%.

The union welcomed the "generous" bonuses paid by the company for extra time worked, but pointed out that they were not protected by the provisions of the Basic Conditions of Employment Act which governed overtime and other benefits.

Mwasa has pledged its support for Cosatu's Living Wage Campaign.

Mr J A Rayner, Provincial Manager of Allied in the Cape, said the company had no comment "at this stage".

23-28/4/87
SOUTH AFRICA
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PAT STONE

Understanding wage talks



Pat Stone, an industrial relations consultant with Andrew Levy and Associates, outlines essential information for management negotiators in wage bargaining.

The spread of unionisation has resulted in a dramatic increase in collective bargaining. The annual round of wage negotiations with unions has become a fact of life for an estimated 600 or so South African companies.

There are two major considerations that determine a union's expectations when it sits down at the bargaining table: the firm's ability to pay, and the level of settlement the union has experienced elsewhere.

This is not to say that movements in the cost of living, and the union's policy as to what it sees as a "living wage," are not important. They are, but are probably more significant at the start of the negotiation as ideal settlement areas, rather than as a realistic expectation of where the negotiation will end. It is of course the realistic assessment which is more important, as this expectation will have a more direct influence on whether or not the bargainers will settle or be more inclined to follow some form of industrial action.

The unions have better information in this regard than management because their information flow is freer and generally their experience and exposure to collective bargaining is greater.

With the need for better informed management negotiators, we recently brought together 70 management negotiators covering a whole spectrum of industries. These negotiators who participate in our Wage Settlement Survey have in the past 12

months undertaken some 200 wage settlements affecting more than 40 000 employees. Their experiences provide an interesting insight to the developing pattern of collective bargaining in this country.

Whilst 1986/1987 has seen a few negotiations settled in record time, the time span of negotiations and relative movements between the parties were critical in determining the eventual outcome of settlements.

The negotiating process has tended to become a slow-motion exercise with any dramatic movement by either party being saved for the final stages, the normal review date has now been passed, and the wise company insists that the implementation date is still a matter for negotiation. Alternatively, the parties have exhausted themselves through a period of prolonged industrial action and now believe settlement is preferable to a further indefinite period of attrition.

Whilst mediation was considered a possible mechanism to bridge the gap between the opposing parties, there is increasing difficulty in securing credible mediators. Given a list of pro-union or inexperienced mediators to choose from, managements have recently been reluctant to accept mediation to break a wage bargaining deadlock, or have proposed joint mediation between a nominee of their own and the union's.

Recent experience indicates that the unions are taking great care to ensure that major confrontations with management over wages are in accordance with the requirements laid down by the Labour Relations Act, thereby minimising the risk of ultimate dismissal.

Management have in turn demonstrated an increasingly sophisticated approach in dealing with strike action. By adopting a more relaxed approach to sit-ins and preparing themselves for a long process of attrition, management have taken much of the drama out of strike action. The pressure then re-

verts to the union to try to maintain support for the strike in the face of little direct hostility from management and little indication of fresh concessions being won.

As would be expected in high inflationary times, wages are the key issue and it is unlikely that a strike will take place on peripheral issues. Reduced working weeks from campaigns to make overtime more expensive are to be expected from trade unions conscious of the high levels of unemployment. With May Day sorted out, at least for this year, and the majority of companies now conceding June 16 as a holiday, we await fresh claims and the white backlash.

Generally, the negotiating process in SA has tended to be a one-way mechanism with management putting all its energies into justifying its refusal to meet union demands, with little in the way of seeking counter-concessions from the union. Where there have been attempts to link concessions to increased productivity, management openly admit that in many cases the agreed clause is merely an exhortation, rather than a meaningful agreement capable of monitoring and enforcement.

As wage costs continue to escalate as a result of collective bargaining, there is an ever increasing need for such increases to be more closely linked to productivity. An erosion of profit margins will not provide the funds necessary to meet the continuing demands of the unions.

Spiralling labour costs and the widening parameters of non-wage issues require fast, accurate costing of claims. Hidden costs, such as the impact of an increase on overtime, need to be identified quickly and clearly.

This impact must also be accurately costed before commitments are made if embarrassing post mortems between management negotiators and the financial directors are to be avoided.

MINE WAGE DISPUTE

Double trouble

The Chamber of Mines is facing tough times with wage battles on two fronts this year

For the first time, the conservative white Council of Mining Unions (CMU) has set a strike date, although this remains "secret." And the black National Union of Mineworkers (NUM) has declared a dispute following deadlock after two days of negotiations during this year's round of wage talks

It is difficult to assess which of the two unions poses the greater threat. Although the NUM's wage dispute is yet to go through the formality of a conciliation board hearing, indications are that the strike threat is a real one

Strike trouble on the mines could, ironically, be bullish for gold.

The NUM is demanding, among other

things, a 40%-55% increase for its members, the chamber's opening offer is 12,5% at collieries and 12,5%-17,9% at gold mines. The NUM is aggrieved at the difference between the colliery and goldmine offers. However, chamber spokesman Peter Bunkell stresses the offer is negotiable. He explains that the chamber distinguishes between collieries and gold mines because of their respective abilities to pay.

The NUM will be a strong opponent given its bargaining power and experience, last year, between June and December alone, it launched 13 strikes related to wage and bonus demands.

The NUM is the Congress of SA Trade Union's (Cosatu) largest and most influential affiliate. Of chamber members' total black workforce of about 500 000, the NUM claims to have 360 000 of whom 227 000 are said to be paid-up. Its tough wage stance should be seen in the context of Cosatu's "living wage" campaign.

Skilled members

But neither should the CMU be underestimated. Although its membership is around 26 000 only, CMU members work mostly in skilled or strategic positions where a strike will hurt most. CMU secretary Tom Neethling maintains that a strike date has been set but will remain a secret at this stage.

The CMU is demanding a 20% across-the-board increase against the chamber's offer of 13% on marginal mines and 14% on non-marginal mines. The white miners are also demanding an extra week's annual leave, two additional paid holidays, on January 1 and May 28 (Ascension Day), and increased stand-by and call-out pay.

The white miners, who now have a champion in parliament in (ex) Mine Workers' Union chief Arrie Paulus, feel particularly deceived. Says Neethling "The loyal people were pushed aside and left behind in pay.

rises because they weren't militant. This year they will be the most militant." ■

and that of the recent Stratton

Cape Times 30/5/82
(151) (223)
Mwasa settles wage dispute **Allied**

THE Media Workers' Association of South Africa's Cape Town branch has opted to settle its wage dispute with Allied Publishing Limited, Allied's managing director, Mr J C Mould, said yesterday. He said settlement was finally reached this week after earlier attempts at mediation failed.

In spite of numerous attempts, Mwasa spokesmen could not be reached for comment last night.

A dispute was declared between Mwasa and Allied on May 12 after four weeks of wage negotiations.

Mwasa initially demanded a 25% across-the-board increase and rejected Allied's offer of an increase of R32 a week for street vendors — which would have taken their wages from R60 to R92 a week with a further increase of R8 a week from October 10 this year.

Allied employees in Cape Town have accepted the package which also includes a reduction in working hours from 46 to 44 hours a week, and a minimum wage of R110 a week for workers other than newspaper vendors, said Mr Mould, adding that the new agreement was backdated to the beginning of April.



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B/Day 4/6/87



Miners' dispute continues

TALKS between the Chamber of Mines and Council of Mining Unions (CMU) — aimed at averting a strike by white miners — adjourned yesterday with no indication of a settlement of their wage dispute

Spokesmen for both parties were tight-lipped about developments, saying only that negotiations had reached a critical point.

CMU secretary Tom Neethling said "At this stage I have absolutely nothing to say except that negotiations are continuing". He would not say what form the negotiations would take.

Although no official confirmation could be obtained, it appeared both parties had gone into caucus and planned to re-establish contact at a later stage.

Asked if formal talks would resume to-

day, Neethling would make no comment.

Earlier, a chamber spokesman, Peter Bunkell, said he was hopeful a settlement to the wage dispute would be reached.

The CMU — representing about 24 000 skilled workers in eight affiliated unions — has threatened to stage a legal strike on June 8 unless the dispute is resolved.

Annual wage talks between the parties broke down in March after the CMU had demanded a 20% increase in response to the chamber's offer of 14% for non-marginal mines and 13,5% for marginal mines.

At renewed talks last week, the chamber improved its offer to 15% for non-marginal

mines and 13,5% for marginal mines and both parties believed an end to the deadlock was in sight.

The CMU has already balloted its members who have voted in favour of coming out if their demands are not met. The union was in a legal-strike mood, said Bunkell.

The last time white miners struck was in 1979.

Despite being a relatively small proportion of the total workforce, white miners occupy key skilled positions and could have a devastating affect on the mines if they stop work — Sapa

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9/6/87 (151) (187) (188)

Council, workers to meet on pay demands

By DICK USHER
Labour Reporter

TALKS to try to resolve the impasse between the City Council and staff unions over pay increases and the introduction of a job evaluation scheme will be held this week.

"We are doing our utmost to reach a conclusion that will be satisfactory to all parties," said Mr Dick Friedlander, chairman of the council's executive committee.

The council's 16 000 employees are frustrated by delays during which executive committee proposals have been referred back several times in the past two months.

Following a meeting of the 11 000-member Cape Town Municipal Workers' Association (CTMWA) last month at which strong dissatisfaction was voiced, the 4 500-member branch of the South African Association of Municipal Employees (Saame) is meeting next week to challenge the council's proposals.

The council's offer is a one-notch across-the-board increase equal to about 4,5 per cent, backdated to January 1.

Demands

CTMWA members have demanded a R50 a week minimum increase. Saame proposed an 18 per cent increase in two stages, on January 1 and July 1.

Both groups have rejected any attempt to link pay increases with the job evaluation scheme, saying that the scheme should be implemented first.

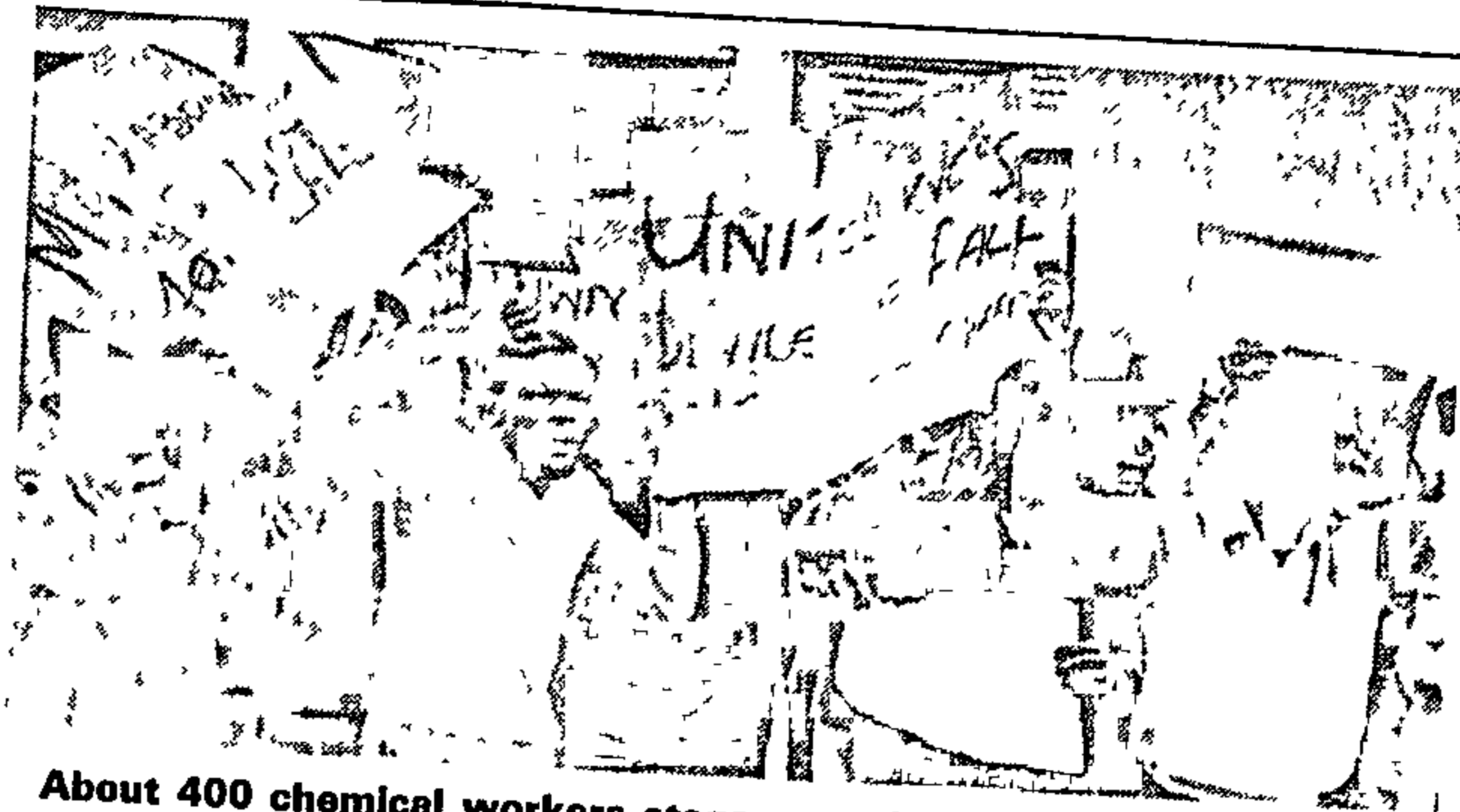
This would benefit employees whose salaries would be adjusted to market related rates and then increases should be negotiated, according to the unions.

Sources claimed that council resistance was due to financial problems while the implementation of the job evaluation scheme, still not resolved, had spread over five years partly because of inter-departmental politicking.

Mr Friedlander said he could not comment further as it could prejudice negotiations between the council and staff.

"Obviously, if pay demands are excessive any organisation would have trouble meeting them," he said.

"But within our budgetary provisions we hope we can reach a reasonable and satisfactory conclusion."



About 400 chemical workers stage peaceful protest over wages.

Quiet end to worker demo

B/Dury 10/6/87

A DEMONSTRATION in New Centre, Johannesburg, by about 400 SA Chemical Workers Union (Sacwu) members bearing placards and chanting slogans ended peacefully yesterday after police told them to disperse.

The demonstration followed a six-month wage dispute between the Sacwu workers and their employers, the SA Pharmaceutical Development Corporation (Sapdc).

A Sacwu spokesman said the union was demanding an across-the-board increase of R80 a week and was not prepared to accept Sapdc's offer of R100 a month across-the-board.

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DANIEL SIMON *151*

Sapdc company secretary Don Stoddart yesterday confirmed the wage dispute affecting 382 workers and said the company was not prepared to negotiate a 60% increase with the union.

He said members were given a week off to reconsider the company's 20% offer and they had until tomorrow to return to work or lose their jobs.

Stoddart described the union's demand as excessive, saying "we made them our final offer".

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'Criminal sanctions on strikes should go'

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THE present criminal sanctions attached to strikes and lock-outs should be abolished except possibly in regard to essential services, the National Manpower Commission (NMC) said yesterday

In its report on dispute settlement, levels of collective bargaining and related matters, which was tabled in Parliament yesterday, the NMC said the criminal sanctions attached to strikes and lock-outs should be repealed because they had proved ineffective in preventing industrial action

"Their imposition can, in certain circumstances, actually hinder the settlement of disputes through negotiation

"They also tend to introduce an excessive degree of legalism into the sphere of strikes and lock-outs," the report said

"One area in which the retention of criminal sanctions could be considered is where employers and employees involved in the provision of essential services institute a strike or lock-out," the report said

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Cosatu, FCI ^{25/6/87} welcome new ^{B/Day} labour report

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ASPECTS of the National Manpower Commission (NMC) report on dispute settlement, collective bargaining and related matters have been welcomed by Cosatu and the FCI

However, the National Council of Trade Unions (Nactu), SA's second largest union federation, has discounted the report for not addressing what it sees as the crucial issues of the day

A Cosatu statement yesterday described NMC recommendations for the decriminalisation of strikes and picketing as "positive and sensible"

It said detentions, arrests and sjambokking of hundreds of striking workers in the past year alone had led to an escalation of conflict

"It is our experience that most strikes can be quickly settled if management recognises grievances and is prepared to negotiate in good faith.

ALAN FINE

Government and employers should also note the important role played by unions in effective negotiations," it said

In addition to welcoming the strike proposals, FCI executive director Steve Anderson welcomed the recommendation that non-statutory collective bargaining systems that have developed not be interfered with.

He also expressed approval for a reference in the report saying the public sector should be covered by the Labour Relations Act, but was concerned about the delay in publishing "this very important document"

Nactu general secretary Piroshaw Camay criticised the report for "failing to address exhaustively the issue of rights of workers excluded by the Labour Relations Act, and the interference by the police in trade union matters"

Eskom's appeal on dispute upheld

SUSAN RUSSELL

ESKOM has won an appeal against a decision by the Minister of Manpower to establish a conciliation board to deal with a wage dispute between it and six trade unions

In upholding Eskom's appeal and setting aside the Minister's decision, Mr Justice N M MacArthur found in a handed-down judgment that the statutory requirements for the establishment of a conciliation board had not been met

The appeal was brought against the Minister of Manpower, the Mine Workers' Union (MWU), the SA Iron, Steel and Allied Industries Union (SAISAIU), the Amalgamated Engineering Union of SA (AEUSA), the SA Electrical Workers' Association (SAEWA), the SA Boilermakers', Iron and Steel Workers' Union (SABISWU) and the Shipbuilders' and Welders' Society (SWS)

The judge said it was submitted on behalf of Eskom that the statutory requirements for an application to establish a conciliation board had not been complied with

He said the application for a conciliation board was made on July 9 last year by the MWU on its own behalf, and on behalf of the SAISAIU and Eskom's Unions Joint Committee

Argued

The SAISAIU gave power of attorney to the MWU

The AEUSA, the SAEWA and the SABISWU gave power of attorney to Eskom's Unions Joint Committee

The judge said, equipped in this way the joint committee had purported to empower the MWU to act on its behalf

It was argued by Eskom that the committee was neither a union nor an employee in terms of the Labour Relations Act, and so could not be a party to the application for a conciliation board

Union bargaining shows growth

UNION-NEGOTIATED wage settlements in the first six months of this year reflected increases averaging 16.4%, exceeding the national norm by 4% to 5%.

This is according to a mid-year report on collective bargaining trends published by consultants Andrew Levy and Associates and released yesterday.

The report states that, economically, the bargaining prospects for 1987 appear more favourable than at any time in the previous two years. This is due to buoyant economic forecasts being given credence by production moving back to full-time and order books filling. At a macro-level, there are expectations of 4% GDP growth, compared with the 0.7% of the

year before.

There is little doubt, the report observes, that the economic recovery is having the effect of heightening both union and worker impressions of managements' ability to meet substantial wage increases.

Settlements

And during the next six months, it says, employers can expect to have to reach settlements close to the inflation rate.

The report notes a number of strikes this year which lasted for more than four weeks, and says that they indicate "the solidarity and militancy of labour at the moment, as well as the ability to sus-

ALAN FINE

tain extremely lengthy strike action, facts which management should not underestimate."

It predicts that a further factor in wage bargaining will be union pressure for nation-wide in-company bargaining, rather than a series of plant-level negotiations.

"Although there have been some important groups granting this (including SAB and Premier), strong resistance is to be expected from a number of the major employers who have decided that plant level negotiation works well in practice".

These employers believe that

"what the unions are now referring to as 'all level bargaining' is an open invitation to have innumerable bites at the same cherry. Where employers resist (thus), they should expect to face legal industrial action, and probable national strike action, before they even get to discuss wages."

Big impact

This debate, it says, will sooner or later find its way into the Industrial Court.

The report argues that the Co-satu living wage campaign has made a significant impact on wage bargaining. As regards other union organisa-

tions, the report observes that the performance of the United Workers' Union of SA "remains unimpressive" and employers who face them across the table "seem to have little to fear".

Little can be said, it adds, of the National Council of Trade Unions (Nactu) as a confederation. Performance here can only be judged by looking at its individual unions.

There appears to be, though, a slight tendency to more strike action in support of wage claims, with a lengthening of the duration of the strike, as well as a very significant usage of "cut price" industrial action by way of overtime bans and go-slows in support of this

Mines deadlocked on wage demands

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Own Correspondent

JOHANNESBURG.— Deadlock was reached yesterday in wage negotiations between the National Union of Mineworkers (NUM) and the Chamber of Mines, and the NUM plans to begin conducting strike ballots at 27 gold mines and 18 collieries next week.

Both sides modified their positions again at yesterday's conciliation board talks. However, disagreement remains on NUM demands for 30% wage increases, increased annual leave, paid leave on June 16, danger pay and improved death benefits.

NUM spokesman Mr Marcel Golding said the NUM accepted a proposal by the Manpower Department official present for the dispute to be referred to mediation or arbitration.

The chamber, however, turned down the proposal. A spokesman could not be reached for comment on this.

The chamber's final offer ranged from 17% to 23% on all gold mines except three marginal mines where the offer is 16% to 21,6%.

The offer for coalminers ranges from 15% to 23,4%, with differential offers from different groups.

Golding said yesterday that the NUM remained committed to reaching an agreement with the chamber.

The chamber expressed regret at the outcome.

Member mines planned to implement increases today "slightly lower" than the final offer. It said it was compelled to do so because the NUM represents only 170 000 workers in recognized bargaining units, out of the total 500 000-strong workforce in affected job categories.

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Workers to return, others retrenched

Dispatch Reporter

EAST LONDON — A total of 847 black workers were expected to return to the Langleberg Co-operative here on Monday, a National Union of Food Workers' (NUFW) spokesman, Mr L. Mati, said yesterday.

The workers were dismissed from the co-operative in April following a dispute.

Some 700 coloured workers were hired on a temporary basis to fill the vacancies, the manager of the co-op, Mr Andre Esterhuysen, said.

The dispute with the NUFW had now been resolved and the dismissed black workers would be reinstated on Monday.

A total of 350 coloured workers would be retrenched today. Further retrenchments could occur depending on how many black workers employees returned to work, he said.

He said about 250 workers had already left the factory at 3.30 pm yesterday afternoon, and he did not expect them to return today.

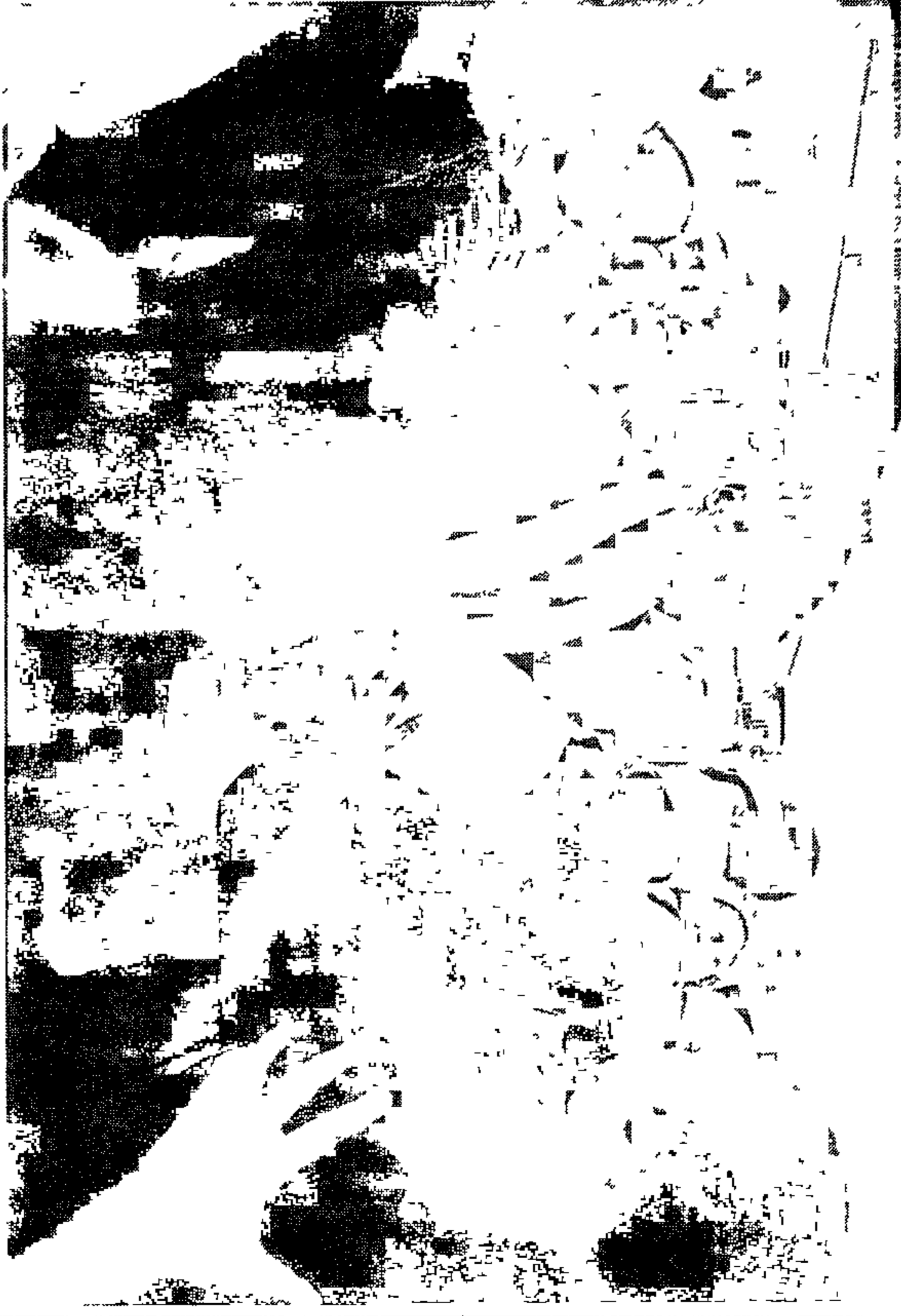
"We doubt whether they will be coming back, but those that stayed indicated they would be at work on Friday."

The factory is expected to run at half capacity today as it did yesterday from 3.30 pm.

The coloured workers, who formed the South African General Workers' Union on Wednesday, have disputed that they were hired on a temporary basis.

At a meeting this week the coloured workers decided to reassess the situation on Monday, a spokesman, Mr Vendnor Fortuin, said.

A coloured supervisor at the co-operative, Mr Johannes Doyne, said he had understood when he recruited the coloured labour that they would be hired on a permanent basis. Only last week when the retrenchments were announced did he discover that their employment was temporary.



Distressed workers are restrained after being told they no longer have the jobs they took in order to keep production going when an East London concern suffered a labour dispute.

Unions to picket oil companies

OIL giants Shell and BP face public criticism when workers from the Cosatu-affiliated Chemical Workers' Industrial Union picket their offices throughout the country next week.

The union already has permission from the magistrate to hold the pickets in Durban but is still waiting for permission from the other centres.

Durban branch secretary for the CWIU, Pat Horn, said the workers wanted to publicly demonstrate their dissatisfaction with the attitudes of the two multi-nationals. The petroleum companies refuse to intervene in the wage dispute between the union and the South African Petroleum Refinery, the Shell and BP jointly-owned company based on the Bluff, Durban.

On February 26 the CWIU, which has majority membership among the 700 workers, declared a dispute with Sapref after the parties failed to reach

By **BILLY PADDOCK,**
Durban

agreement on wages and working conditions which were to come into force from March 1.

A conciliation board was appointed after several meetings between the parties ended in deadlock.

At the same time the CWIU appealed to Shell and BP to intervene in an attempt to resolve the dispute.

"Sapref is an independent company with its own very qualified management independent of either Shell or BP," said Shell's general manager for legal and public affairs, Scollen Channon-Bracher.

Says Horn "Shell and BP are avoiding their responsibility to their refinery employees.

"It is all very well for Shell and BP to invest in expensive advertising campaigns promoting their concern

for the people of South Africa but we believe they should put their own house in order," said Horn.

Channon-Bracher said "We would find it highly irregular that the union represented at Sapref should dictate to Shell and BP what our social programmes should entail."

The managing director of Sapref, Andrew Warner, said he had discussed with the union their proposals on social responsibility and his company had made offers regarding these.

His plant had a tertiary education programme for their employees and together with Shell and BP "we consider ourselves well in the forefront as far as social responsibility goes".

Shell said they were not unduly concerned about the pickets even though it did add to the complexities.

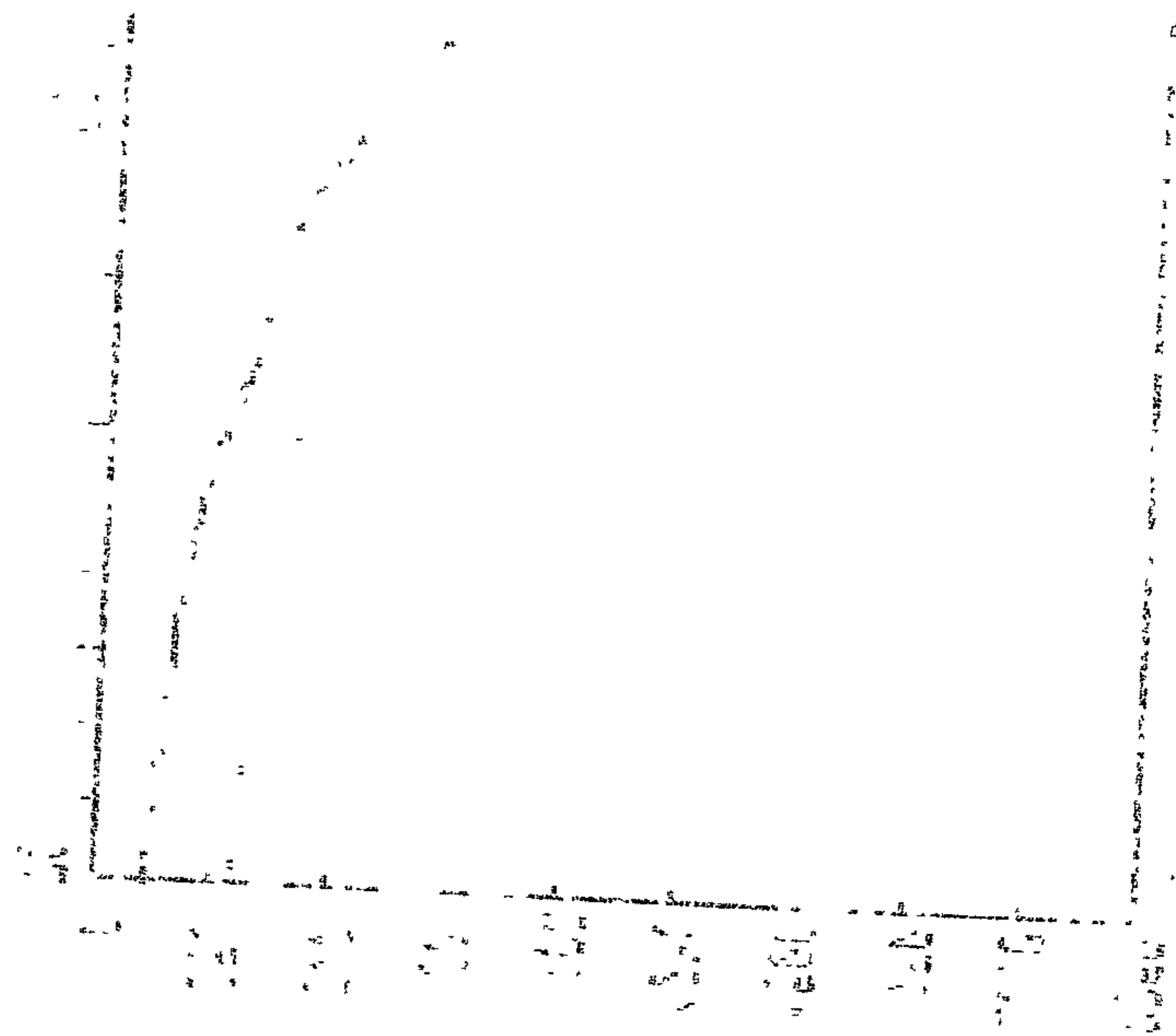
The union will be conducting a strike ballot at the plant today.

(151)

~~ISI~~

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w/Mark
3-9/7/87



Sarmcol dispute in its 25th month

By S'BU MNGADI

THE long-drawn dispute between BTR Sarmcol and the Metal and Allied Workers' Union (now the National Union of Metal Workers of SA) entered its 25th month when an Industrial Court hearing resumed at Maritzburg's Edendale Lay Centre

The dispute is centred around the legality of the two-day strike by Sarmcol's 1 000 employees in May 1985

Numsa alleged that the subsequent dismissal of strikers by the giant multinational company was unlawful

BTR Sarmcol, on the one hand, alleged that the strike action was disruptive and resulted in "disorderly, aggressive, violent and intimidatory industrial action"

As a strategy for survival, pending arbitration, the union embarked on a large-scale co-operative project - the Sarmcol Workers' Co-operative

Sawco's projects include a T-shirt screening unit, farming, a newsletter and a cultural group.

From the proceeds of Sawco and donations from sympathetic bodies and individuals worldwide, Numsa has been able to supply strikers with food parcels in order to keep them fed and united

Since May 1985, there has been sporadic incidents of violence involving the strikers and about 800 scabs

December last year saw two senior Numsa shop stewards and two Numsa supporters being fatally attacked by busloads of people who invaded the Mphophomeni township at night

Subsequently, a civil case involving more than R412 000 in damages, was instituted by the families of the deceased against KwaZulu Chief Minister MG Buthelezi, in his capacity as the homeland's Police Minister.

MSA *B/Oay*
9/2/77
**Boards veto
upsets NUM**

ALAN FINE

THE National Union of Mineworkers (NUM) yesterday protested against the Minister of Manpower's refusal to appoint conciliation boards in two cases in which the Industrial Court had found dismissals to be unfair and had made temporary reinstatement orders.

The protest is based on a recent development at Gold Fields' Kloof gold mine, and on an earlier case at Rand Mines' Durban Roodepoort Deep, where a total of 352 workers could not apply for permanent reinstatement orders because of failure to appoint a board.

The Labour Relations Amendment Bill before Parliament will, when passed, remove the Minister's right to block conciliation board applications.

NUM assistant general secretary Marcel Golding described the Minister's action as "irresponsible and not supportive of the industrial relations system."

A Gold Fields spokesman said the company had not yet received a copy of the judgment, and attempts to reach Rand Mines for comment were unsuccessful.

Sagwu hails SACC man

By SELLO SERIPE

THE South African General Workers' Union this week hailed the appointment of the Reverend Frank Chikane as general secretary of the SA Council of Churches.

The union spokesman said Sagwu, which is not affiliated to either Cosatu or the National Council of

Trade Unions, hoped that Chikane would follow in the footsteps of his predecessors, Dr Beyers Naude, and Archbishop Desmond Tutu.

The spokesman also condemned those responsible for the bomb-blast at Wilgespruit Fellowship Centre last Friday and pointed an accusing finger at the "system".

"Those responsible for this barbaric act knew that the centre is utilised by workers' unions and many other extra-parliamentary organisations and their main objective was to prevent us from continuing with our resistance against the system," he said.

"But," he added, "we warn them that whatever act they exercise to suppress our resistance will not deter us from rejecting exploitation and oppression."

Sagwu is currently engaged in negotiations with eight companies in a bid to be recognised.

It has over 3 000 members in the PWV area and has been recognised by five companies since its inception in March last year.

Dispute settled

THE dispute between workers and management at Mercedes Benz, South Africa's car manufacturing factory has ended with 2 800 workers returning to work this week.

The dispute had started when 29 workers downed tools in the paint plant demanding the abolishment of short time, which led to the brief closing of the plant.

The company had agreed to return to normal shift hours in the paint plant shop after discussions with workers' representatives. — Elnews

Swazis net R500

THE RECENT crackdown by the Swaziland Customs and Excise Department on Swazi motorists using SA registered cars in the country netted the Swaziland government over R500 000 in sales tax in the past two weeks.

The Minister of Finance, Sibusiso Dlamini, told Parliament the government's warning to Swazi motorists to re-register

their cars in Swaziland for importing, had been seized, had am

He said large numbers of Swazis had long time avoided paying third party fees and using unlicensed vehicles, making any con

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High cost of food 'behind new worker militancy'

By DICK USHER
Labour Reporter

ROCKETING food prices are a major factor behind a wave of increasing worker militancy in the Cape Town region, according to trade unionists.

They say that the go-slow by municipal cleansing workers is only one of a series of industrial actions launched by workers in recent weeks because of food prices eating away their pay packets.

Another strike is threatening in the food industry and industrial action by the city's cleansing workers might spread to other departments.

Food prices in Cape Town were a huge 32,7 percent higher this May than a year ago, well above the national average rise of 25,8 percent, according to figures released by Central Statistical Services

The Food and Allied Workers Union (Fawu) is locked in dispute with two of the largest companies in the staple food sector, which faces the threat of a national strike

SPIRALLING

A Fawu statement announcing the disputes said that huge profit increases by the companies had been accompanied by spiralling food prices

Latest figures indicated that this was the main contribution to rising inflation

Unionists point out that food is the major component of worker spending and the heavy price rises have further hit pay packets already seriously eroded by the failure to pay increases to keep track of inflation

Cape Town was hit this week by a go-slow of cleansing workers. They are members of the Cape Town Municipal Workers Association which is pushing for a R50-a-week across-the-

(Turn to Page 3, Col 1)

What to do with your rubbish ...

Staff Reporter

THE Cape Town refuse collection workers' "work to rule" may be extended to suburbs on the Atlantic seaboard next week, now that the workers are being backed officially by their union, the City Engineer, Mr Des Riley, said today

If this occurred there would be only one collection a week in the Atlantic division, which includes high-population density suburbs like Sea Point

Mr Riley said negotiations with the workers were continuing and the atmosphere was "amicable"

The city council today appealed to householders affected by the "work to rule" to assist in maintaining the refuse removal service at a satisfactory level. This could be done by

- Making refuse available as usual on the householder's property on normal collection days. If it is not collected by 3 30pm ensure that it is accessible on the next collection day

- Do not place refuse in the street

- Make a special effort to keep dogs off the street

W/ R 645 R 718 7

Inflation and poor pay packets are fuelling militancy of workers

THESE seems to be a widespread surge of worker militancy throughout the country

Not only are the National Union of Mineworkers poised for a legal strike, so is the Food and Allied Workers' Union (Fawu) and the National Union of Metalworkers of South Africa has just backed off from a national strike

Then there is the local action by cleansing workers in the Cape Town Municipal Workers' Association, a strike in Johannesburg at Fidelity Guards, and the Electrical and Allied Workers' Trades Union is refusing to sign the industrial council agreement with the employers

And that's not nearly the end of it

The Paper, Wood and Allied Workers' Union (Pwawu) says that their members have had five strikes in recent weeks

One of the most basic causes of this is inflation where pay packets are simply not keeping up with rising prices — especially food prices which have increased at rates well over inflation

Pwawu says that their members' actions were directly related to rising food prices and other

unionists point out that food is the major component of worker spending

Fawu, which is threatening a national strike over a wages dispute with Premier and Sasko, points to a major contradiction in the food industry

According to their figures, Sasko profits increased by 31 percent to more than R30-million last year, while Premier's profits rose 22 percent to R152-million

"The huge profit increases have been accompanied by spiraling food prices," the union said in a statement

What they're saying is that while profits have been surging, workers are increasingly unable to buy the staple foods which they produce

Whichever way you cut it, this is rather strange. But, the pressure on worker pay packets does not end there

With unemployment still rising, more and more people are becoming dependent on the wages of those still in employment

Nick Henwood, regional secretary of the Con-

gress of South African Trade Unions, in a recent talk to a UDF meeting, said that there were now nine people dependent on every person employed

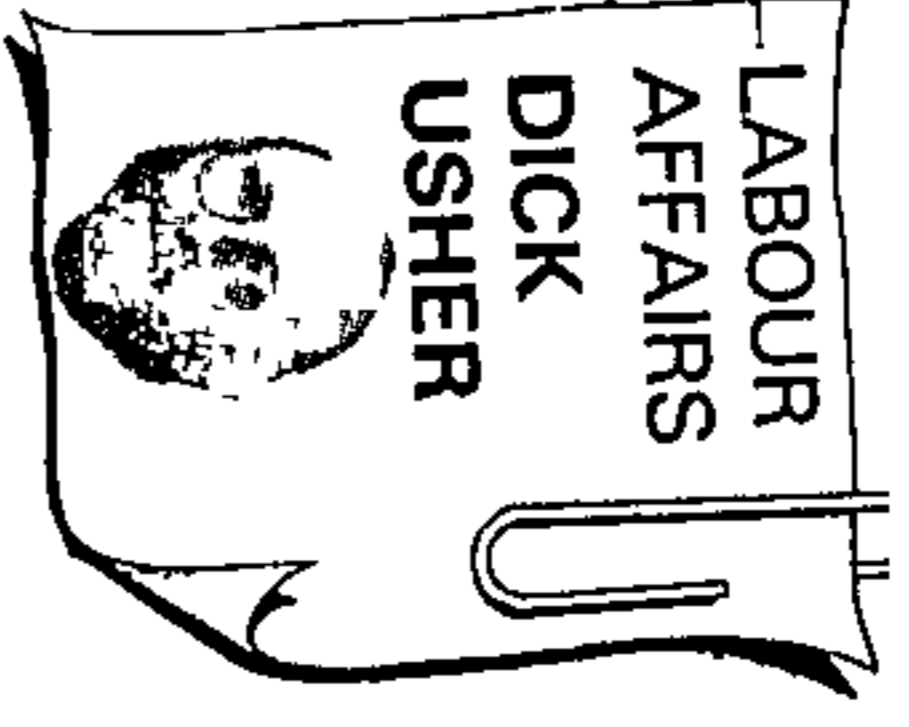
It's thus a double bind for the worker — food prices have gone up 27 percent nationally (and a massive 32.7 percent locally) while there are more mouths to feed on what you earn

For the workers in the food industry the solution seems plain: the companies are making lots of money out of our labour, so let them share some of it with us

They can cut profits in one of two ways — drop prices or raise wages

Lower prices, the argument goes, would enable the poorest sections of the community to feed themselves better. In the more affluent sections it would free money to spend on other goods and thus help to stimulate demand and create employment

Raising their wages would have the same effect, although perhaps not quite as widespread unless it was extended to workers in all sectors



Wage dispute over pay for electricians

By DICK USHER
Labour Reporter

INDUSTRIAL action in the electrical contracting industry threatens over a wage dispute between workers and employers.

Any action could also affect the building industry.

Employers and the Electrical and Allied Workers Trade Union (EAWTU) held urgent informal talks on Thursday night to try to resolve the situation, which has been brewing since the union refused to sign the proposed industrial council agreement for the Western Cape.

The Electrical Contractors Association (ECA) has accused the union of acting irresponsibly while the union has threatened industrial action to back its demands.

"We will drop the dispute if employers give us firm commitments to improve labourers' wages," said Mr Brian Williams, the EAWTU's assistant general secretary.

"These workers have no pension, no industrial council sick pay, no dental or optical benefits, no industrial council death benefits, no medical aid and no maternity benefits for their wives."

The union is demanding an increase for labourers, grade II workers, to R2,86 an hour.

Mr James Baker, executive director of ECA, said "The union is robbing its members of the benefits of a generous wage offer made by the industry at a time when the whole construction industry is reeling under financial cut-backs."

Employers have offered a 44c increase on the minimum of R2,42 an hour for grade I employees, bringing them to a R2,86 minimum, and a 33c increase to grade II workers, bringing their minimum to R2,56 an hour.

Workers earning more than the minimum would get across-the-board increases of 30c for grade I and 25c for grade II.



Iscor ultimatum

ABOUT 7 000 striking members of the National Union of Metalworkers at Iscor near Vanderbijlpark have been given an ultimatum to return to work today or face dismissal.

The workers have been on strike for 16 days after demanding a wage increase of 75 cents an hour.

WORKERS LOCKED OUT

ABOUT 50 employees of E Snell and Company, a liquor firm in Isando, have been locked out of their company premises because of a dispute they had with an employee who passed bad remarks about their union.

The workers belong to the National Union of Wine, Spirits and Allied Workers' (Nuwsaw) who believe that the plant director, a Mr Stretton, has dismissed them

The workers said trouble started last week when the employees held a meeting to discuss what they should do about the man who continually harassed them about being members of the

Labour Reporter

union

As the meeting was in progress, they said, Mr Stretton arrived and told them to break up but before they could do so he sprayed them with water from a fire extinguisher hose pipe

An executive member of the union, Mr November Nkosi tried to speak to the management of the company but was informed that the workers were on strike. When he tried to explain that there was no strike action he found the gates to the firm locked

Mr Nkosi said attempts by union officials

to speak to the managing director proved fruitless as they were told he was either in Durban or on the way to the plant in Johannesburg

He said the last word they had from the company was that union officials could meet with management tomorrow

Mr Nkosi said the union was now seeing its legal representatives to see what steps to take in the light of the company's view that the workers have been dismissed because of strike action that never was

Mr Stretton was unavailable for comment

Sawefan

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6/8/87

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BUSINESS DAY, Thursday, August 13 1987

3

ALAN FINE

MEMBERS of the Chemical Workers' Industrial Union (CWIU) at Sasol's Secunda complex decide today whether to strike in a dispute over the granting of May Day and June 16 as paid holidays.

The union said yesterday the majority of the 14 000 workers at the oil-from-coal plants and nearby coal mines had voted in favour of strike action. Mass meetings would take a final decision.

The CWIU is also in dispute with

Strike 'decision today'

Sasol on two other issues, wages and implementation of wage increases prior to agreement being reached. These disputes are still proceeding through official conciliation procedures.

A Sasol spokesman confirmed conciliation board talks on May Day and June 16 had deadlocked

He added, though, that the issue

"will only be actual in nine months' time", during which period Sasol was prepared to negotiate further. For that reason, Sasol believed it was premature to consider negotiations over

Strikes at Sasol collieries would increase pressure on the coalmining industry, already hard hit by the NUM strike

Police armed Witdoeke - claim

By ELSABE WESSELS

POLICE gave Witdoeke guns and bullets to use in fighting against Comrades, it was claimed in an affidavit submitted during the inquest into the death of television cameraman George De'Ath.

Mr De'Ath was killed during the carnage in Cape Town's black squatter settlements in June last year, an inquest court was told this week.

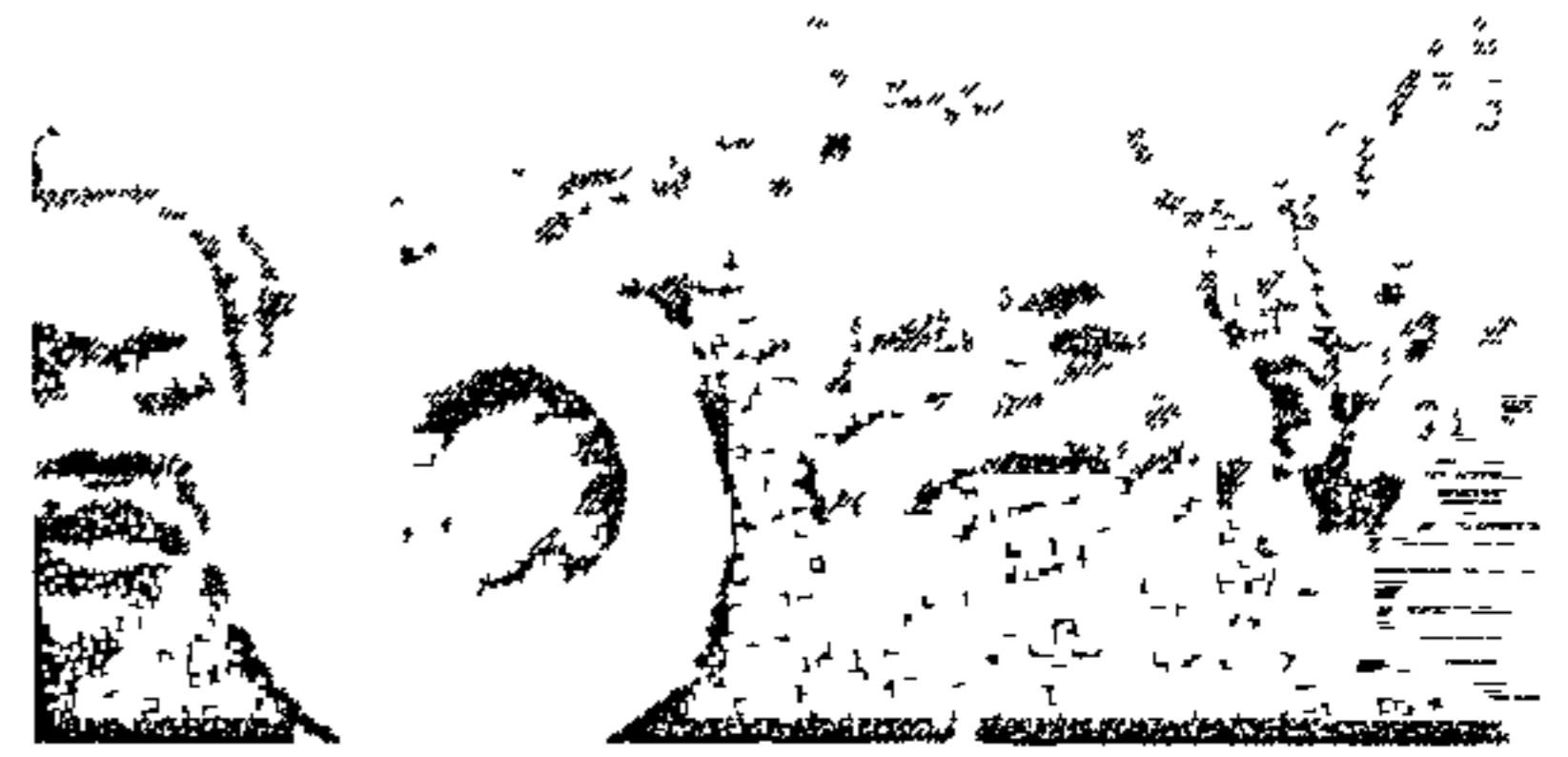
The affidavit formed part of a startling eyewitness account of De'Ath's death submitted by counsel for his family.

The magistrate, Mr W J M Marais, found this week that De'Ath was "assaulted by a person unknown to the State".

De'Ath died from cardiac arrest on June 14 because of severe head injuries sustained after an attack by knobkierie and panga-wielding men. He had been filming fighting between rightwing Witdoeke and radical Com-



Stills from the last film footage George De'Ath ever shot... was it "edited" before police handed it back



rades at the KTC squatter camp in Nyanga on June 11.

He never regained consciousness after the attack.

De'Ath was one of the few newsmen who had remained behind in the battle-torn area. He and soundman Mr Andile Fosi were trapped behind Witdoeke lines when the attack took place.

An application by De'Ath's family for the court to hear oral evidence on the circumstances surrounding his death was turned down by Mr

Marais, who said he would make a finding based on written evidence only.

Several affidavits handed in on behalf of the De'Ath family formed the "overwhelming impression that the Witdoeke vigilantes were operating in complicity with the police", counsel for the De'Ath family said in court.

But the witnesses' affidavits were not mentioned when the magistrate reached his finding. The matter will now be referred to the Attor-

ney General.

"The evidence was contentious and required a full and open public inquiry," said counsel for the De'Ath family, Mr Jeremy Gauntlett.

According to affidavits submitted to the inquest court in April, a video filmed by De'Ath moments before he was fatally assaulted was edited before police handed it back to the network.

Mr Andile Fosi, who was also injured in the attack, suggested in his affidavit that

one of the tapes taken by police after the assault had been partly obliterated.

The entire tape consisted of a freeze-frame — an editing which could only have been obtained by an editing machine, Mr Fosi claimed in his affidavit.

The terrifying circumstances under which De'Ath died were revealed in other eyewitness affidavits filed the day before the inquest finding was reached.

Officer

According to a KTC resident, who did not want to be identified for fear of retribution, said he saw a white photographer being axed by a group of Witdoeke.

The witness, who had been hidden in one of the houses, said while he was there he heard a police officer known as "Barnard" tell the Witdoeke in Xhosa that they must not hit with pangas or axes but with knobkieries.

He recognised one of the Witdoeke who attacked De'Ath as "Willem".

"I have subsequently spoken to Willem about the incident and he told me that the Witdoeke were trained by the police," he said.

"Willem told me that the police instructed the Witdoeke how to take cover when they were being shot by the Comrades.

"Willem also told me that the police had given the Witdoeke guns and bullets to use in fighting with the Comrades."

Workers challenge tea estate

CP Press 23/8/87

THE court action by two Sapekoe Tea Estate workers, challenging their eviction from the estate, was this week adjourned for the hearing of oral evidence

The applicants, Aaron Sithole and Gilbert Mankinyana, claimed in the Maritzburg Supreme Court that they had been unlawfully evicted from their accommodation on the estate without a court order

The application, which is being opposed by Sapekoe, is being brought as a test case on behalf of other workers evicted after a work stoppage last month

Judge Page said he was unable to settle the dispute on the papers put before the court and ruled that the cases should be adjourned until September 2

In an affidavit, Sithole said the dispute had arisen over the workers' dissatisfaction with low wages and because of management's attitude towards the workers since they had become members of the Food and Allied Workers' Union

Sithole, a shop steward, said Sapekoe management had refused to negotiate with workers, saying they would only deal with an appointed liaison committee

However, he claimed the committee had become defunct as workers had joined Fawu

Sithole said that, on July 14, deadlock was reached and workers were told they would be dismissed and evicted if they did not return to work.

He alleged that, the following day, police, acting on instructions of the estate manager, had fired teargas into various buildings on the estate and chased workers with sjamboks as they emerged from the buildings

He said workers were chased into an office, made to pay R14 or R16, then forced onto trucks which took them to the nearby railway station

He said many spent the

CP Correspondent

night at the station and were taken back to the estate the following day where they were asked to write down the names of people they believed were



Sapekoe workers Nomusa Mkhize and Maram Nkomane and their children await the result of the court action against the estate's management.

stopping them from working

As a result of this 35 people, including himself and Mankinyana, were told to leave immediately

Sapekoe's production manager, Abel Erasmus, said in an affidavit that workers had been told on July 13 that strike action was a breach of contract and strikers would be dismissed

He also claimed they had been told Sapekoe was a farming operation and was, therefore, not subject to the Labour Relations Act and was not obliged to recognise Fawu

He claimed workers had been intimidated during the strike and that three workers had to receive medical attention after being assaulted for working - Concord News Agency

Union ignored agreement

Ergo wins industrial dispute with NUM

JOHANNESBURG — The East Rand Gold and Uranium Company Limited (Ergo) has won an industrial court action against the National Union of Mineworkers (NUM), which was found to have committed 13 unfair labour practices in June last year arising from breaches of the recognition agreement between the union and the company.

Ergo had declared a dispute between itself and the NUM after a work stoppage and illegal sit-in, which disrupted wage negotiations last June.

The industrial court found that the NUM had committed the unfair labour practices in that it had:

- Failed to bargain collectively in good faith with Ergo,
- Had breached the recognition agreement between itself and Ergo;
- Failed to take any

or reasonable steps to ensure sound relations between union members and Ergo were maintained,

- Failed to ensure that members maintained industrial peace,
- Failed to ensure that provisions of the recognition agreement were fully explained to members,
- Failed to ensure that agreed procedures regulating employer/employee relationships on Ergo's premises were properly observed by

shop stewards and members,

- Failed to ensure that the necessary steps to allow a cooling-off period to come into operation were taken, or to hold the required dispute-resolving meetings after a deadlock was reached between it and Ergo;

- Ignored Ergo's request that members should vacate the premises and failed to ensure that members left and did not gather in an unruly manner, or carried weapons in a way intended to create fear in other employees,

- Failed to counsel union members adequately on their conduct relating to intimidation, assault and interfering with the rights of other employees and contractors;

- Allowed and condoned its members' participation in an illegal work stoppage and sit-in;

- Failed to ensure its members did not commit acts of sabotage and damage Ergo's property; and

- Negotiated with Ergo in bad faith with the clear intention of not settling the dispute.

Worker assaulted, dismissed

A GERMISTON service station, President Motors, has dismissed a worker who complained that a white colleague assaulted him after accusing him of being drunk on duty.

According to the worker, Mr Petrus Mbule of Katlehong, the white worker followed him to the service station's toilet at knocking off time on August 15 and assaulted him with fists.

He allegedly accused him of being drunk on duty.

Mr Mbule said he did not take any alcohol on that day.

He thereafter went to the Katlehong Legal-Services Centre where he sought help.

A letter was written to management by the centre in which Mr Mbule's reinstatement was demanded because "being a victim of assault does not warrant summarily dismissal".

The letter also advised management that Mr Mbule had laid an assault charge with the police.

Mr Mbule said that when he presented the letter to the general manager of the service station on August 21 he was again threatened with assault and given R102,80 severance pay.

When the *Sowetan* telephoned the service station yesterday an official, who declined to give his name, said Mr Victor Hayes, the station's general manager, was sick in bed and said "Confirm that story with the police and please do not come to us. Who are you, anyway?" He then hung up abruptly.

South
6/2/87

PSG men paid out

TWO former Peninsula Security Guards were last week awarded a total of R6 000 compensation for "unfair dismissals".

Mr S J Jezile, a father of four from Langa, and Mr P M Jezu, a father of six from Guguletu, were dismissed by their firm towards the end of last year.

The Industrial Conciliation Board rejected reasons the owner of PSG, Mr Manuel Gouveia, gave for firing the workers.



Mr Jezile and Mr Jezu with their cheques

Sarmcol's 'long march' nears end

City Press 151 6/9/87

SOUTH Africa's longest industrial dispute over the sacking two years ago of nearly 1 000 workers by BTR Sarmcol from its rubber plant near Howick in Natal, draws to a close with judgment expected this month.

The president of the Industrial Court has undertaken to deliver his judgment in front of the 965 striking workers and their families

The hearing, originally set down for two weeks in November last year, carried on into 1987 and ended on July 10.

The workers were dismissed in May 1985 while striking in protest against the British owned multinational's refusal to recognise their union, the Metal and Allied Workers Union, which has since been incorporated into the National Union of Metal Workers of South Africa

Numsa's lawyers have called for the reinstatement of the workers as they say the mass dismissal was

an unfair labour practice and the company acted in bad faith

They have also called for an order requiring the company to conclude a recognition agreement with the union

The company's bench insists that the dismissed employees - almost the entire workforce of the Howick rubber plant - resorted to "unnecessary, unjustifiable, unlawful and disorderly strike action" on May 2, 1985, while the company was negotiating in good faith

In papers before the court Numsa's lawyers said the Mawu had sought recognition since 1974, but had met with increased resistance from management

The papers cited several examples of the company involving the aid of the South African police in preventing the union from organising the workers

In 1983 the Industrial Court ruled that the company recognise the union as the workers' bargaining re-

presentative and ordered BTR Sarmcol to conclude a recognition agreement with the union

Although negotiations continued for another two years, by May 1985 no agreement acceptable to both the union and the company had been reached

While Numsa maintained negotiations had reached a deadlock, BTR Sarmcol said negotiations were still proceeding and that a draft recognition agreement had been unwittingly rejected by the union.

The outcome of the hearing in South Africa will affect not only the workers themselves - 49 of whom have already died, mainly from stress, lack of food, or violence - but also their entire community of Mpophomeni

A recent survey shows that since their dismissal, about 40 percent of the strikers' children have begun to suffer from malnutrition

Before the dismissals the Sarmcol workers the majority of whom were older married men who had spent most of their working lives with the company - represented the backbone of Mpophomeni township

In a statement before the court hearing began, Mawu said "Mpophomeni has been effectively destroyed by the company. There is no income being brought into the township and the population of 17 000 are condemned to gradual starvation and death"

While the hearing continued for months on end, the workers formed a co-operative, printing T-shirts, posters and pamphlets

They also produced a play *The Long March* which tells the story of their struggle

An international hearing in Brussels last year found that BTR Sarmcol had infringed basic the European Economic Community code of conduct by not recognising Mawu

Sea Harvest fires 280 workers

Cap Times 9/9/87 Labour Reporter *(Handwritten initials)*

151

THE Saldanha Sea Harvest factory management confirmed yesterday that 280 workers were dismissed this week after they refused to leave the factory's canteen and return to work.

Workers are in dispute with management over demands for pay parity with the company's competitor, Irvin and Johnson (I&J).

The general-secretary of the Food and Allied Workers' Union (FAWU), Mr Jan Theron, said that during negotiations with management on Monday, workers became "agitated" and refused to leave the canteen and go back to work until they had had an answer from management.

The general manager of Sea Harvest, Mr Louis Penzhorn, said most of the workers were working as normal.

'Test case' postponed ⁽¹⁵⁾

9/9/87
JUDGMENT in the
"test" case of a hospital
employee who was al-
legedly unlawfully dismis-
sed was yesterday post-
poned indefinitely by Mr
Justice R Goldstone in the
Rand Supreme Court

The case involves Mr
Siphwe Sifumba who
was employed at Natal-
spruit Hospital. He was
fired last month on alle-
gations of misconduct.

In his application for
re-instatement it was
submitted that he was en-
titled to a hearing before
a decision affecting his
employment was taken,
and that the person
making such a decision
was required to apply his
mind properly to the
matter.

Goldstone
It was further submit-
ted that failure to allow
him to be heard rendered
the decision unlawful.
The letter of dismissal
showed that the official
did not properly apply
his mind to whether Mr
Sifumba was guilty of
misconduct.

Challenge

Mr Sifumba is one of
about 300 unclassified
workers who were dis-
missed on August 18.
The National Education,
Health and Allied Work-
ers' Union challenged
their dismissal and took
the matter to court.

MD's statement 'untrue': workers

EAST LONDON — Two hundred workers dismissed by Hoover denied yesterday they were given an extra hour after the company's final ultimatum to return to work. They rejected the managing director's views as untrue.

In a statement signed by the secretary of the workers' committee, Mr Elliot Dikimolo, the workers said they had decided to return to work on August 31, but found the entrance closed.

Mr Dikimolo was reacting to a statement by Hoover's managing director, Mr Edward Ashdown, that the workers did not resume normal duties despite being given an extra hour after the final ultimatum.

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SM

9/9/87

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Director
10/9/87

Row looming over recognition of union

A CONFRONTATION is looming between the Building Construction and Allied Workers' Union and the management of Thorpe Timber Company in Wadeville regarding recognition of the trade union.

The regional organiser of the BCAWU, Mr Andrew Morifi, this week accused the company of refusing them access to discuss the recognition of the trade union.

He said they have written several letters requesting a meeting to discuss the recognition and working conditions of their members at the plant.

"All our attempts have fallen on deaf ears. We are now left with no option but to force the company to open its doors to us. The fight might lead to industrial action," Mr Morifi warned.

The company's spokesman Mr Dave Anderson said no definite appointment had been set for the two parties to meet and discuss trade union rights.

He said that the managing director of the company was away overseas and it was difficult for them to make any decision, especially regarding the recognition of the union.

He further declined to comment on whether the company was anti-trade unions or had any workers' representative committee at the plant. "I have no comment to make on these issues," he said.

Mr Morifi said it was their desire to represent their workers at the plant in the wake of several complaints such as low wages, overtime, working conditions and other issues.

Row looming over recognition of union

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~~151~~

Structure
10/9/87

A CONFRONTATION is looming between the Building Construction and Allied Workers' Union and the management of Thorpe Timber Company in Wadeville regarding recognition of the trade union.

The regional organiser of the BCAWU, Mr Andrew Morifi, this week accused the company of refusing them access to discuss the recognition of the trade union.

He said they have written several letters requesting a meeting to discuss the recognition and working conditions of their members at the plant.

"All our attempts have fallen on deaf ears. We are now left with no option but to force the company to open its doors to us. The fight might lead to an industrial action," Mr Morifi warned.

The company's spokesman Mr Dave Anderson said no definite appointment had been set for the two parties to meet and discuss trade union rights.

He said that the managing director of the company was away overseas and it was difficult for them to make any decision, especially regarding the recognition of the union.

He further declined to comment on whether the company was anti-trade unions or had any workers' representative committee at the plant. "I have no comment to make on these issues," he said.

Mr Morifi said it was their desire to represent their workers at the plant in the wake of several complaints such as low wages, overtime, working conditions and other issues.

Sacking unfair - clerk

THE Jouberton Town Council's legal adviser, Mr Elrid Maheppy, is to bring an urgent application in the Pretoria Supreme Court next week against the council for "unfair dismissal".

Mr Maheppy told the *Sowetan* yesterday he would ask the court to reinstate him. He claims he was fired on Tuesday

**By NKOPANE
MAKOBANE**

for no reason

Both the council's town clerk, Mr A Strydom, and the mayor, Mr Spencer Thele, could yesterday not be reached for a comment

A source at the council denied that Mr Maheppy had been dismissed. He

said he had been temporarily suspended from duty and was supposed to be called in to answer formal charges against him

Dismissal

Mr Maheppy said his dismissal was contrary to Section 12 and 13 of the Black Local Authorities Act staff regulations

According to the act, he said, certain allegations of misconduct had to be made against him and only when found guilty could the council impose any sentence within the limits of the Act

A council source said the council had acted properly in suspending Mr Maheppy. He added Mr Maheppy knew why he was suspended

Mr Maheppy said he was to bring criminal charges against certain officials and councillors

"The only motive I can think of for my sacking is that I have information on mismanagement and malpractices at the council by both the officials and councillors," he said



THE Government has come under fire from the Australian Council of Trade Unions following the seizure of the passport of the general secretary of the Congress of South African Trade Unions, Mr Jay Naidoo

Cosatu's information officer, Mr Frank Meintjies, said Actu this week telexed the South African Government through its president, Mr Simon Crean, condemning the confiscation of Mr Naidoo's passport last week. He was to have addressed Actu's biennial congress.

(151) *Sowetan*
11/9/87

Beer dispute: Possible shortage

Labour Reporter

SOUTH AFRICAN beer drinkers might soon be faced with a shortage if the South African Breweries and the Food and Allied Workers' Union fail to settle their wage dispute, which began in June.

SAB's manager of public affairs, Mr Gary May, said yesterday that it and the union had applied for a conciliation board after national pay talks broke down this week.

A strike in June this year, beginning at Rosslyn brewery, Pretoria, resulted in sympathy strikes by 500 Western Cape workers and thousands more across the country, causing severe beer shortages.

Mr May said he hoped a conciliation board meeting would take place in the next month.

Fawu's assistant general secretary, Mr Mike Madlala, said the conciliation board was the last step before industrial action could be taken.

He said the union had suggested that the dispute be referred to mediation, but this had been rejected by management.

Court overturns firing

A TEMPORARY worker at the Natal-spruit Hospital in Alberton, who was fired for alleged misconduct, has had his dismissal overturned by the Rand Supreme Court.

Simphiwe Sifumba brought an urgent application against the Health and Welfare Minister and the hospital last week in a bid to have the decision to dismiss him set aside.

On Friday, Mr Justice R J Goldstone found Sifumba's firing unlawful.

The cleaner, who had worked at the

14/9/87
SUSAN RUSSELL

hospital since 1979, had a contract of employment which had never been signed.

He was one of a number of temporary employees dismissed last month after a gathering to discuss the firing of co-worker Maria Ntombela.

The judge said it was common cause Sifumba had not been given the opportunity of a hearing before being given notice.

THE Industrial Court's ruling in favour of BTR Sarmcol in its protracted dispute with the National Union of Metalworkers of SA (Numsa) has drawn bitter reaction from the union and a pledge to wage an international campaign against BTR.

Numsa to challenge BTR abroad

(151)
B/day
14/9/87

The court ruled last week that BTR's actions in dismissing 970 striking workers involved in a recognition agreement dispute did not constitute an unfair labour practice.

In a statement on the judgment, Numsa drew attention to its submission at the beginning of the hearing that the court should be reconstituted on the grounds of suspicion that it was "biased and anti-union"

Numsa lawyers had also asked one of the court members to recuse himself during the hearing on the basis that he had accepted an invitation to speak at a seminar arranged by BTR's industrial relations adviser

"The judgment states that the collective democracy practised by the union cannot be tolerated by present day society in this country and this confirms our view that democratic unionism is anathema to this court," the statement said

"This judgment does not change any of the facts and we intend to continue our campaign against this company internationally to obtain justice for the workers"

In BTR's statement on the court ruling, the company described the outcome as a landmark decision

● See Page 4



BTR-Sarmcol clash still a major event

THE BTR-SARMCOL dispute, which reached another milestone last week with the Industrial Court finding that the dismissal of 970 workers in May 1985 was fair, is not just another run-of-the-mill union/management conflict

The dispute has become, and will no doubt continue as, an international *cause celebre*. It affects an entire local economy, and has been a flash-point in regional Natal politics

Not surprisingly, the court judgment has been welcomed by the company and bitterly attacked as biased by the union, which has vowed it will seek justice elsewhere

The case, among other things, has been the subject of debate in the European Parliament, the topic of a BBC documentary, the motivation behind sympathy strikes at Dunlop plants, and a stayaway and a consumer boycott in Natal

BTR, which merged with Dunlop soon after the strike, has a reputation as something of a union-basher both in the UK, its home base, and in other Western and Third World countries where it operates — although the Court found otherwise last week with

ALAN FINE

regard to its SA operation

The workers comprise a large proportion of the economically active population of the small Mphophomeni township near Howick

Medical research commissioned by the union, now the National Union of Metalworkers of SA (Numsa), last year revealed disturbing details about levels of malnutrition in the township

Since the strike, they have survived through the regular supply of food parcels by the union

This has been supplemented by income earned through a silk-screening co-operative formed by former BTR employees, which supplies T-shirts to Cosatu, its affiliates and other sympathetic organisations

Although the market for the co-operative's services is a large one, it is nevertheless not large enough to provide a living for participants

At least six people have died as a result of the dispute

In June 1985 two people, including a non-striker, were killed when a bus

was stoned. Five strikers received 12-month prison sentences the following month for assaulting two "scab" workers

The most disturbing incident was the murder of four people, including two former BTR shop stewards, when Mphophomeni was invaded by a large group of vigilantes last December

Some of the attackers, allegedly Inkatha supporters, were identified by eye-witnesses. They were arrested but later released. Numsa is planning to bring a civil case against them

Inkatha secretary-general Oscar Dhlomo said after the attack it appeared to be a response to threats against Inkatha made in a pamphlet by a local UDF-affiliated youth organisation

The BTR plant is now staffed by members of the Inkatha-linked United Workers Union of SA. They would have faced dismissal if the Industrial Court had ruled in favour of the Numsa members

The BTR case is probably the most sensitive yet handled by the court, and it was never likely that its judgment would be the last word on the subject

... cause confusion ...

Soothing over the broken panes

By SEFAKO NYAKA

THE dispute between the Chemical Workers' Industrial Union and Pilkington Glass was partly settled this week when the parties signed an agreement for 2 400 hourly-paid workers — including a company pledge to consult with the union on the implementation of social responsibility programmes.

According to CWIU general secretary Rod Crompton, the company also agreed to paternity leave and committed itself to non-racialism and to disclose information so the union can monitor changes.

The wage settlement, which is a boost to the union's "Living Wage" campaign, raises the minimum wage to R4,25 per hour (R810 per month)

The agreement also provides for job security, reduced working hours, improved education and housing benefits and shift and service allowances.

Monthly-paid employees have been excluded from the settlement.

The paternity clause, although won at a basic level, is significant in that more and more companies seem to be acknowledging that they need to enable male and female employees who are parents of young children to exercise their parental responsibilities.

The agreement provides for two days' leave. The union has now signed paternity agreements at more than 20 factories.

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(151)

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16-22/10/87

AKGAS 17/9/87 (151)

METROPOLITAN

Firm favoured one union, court told by another

By DICK USHER, Labour Reporter

A DISPUTE between two trade unions in which a company is accused of favouring one has come before the Industrial Court.

The National Union of Textile Workers (NUTW) applied to the court for a status quo order directing the company, Rotex of Atlantis, to restore labour practices at the factory under which it was recognised as the sole representative of employees

In papers before the court yesterday Mr Ebrahim Patel, branch secretary of the NUTW, submitted that the company deliberately set out to subvert the position and role of the NUTW there and had improperly brought pressure to bear on the NUTW members to shift their allegiance to a "sweetheart union", the Garment Workers' Union of Western Province (GWU)

The NUTW was recognised at the factory after it won a ballot during 1986 involving the GWU. Rotex agreed that the NUTW would be the collective bargaining representative and would negotiate wages and conditions of employment with it

Threatened

Mr Patel said that from about March the NUTW started receiving complaints from members

Rotex management, either independently or in collusion with the GWU, attempted to persuade NUTW members to resign, gave the GWU access to the factory to recruit members and threatened some employees with victimisation if they did not resign from the NUTW

Mr Patel also claimed that Rotex suddenly stopped deducting union dues from wages of certain members

Following these events he received a copy of a letter from the GWU to the NUTW's national secretary stating that most workers at the company had elected to join the GWU and they had officially applied to Rotex for recognition

He was also told by the management that from July 14 the GWU would be recognised as the collective bargaining agent

He submitted that the NUTW's agreement with Rotex remained in force and it was incumbent on the company not to dispense unfair advantages to unions favoured by it

For the GWU, assistant general secretary Mr Cedric Peterson denied the claims made by the NUTW

Majority

He said that had his union been aware of any such actions by the company they would not have taken advantage of them because this would have been a form of "union-bashing". Both he and the GWU were absolutely opposed to any such actions

But by July it was clear that the GWU had a majority of 101 members at the company while the NUTW's membership had declined from 92 in June 1986 to 40

He denied collusion between the GWU and Rotex and said he and the union were absolutely opposed to interference by the management in union affairs

Clover Dairy workers demand a living wage

17-23/9/87

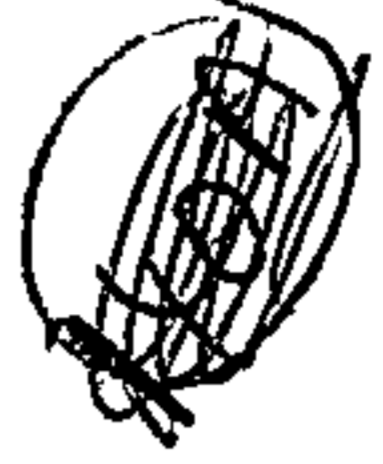
DURBAN — Workers at three Clover Dairy plants here this week went on strike for a living wage.

The workers, demanding a minimum wage of R605 a month, have been in dispute with the company since July this year.

A spokesperson for the Food and Allied Workers Union (Fawu), Rene Roux, said dairy workers were still among the lowest paid workers in the food industry.

"We are trying to narrow the gap within the food industry, where many companies are paying a minimum of above R605 a month," she said.

At the time of going to press, Clover management and Fawu had entered talks to settle the dispute. A spokesman for the company was not available for comment.



Sent

ARBUS 24/9/82

LABOUR

Court rule to restore textile union's rights

Labour Reporter

THE Industrial Court has found there was a strong possibility of collusion between an Atlantis textile company and the Garment Workers' Union which led to the company withdrawing recognition of a rival union.

The court ordered Rotex to restore to the National Union of Textile Workers (NUTW) recognition withdrawn in favour of the Garment Workers' Union, pending a final settlement of the dispute.

The NUTW brought the case against Rotex and the GWU after the company withdrew its recognition, claiming that the GWU had gained majority membership at the factory.

The NUTW claimed this was the result of "sweethearting" and pressure by Rotex on NUTW members to join the GWU.

"Grossly irregular"

In his judgment Mr Pierre Roux, vice-president of the court, said "the facts presented by the applicants, which included facts indicative of the company's unfair labour practice of favouring GWU in canvassing members of this union, are either admitted or not seriously refuted".

Mr Roux said the GWU's counsel, Mr J Short-Smith, had found himself unable to contest that the company acted improperly and conceded that the papers made out a case of company officials conducting themselves on occasion "in grossly irregular and unfair fashion".

"... The court consequently has little sympathy with the GWU should its order have the effect of negating such collective bargaining rights as it may have thought to have obtained by unfair collusive means," said Mr Roux.

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Taking on cleaner service

A CLEANING service business in Durban which dismissed 18 workers when its contract with a Mobil oil refinery expired, is being taken to the Industrial Court for unfair labour practice.

Before dismissing the 18 employees, Flo-line Cleaning Services had tried to get them to sign a form which stated: "Should Flo-line contracts expire in business they are involved in, the workers would lose their jobs."

The workers refused to sign. On August 31 the company's contract with Mobil expired and the workers were dismissed.

After a meeting between management and the Workers Union, the Cleaning Services and Allied Workers Union (CSAWU) failed to resolve the dispute, the unions lawyers filed an application in the Industrial Court for the workers to be reinstated.

A spokesperson for Flo-line was not available for comment. — *Concord News*

Ench
24-30/9/87

W/LEAGUE 26/9/27

Court decides on union rivalry

LABOUR
AFFAIRS
DICK
USHER



THE Industrial Court was recently called upon to adjudicate on claims by the National Union of Textile Workers that a company with which it signed a recognition agreement had "sweethearted" for a rival union

Inter-union rivalry causes great pressure, not only on workers but also on employers who have to invest much time and energy in shopfloor problems which arise as a result

So much so that I understand a leading executive of one Cape company went in search of more peaceful pastures after about two years of this sort of pressure

The application, which fell under Section 43, was for the restoration of the labour practice that existed at the company before the unfair practice. The Garment Workers' Union been granted recognition under the unfair labour practice, it was alleged

Giving judgment in the case, Mr Pierre Roux found the unilateral termination of NUTW's recognition and the manner in which it was implemented unacceptable

And, interestingly enough, he drew on precedents in the United States as part of the basis for his ruling. The case he quoted "can usefully also be applied to the labour situation in South Africa, inasmuch it is consonant with good sense, although in the US it has a statutory basis"

"In the political and business spheres, the choice of the voters in an election binds them for a fixed time," he said "This promotes a sense of

responsibility in the electorate and needed coherence in the administration. These considerations are equally relevant to healthy labour relations

"Since an election is a solemn and costly occasion conducted under safeguards to voluntary choice, revocation of authority should occur by a procedure no less solemn than that of the initial designation

"A petition or a public meeting — in which those voting for and against unionism are disclosed to management, and in which the influences of mass psychology are present — is not comparable to the privacy and independence of the voting booth

"A union should be given ample time for carrying out its mandate on behalf of its members.

"It is scarcely conducive for bargaining in good faith for an employer to know that, if he dilly-dallies or subtly undermines, union strength may erode and thereby relieve him of his statutory duties at any time while, if

he works conscientiously toward agreement, the rank and file may at the last moment repudiate their agent

"In situations, not wholly rare, where unions are competing, raiding and strife will be minimised if elections are not at the hazard of informal and short-term recall"

Labour reform can 'help solve race problems'

15
B/dun
29/9/87

CAPE TOWN — The reformation taking place in labour relations in SA provides the guidelines for resolving the racial problems which exist elsewhere, says Manpower Director-General Pietie van der Merwe

In a briefing to political correspondents Van der Merwe says the "far-reaching changes now occurring to labour legislation and policy" are rapidly outstripping what is happening in practice

There is no differentiation in legislation on the basis of either race or sex in the work place — and many employers have yet to catch up with this fact

He suggests what is happening legislatively in the labour field can be used as a model to provide for equally non-dis-

CHRIS CAIRNCROSS

criminatory legislation by other State departments

Several major developments have occurred in the labour field which have gone unnoticed

In Van der Merwe's view the most important of these includes

- The creation of structures permitting the freedom of association, which has led to the credible creation of more than 300 new registered unions in SA representing a combined membership of more than 2-million workers;
- A re-arrangement of trade union structures reducing the number that are racially exclusive,
- The emergence of a new leadership cadre within the unions,
- An explosion in the extent and quality

of communication between labour and management, which provide for a more healthy and positive relationship, and

□ The creation of workable mechanisms, such as industrial courts, for resolving conflict situations between labour and management

The workings of the industrial councils provide an excellent example of limited state intervention and practical self-governance, according to Van der Merwe

This has been demonstrated by the remarkable increase in applications for conciliation board hearings, which are expected to approach more than 2 000 this year

Van der Merwe says important principle now embodied in labour legislation, and destined to be reinforced in time, is that of equity and fairness

Govt moves on labour disputes

CARL Tavis
26/9/87

151
150
150

Political Staff

THE government has moved to crack down on the undisciplined or "unprincipled" efforts of employers and employees to break any deadlock which may occur in labour disputes

The target appears to be lock-outs, wild-cat strikes and other industrial action which have been occurring with increasing frequency

The government's new disciplinary procedures — long speculated on — form the basis of major changes to existing labour legislation contained in the the Labour Relations Amendment Bill finally tabled in Parliament yesterday

The nature of the projected changes has already been widely opposed by organized commerce and industry

The crucial clauses contained in the 63-page draft bill set out new increased powers for a special labour or industrial court, and spell out a more detailed definition of what it has decided is definitely not an "unfair labour practice"

Of particular significance, the legislation provides for this special labour court to order punitive financial action to be taken against a labour organization whose members, through their actions, are found to have caused financial damage to the companies concerned

The government's definition of what is not an unfair labour practice is contained in 64 clauses

One is the dismissal of an employee

or employees who at the time of dismissal, have not been employed by the same employer for a continuous period of at least 12 months

Some of the other reasons for an unfair labour practice are

- The dismissal of an employee where an employer fails to hold a hearing or a disciplinary inquiry and the industrial court thereafter decides that it could not reasonably have been expected of an employer to hold such a hearing

- Any dismissals takes place after substantial compliance with the terms and conditions of an agreement relevant to the dismissal

- The selective re-employment of employees dismissed for disciplinary reasons

- The termination of the employment of an employee on grounds other than disciplinary action unless reasonable prior notice of such termination of service, and the reasons thereof, have been given to the employee, or where prior consultation has taken place with the employee

- The unfair unilateral suspension of an employee

- The use of misleading or unfair methods of recruiting members by any trade union, employers' organization or official of any trade union

- The refusal or failure by any trade union or employer's organization to comply with this act

- Any act whereby an employee or employer is intimidated to agree or not agree to any action which affects the relationship between employer and employee

Edited by Themba Molefe

Potwa taking Post Office to court

A LEGAL battle is looming between the Post and Telecommunication Workers Association and Post Office management as the union this week takes the authorities to court over the re-employment of workers after a recent strike.

Potwa has accused management of failing to comply with the agreement signed on September 3 when settlement to end the three-month strike was reached.

It said that at most plants throughout the country only qualified staff was being re-employed while others were locked out.

So far, eight Potwa members, including high-ranking officials, are in detention while others who are charged with intimidation are due to appear in court.

Potwa has also charged that local management had pointed out Potwa members to the police as they reported for duty since September 7.

At Bryanston about 40 out of 110 workers were re-employed, according to Potwa. In Bramley only nine qualified staff

out of a total 84 were told to start work immediately.

Potwa president Mr Vusi Khumalo said at the weekend that the union's lawyers were preparing papers with a view to taking management to court for breaching the agreement.

The agreement stated that those Potwa members engaged in the work stoppage would resume work on their previous terms and conditions of employment.

Notices

Potwa members who had received dismissal notices during the strike would be entitled to apply for their jobs, the agreement said.

It also said those members detained before being dismissed will be entitled to resume their duties on their release unless they were convicted of a criminal offence.

Those dismissed before their detention and who were in

detention at the time of signing the agreement would be entitled to reapply for their jobs.

Potwa said some workers were made to take oaths denouncing Potwa when they went to reapply for their jobs.

About 1 300 out of the 20 000 workers who were out on strike have been re-employed, according to Potwa estimates.

A Post Office spokesman yesterday said that the department was keeping to "every part of the agreement".

He said 1 400 people had been re-employed and more than 3 700 have reapplied.

The spokesman said the Post Office had received letters accusing it of breach of agreement and that the State Attorney, who advises the department, had been forwarded with copies.

He also said that the agreement stipulated that all applications would be considered and jobs be allocated on their availability.

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28/9/87

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Jamawu signs agreement

THE United African Motor and Allied Workers Union has signed a recognition agreement with a German company employing about 30 migrant workers in South Africa.

The agreement between Jamawu and August Laeppe in Rosslyn, near Pretoria,

provides for a minimum R3,75 an hour pay and a shift allowance of 25 percent.

Working hours will be 42,5 a week and all workers will receive an annual bonus (13th cheque).

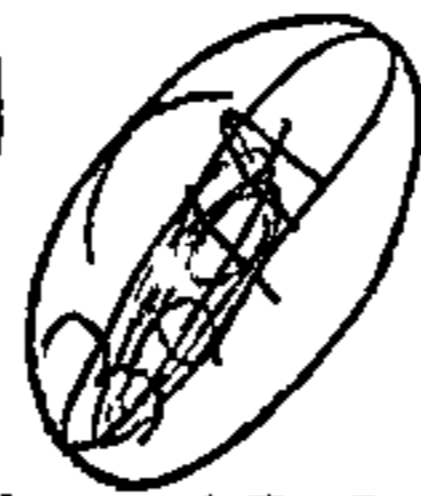
The Brushes and Cleaners Workers Union has signed a new wage

agreement for its members at JCI.

The more than 100 workers will earn a minimum R610 and R730 a month, according to their grades, after receiving a R100 increase.

Both Jamawu and BCWU are affiliated to the National Council of Trade Unions.

28/9/87



B/dan
28/9/87

CAPE TOWN — Government has moved to crack down on the undisciplined or "unprincipled" efforts of employers and employees to break any deadlock which may occur in labour disputes.

Govt moves to stop unfair labour practice

Government's new disciplinary procedures — long speculated on — form the basis of major changes to existing labour legislation contained in the Labour Relations Amendment Bill finally tabled in Parliament last week.

The projected changes have already been widely opposed.

The crucial clauses contained in the 63-page draft Bill set out new increased powers for a special labour or industrial court and spell out a more detailed definition of what it has decided is definitely not an "unfair labour practice".

Of particular significance, the legislation makes provision for this special labour court to order punitive financial action to be taken against a labour organisation whose members are found to have caused financial damage to the companies concerned.

In summary, government's definition of what is not an unfair labour practice, contained in 64 clauses, includes

- The dismissal of an employee or employees who at the time of dismissal, have not been employed by the same employer for a continuous period of at least 12 months,
- The dismissal of an employee where an employer fails to hold a hearing or a disciplinary enquiry and the industrial court thereafter decides that it could not reasonably have been expected of an employer to hold such a hearing,

CHRIS CAIRNCORSS looks at government's proposed changes to existing labour legislation

- Any dismissals which take place after substantial compliance with the terms and conditions of an agreement relevant to the dismissal,
- The termination of the employment of an employee on grounds other than disciplinary action unless reasonable prior notice of such termination of service and the reasons thereof, have been given to the employee,
- The unfair unilateral suspension of an employee,
- The use of misleading or unfair methods of recruiting members by any trade union, employers' organisation or official of any trade union,
- Any act whereby an employee or employer is intimidated to agree or not agree to any action which affects the relationship between employer and employee,
- The incitement to support or participate in any boycott of any product or service,
- The unfair discrimination against any employee on the grounds of race, sex or creed.

Unbar me, says Public Servants' League leader



Mr Barry van der Vyver with the Dias Festival flag.

The Dias Festival flag has come to Cape Town

Staff Reporter

THE Dias Festival flag was displayed for the first time in Cape Town last night by the National Festival Committee

The flag will be flown at the festival in Mossel Bay next year. The main celebrations take place from January 29 to February 6

The flag depicts the Portuguese caravel motif, the sun and the wording DIAS 88

The secretary of the Festival Committee, Mr Barry van der Vyver, said the 15th century Portuguese caravel with the cross on the mainsail symbolised the vision, perse-

verance, and faith which supported the navigators of old. The sun epitomised the goodwill, growth and skills of South Africa and its people

As a contribution to the festival a model of the caravel in which Bartolomeu Dias sailed to South Africa nearly 500 years ago had been made available to schools as part of the national project

The replica of the caravel was built in Portugal for the re enactment voyage. It will sail from Lisbon on November 8 to arrive at Mossel Bay on February 3 — 500 years after Dias first stepped ashore there

Supreme Court Reporter

THE national chairman of the Public Servants' League has applied to the Supreme Court to have his suspension set aside

The suspension was imposed after a motion of censure against his conduct as chairman at a league meeting last month

Mr Malcolm Domingo, registrar of the Athlone Technical College, said in an affidavit he had been a member of the 40 000-member PSL for 16 years and its national chairman since 1981

He said that at a PSL national committee meeting on September 12 Mr W Arthur Farred of the Groote Schuur branch tabled a motion of full censure against his handling and conduct of the leadership

Mandate

The motion also requested "a thorough, honest and objective investigation into all the activities, actions, transactions, negotiations and conduct of Mr Domingo in relation to the constitution's reference to his functions, with specific emphasis on the term 'mandate'"

In a 12 page motivation for the motion it was alleged that Mr Domingo often acted without mandate from members, was unduly under the influence of the House of Representatives to act in ways that were not in members' interests and exercised authoritarian control over the league

Mr Domingo said Mr Farred's motion, unopposed, also called on the national committee to instruct him to halt all activities in the name of the PSL

"I asked if I could speak against the motion and was told I could respond to the investigating committee"

Mr Domingo has requested the court to set aside the suspension as a matter of urgency

"The national committee embarked on 'disciplinary steps' against me on September 12 on the spur of the moment with total disregard for the rules of justice, in particular in that I was not afforded the opportunity to prepare a reply and refute the allegations made against me."

In addition Mr Domingo felt that the three PSL national committee members elected to serve on the six-man investigation committee — and who had participated in the decision of September 12 — were so prejudiced against him that they would not be able to participate in a just, fair and unbiased investigation

In the interdict he seeks against Mr Joe Davids, the PSL's acting chairman, and the PSL, Mr Domingo asks them to show why the decision of the national committee should not be reviewed, corrected and/or set aside

The matter was postponed to next Wednesday

Mr Acting-Justice Thring was on the Bench

Olympiad doors widen

The literature section is concerned with the "fools" in Shakespeare — the fools, clowns, rascals and comic low-life characters the Bard used as foils to his kings, princes and other nobles

The literature section will focus on the language devices used by Shakespeare

The final date for entries is November 30

More information can be obtained from Mrs H van Heerden, 1820 Foundation, PO Box 304, Grahamstown 6140 or 0461 27115

PROFESSIONAL NURSERYMEN WHO CARE

Stodels

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INTRODUCTION

OUT PALM

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2395

EACH

CAP. T. 11/10/87 (123) B1

Settlement for dismissed worker

Labour Reporter

A FORMER worker at the Production Casting Company (Pty) Ltd in Maitland was yesterday awarded 24 weeks' salary in an out-of-court settlement. It was alleged that he was unfairly dismissed from the plant in July.

A spokesman for the Electrical and Allied Workers' Union said that a machine operator, Mr Deon Constant, 25, had been dismissed on July 31 after he was found sharpening a knife on a grindstone on the factory premises.

The following day police arrived at the factory and Mr Constant was given the option of facing charges for possessing the knife or dismissal. Mr Constant chose dismissal.

Mr Constant said he used the knife for cutting fruit.

The Electrical and Allied Worker's Union subsequently accused the plant of unfairly dismissing Mr Constant and he was awarded 24 weeks' salary, which amounted to R3 000.

A director of the company, Mr H A Hirth, confirmed the settlement yesterday but declined to comment on it.

(15) 5/10/87 STM

Nine cleaners who worked at a Johannesburg Christian welfare shelter for the destitute and disabled said they were dismissed last week and were desperately looking for work and accommodation.

Most of the women are the sole breadwinners of their families and have worked for Aletheia International Ministries in Berea for up to 12 years.

They said they were each paid R130 a month for working a 14-hour day, six days a week.

A director of the organisation, Mr Stuart Cook, denied the workers had been dismissed.

"We retrenched the cleaners because we are living in difficult times and we are not subsidi-

'Retrenched' cleaners seek work, homes

dised As a service organisation, all our staff work long and hard hours," he said

A spokesman for the Transport and General Workers' Union, which represents the cleaners, said a letter had recently been sent to the organisation demanding R600 across-the-board wages for them

The spokesman said the amount demanded was in line with demands made by the union for a living wage for all its members.

(15) ~~SM~~ 6/10/87

Dismissed hospital workers' court application set aside

An application by four workers to have their dismissals from Natalspruit Hospital set aside was yesterday dismissed with costs in the Rand Supreme Court.

Mrs Eunice Langen, Mrs Emily Mogale, Mrs Christina Radebe and Mrs Cynthia Kalpa, with about 200 other workers, were dismissed on August 19 after a work stoppage had taken place.

Mr Bob Nugent, for the workers, argued that they were entitled to a hearing before being dismissed.

He said that although they

were classified temporary workers, they had worked for the hospital for many years.

But Mr Justice Goldstone found that, in spite of the fact that the women had worked at the hospital for many years, they were employed on a temporary basis.

The contracts they had with the hospital specified that they could be dismissed at 24 hours' notice, or could give 24 hours' notice themselves, he said.

The judge found that the women had not been entitled to a hearing before they were given notice.

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ape Times, Thursday, October 8, 1987 3

Public Servants' League chairman back in office

Supreme Court Reporter

THE national chairman of the 40 000-member Public Servants' League of South Africa — suspended after a motion of censure on September 12 — is back in office.

This is the outcome of a settlement reached yesterday by chairman Mr Malcolm Domingo and the league's national committee, following an application brought by Mr Domingo to have the committee's decision to suspend him set aside.

The terms of yesterday's settlement, which the committee "decided to accept", include an undertaking by the committee to deliver a tape-recording of the September 12 meeting to Mr Domingo by October 14.

The committee will also pay Mr Domingo's costs and accepts that Mr Farred's motion of censure "was not properly and regularly on the agenda" for that meeting and that decisions taken in respect of it were "invalid and unconstitutional".

Mr Justice J J Fagan presided Mr J van den Berg appeared for Mr Domingo. Mr W R E Duminy appeared for the respondents.

Teale's OF **KENILWORTH**

for an outstanding selection of:
DRESSES

Public servants settle dispute over chairman

ARGG 8/10/77
15/10/77
Supreme Court Reporter

THE suspended chairman of the 40 000-member Public Servants League is back at the helm of the organisation in terms of a court settlement between himself and the league

Mr Malcolm Domingo, also the registrar of the Athlone Technical College, was effectively suspended after a motion of full censure in his conduct as chairman was passed unopposed at a national committee meeting of the league on September 12

The settlement agreed to in the Supreme Court yesterday stipulated that Mr Domingo remain national chairman in all the official capacities occupied by him before the meeting

In terms of the settlement, the executive committee of the league accepted that the motion of censure proposed by Mr Arthur Farred was not proper-

ly and regularly on the agenda for the meeting and that any decision taken after it or its motivation was invalid and unconstitutional

The league also undertook to deliver a copy of the tape-recording of the proceedings at the meeting to Mr Domingo by October 14

Mr Justice Fagan was on the Bench Mr J van der Berg, instructed by Hazell and Rabie, appeared for Mr Domingo Mr W R E Duminy appeared for the league and its acting chairman, Mr Joe Davids

Uitgeleefde 1987

LEGAL BATTLE OVER

HOSPITAL BATTLE OVER FIRINGS

BY THEMBA MOLEFE

A legal battle over the dismissal of 600 workers during a strike at Hillbrow Hospital last week is looming between the workers' trade union and the Transvaal Hospital Services.

The National Education and Allied Workers Union (Nehawu) said yesterday that its attorneys were preparing papers to challenge the hospital's decision to dismiss the workers without notice on October 3.

The workers, mainly ward assistants, cleaners, porters and attendants, downed tools on October 1 over demands for a "living wage" and better working conditions.

They were dismissed after police surrounded the hospital and charged at workers with sjamboks.

The hospital had also refused to negotiate with Nehawu saying that in terms of the Public Service Act

trade unions were not recognised in the civil service.

A union spokesman said that the workers returned to the hospital yesterday and made to fill in new application forms.

He said Nehawu would challenge the issue because the workers were not given notices prior to their dismissal save for being notified by posted letters that their services had been terminated.

The director of the Transport Hospital Services, Dr H van Wyk, said that workers started re-applying yesterday and that their cases would be considered on merit.

He declined to say whether all the workers would be re-employed.

However, the THS administrative director Mr J Viljoen said last week that not all the striking workers would get their jobs back at Hillbrow Hospital.

The union believes the selective re-employment was aimed at victimising Nehawu members.

Dr Van Wyk also declined to say whether the THS had received correspondence regarding the dismissal challenge.

He said "I am not in a position to comment on labour unions."

Dr Van Wyk said new workers were being recruited as well

Butt-trim won't talk to workers — union

THE Chemical Workers Industrial Union has accused Butt-trim management in Epping of refusing to discuss workers' grievances.

But Mr Steve Carolus, Butt-trim's personnel manager, rejected the allegations "The company is neither victimising union members, nor delaying progress in negotiations. We have correspondence to prove that we are willing to meet the union."

According to a CWIU spokesperson the management raised obstacles to the negotiations attempts

"In July we signed up 120 of 180 workers at the factory. In August, the management refused to attend a meeting without first seeing the agenda

"We gave the agenda before setting up another meeting. But management refused to meet because they objected to the presence of the union's shop stewards

"The management claimed that the representatives were not democratically elected. We then suggested that elections should be held to show our strength. But that hasn't come off yet. We've sent several letters to the company, but to no avail.

"We have now applied to the Conciliation Board to resolve the matter. Another problem is that ten workers have been put on short time," he said

The workers grievances included demands for protective clothing; job description, end to overtime and consultation with union before conditions of employment are changed

Carolus said the union was free to bring any charges against the company.

"If the allegations are true, we will be laying ourselves open to legal action. We have always allowed the union to discuss matters with us

"Regarding the issue of short time, our company, like others, faces financial hard times. In the light of this, the action makes business sense. It is not specifically aimed at union members," he said.

~~ISI~~ (ISI) South
8-14/10/87

WATCHMAN ASSAULTED, STRIPPED

(S)

14/10/87
Sowetan

POLICE are investigating allegations against a Bronkhorstspuit man who allegedly assaulted a security guard, stripped him and dismissed him from work for allegedly sleeping on duty.

Mr Norman Mahloko, who worked for Chicken farm in Bronkhorstspuit, said his white colleague found him sleeping at about 2am on Saturday

"He assaulted me with fists and hit my head against the wall. He said I should not fall asleep at work. He stripped off my uniform. He told me that I was fired from work," said Mr Mahloko who could still not see clearly because of his injuries

He said he went to a nearby building where one of the workers lent him a pair of trousers

"Some of my family members accompanied me to our departmental head's home to inform him about the matter

By **ALINAH
DUBE**

The head said the white man had done a good job. He told me there was nothing he could do," he said

Guard found sleeping at work

A manager at Farm Fare, who refused to give his name because "the matter has got nothing to do with newspapers," told the *Sowetan* yesterday that Mr Mahloko had been employed by an independent security firm

Attempts to contact the company were unsuccessful as it is not listed. The post office information service was

also unable to trace the firm.

Police

A spokesman for the police confirmed that a charge of assault was being investigated. He said Mr Mahloko had to receive treatment

YOU

Unionists to appear in court

Something 15/10/82

MORE than 35 members of the National Union of Public Service Workers will appear in court next month to face charges of assault and public disturbance following a dispute with an Alberton private hospital.

Fourteen of the workers will appear in the Alberton Magistrate's Court on November 12 while 21 will appear in the Natalpruit Magistrate's Court on November 19.

Four NUPSW members appeared in Alberton on Tuesday where they were not asked to plead to charges of assault. Their case was postponed.

The union says 30 workers appeared in court earlier and were sentenced to fines of R50 each for public disturbance.

The court appearances are a sequel to the arrest of about 100 workers in Alberton on September 28. They had downed tools demanding the recognition of their union by the Union Hospital.

- A NUPSW spokesman said yesterday that negotiations with Union Hospital management will resume tomorrow in an attempt to resolve the dispute.
- NUPSW general secretary, Mr Siphon Radebe said the union has signed a recognition agreement with the Boksburg Town Council after six months of negotiations.

(15)

17/10/87

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Dismissal ends Tesco's stoppage

Daily Dispatch
Reporter

BUTTERWORTH — A brief work stoppage by workers at a branch of the Transkei Electricity Supply Corporation (Tesco) here was called off yesterday after the dismissal of a superintendent.

A spokesman for the strikers said they downed tools yesterday morning after they noticed the supervisor had arrived for work.

The spokesman said the work stoppage was called off at 10.30 am after the managing director of Tesco, Mr S. T. Collins, called and assured the workers that the superintendent had been dismissed.

The Transkei Police

liaison officer, Colonel W. Madyibi, said he did not know anything about the stoppage.

Mr Collins could not be contacted for comment yesterday, but the new superintendent at Tesco's Butterworth branch, Mr Rob Hill, confirmed that the stoppage had ended and that everything was back to normal.

Mr Hill said the workers stayed away from work until Mr Collins arrived and addressed them yesterday.

A senior investigation officer for Tesco in Butterworth, Mr Enock Nd-laku, confirmed that the supervisor had been dismissed yesterday and that Mr Hill had been appointed immediately in his place.

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While... British had been... split with the

Premier ditches (51) firm after alleged assault

MR Theo Hesser, Human Resources Director for the Premier Group Holdings, yesterday announced that they were to cut ties with a security firm contracted to their Bronkhorst-spruit subsidiary company, following an incident in which a night watchman was allegedly assaulted, stripped and dismissed by a white colleague.

He announced this in response to an article in the *Sowetan* of October 14 that police were investigating allegations against a white man following an incident at a chicken farm. The man, Mr Norman Mahloko, was allegedly attacked for sleeping on duty at about 2am on October 10.

Mr Hesser said both Mr Mahloko and the white man alleged to have beaten him up were employed by an independent company contracted to Farm Fare.

Linked

"We were most concerned that Farm Fare's name was linked with this kind of behaviour. Such action by a manager would definitely not be allowed in a Premier Group Company.

"We have established that no Farm Fare employee was involved in any way in this assault on Mr Mahloko nor in the ensuing discussions. The contract with the security firm employing Mr Mahloko will be terminated, and we do not wish to comment any further on the incident as we understand it is being investigated by the police," Mr Hesser said.

He added that his company believed that all its employees were entitled to being treated justly at all times and that their dignity should not be harmed, even in the taking of disciplinary action.

Warning issued on labour disputes

cup post

22/10/82

TSI
[Handwritten initials]



Mr SEPP VAN HÜLLEN

By RALPH JARVIS
Motoring Editor

THE perception that labour disputes in South Africa always and necessarily represent a "white management - black labour force" confrontation has to be broken

down in a process of evolution

This was the warning yesterday by the chairman of the board of Mercedes-Benz of South Africa, which recently came through the longest strike in its history

which makes settlement more accessible

"For us at MBSA there is no doubt in our minds that the unions and their presence in industry are a very essential aspect and there is no hope to build up a meaningful industrial relations situation without unions

Speaking at the launch in the Cape of the new Mercedes-Benz 230 TE station wagon, Mr Sepp van Hüllen said about 5 000 units were lost in the strike.

Mr Van Hüllen said an aspect of the strike that had come to the fore was that "we have probably seen the beginnings of a new ball game and new rules for the game"

"This strike showed the international dimensions and possibly new rules that might apply from now on for multinational concerns such as ours

"It would appear that the international political implications will have a strong bearing on such strike actions

"Another feature that we noticed was the union's declaration against violence but that, in spite of this, a very pronounced degree of solidarity was visible as was evidence of intimidation and provable acts of violence"

Mr Van Hüllen said that during the strike MBSA had the chance to look at the legal structures that governed labour disputes in South Africa

"It is my opinion that the rules in this country are still somewhat incomplete," he said

"I do not advocate the need for more rights for the employer, but rather a more balanced system

Mr Van Hüllen said that in the MBSA strike, both parties, management and the union, had learnt a very important lesson - "that there should be more open communication and more opportunity for discussions on an ongoing basis, with the willingness to recognise and respect the other side's position and responsibilities"

"In the final analysis our strike had no clear winner nor a clear loser

"On the positive side, both parties gained in certain areas

Ballot settles dispute of rival unions

ARGUS 22/10/87

Labour Reporter

A LENGTHY dispute between two unions over which should represent workers at an Atlantis textile factory has been settled by ballot.

The ballot at Rotex Fabrics between the National Union of Textile Workers (NUTW) and the Garment Workers' Union of the Western Province was held under the scrutiny of attorneys representing both sides and was won by the NUTW by 109 votes to 43.

The ballot followed an action in the Industrial Court recently in which the NUTW, which had a recognition agreement at the plant, claimed that factory management had favoured the GWU — the largest union in the Western Cape — to ensure that it replaced the NUTW.

Mr Ebrahim Patel, an NUTW spokesman, said it was a significant victory for the union.

"Workers want strong assertive unions able to take up the fight for a living wage."

In its action the NUTW said its replacement by the GWU had been an unfair labour practice and asked the court to restore the situation that had previously applied.

NUTW had been recognised at the plant since it won a ballot in mid-1986 to test the competing claims of the two unions.

Tension as steel strikers fired

TENSION in Witbank's black townships mounted yesterday in the wake of the dismissal of 4 000 workers from the Highveld Steel and Vanadium Corporation

Security forces in armoured vehicles and police vans patrolled the township while National Union of Metal Workers' of SA officials addressed workers at the Ackerville Hostel. 16-22/10/8

The dismissed workers, most of whom are migrant labourers, had been given until 10pm on Wednesday to vacate the hostels

But, according to a Mr Engelbrecht, a representative of the Highveld Administration Board which run the hostels, the deadline was allowed to pass. The workers were dismissed

on Wednesday after being locked out since September 21.

The dismissals come in the wake of a decision by the International Metalworkers' Federation to launch an international boycott of Highveld Steel

Last minute mediation on Monday failed when agreement could not be reached on two issues

The union had proposed that the canteen on the company premises be closed and that the savings be added to wages, but the company said it would only consider this after consultation with

The company wanted disciplinary action arising from the strike to be dealt with in terms of internal procedure, while Numsa demanded independent arbitration

W. Mare

THE deadlock between Johannesburg's MSN company and its 180 dismissed employees remained unresolved yesterday.

The National Union of Metalworkers of SA (Numsa) members were sacked after they downed tools early this month, demanding the reinstatement of a dismissed colleague.

A company spokesman said the workers were "offered dismissal, which they accepted" after they went on an "illegal strike". Management had not heard from the dismissed employees since then, he said.

~~151~~

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Smetham
29/10/87

Attempt to declare dismissals unlawful

Own Correspondent

An application is pending in the Bloemfontein Supreme Court for relief to declare the suspension and dismissal of workers at Pelonomi Hospital unlawful.

The workers at the hospital are members of the National Education Health Allied Workers' Union

They downed tools about three months ago in protest against "racist" attitudes of supervisors, harassment by security personnel, their permanent status as non-classified workers, wages, and the return of a colleague, Moses Setsumi, who was allegedly detained by two unknown men while in the company of a white supervisor

A spokesman for Matlala Mahlangu, Moabi and Partners, the company handling the application, said the respondents were the Minister of Health and Welfare, the Director of Hospital Services (OFS), the Provincial Secretary (OFS), the OFS provincial administration and the acting superintendent

● Thirty-two workers from the hospital appeared in the Bloemfontein Regional Court this week on charges of trespassing and illegal squatting.

The workers were not asked to plead and no evidence was led when they appeared before Mr J C Coetzee.

The hearing was adjourned to December 8 for trial.

Scabs for hire!

(151) ~~South~~
Oct 29 - Nov 4 1987

EAST LONDON. - Scabs for hire - that's the deal apparently being offered by an employment agency during the eight South African Breweries strike

Independent personnel consultants recently placed an advertisement in the local Daily Dispatch offering temporary work to fit, unemployed males

Inquiries by job seekers revealed the jobs on offer to be those of striking workers

A Black Sash worker said she phoned the agency to try to find jobs for several unemployed men who had come to her organisation for help

"She said they needed guys for factories on strike," said the Sash worker, adding that the agency had told her they had to "help" the owners of factories hit by strikes

She said the men had not been offered jobs because they did not have matric.

An unemployed man, who did not wish to be named, said he was offered a job at the East London depot of the South African Breweries when he contacted the agency

Workers at the breweries were on strike at the time

Take anything

"I went to this independent agency to look for a job I told them I would take anything "

He was told he would be contacted as soon as a job had been found, and a week later he was asked to return to the office

"The woman asked me if I wanted a job working for the brewery. She said a wildcat strike was expected on Monday "

He had already found another job as a packer, but was told that the new job would be the same type of work, but at better pay He was earning R110 a week at the time

He was also told that several "springboks" would also be working at the brewery

"Not having a clue what a wildcat strike was, I said 'yes, fine'," he said

The agency told him to contact them on the Monday, but he then realised he would be scabbing

The agency however has refused to explain the job on offer

A spokesperson for the agency called the job "confidential", at the same time claiming that "the job in a way didn't exist"

She said that the agency was "trying to find unemployed people who are immediately available for job offers", but refused to say what these jobs were. -

Elnews

W/E NEWS 21/10/87 (151)

LABOUR
AFFAIRS
DICK
USHER



Striking facts behind those misconceptions

IT IS a common misconception of many employers that when it comes to industrial action it's all done by the union telling its members what to do.

This occurs mostly among those who have recently hatched into the real world of union/employer relationships

They tend to see it as a situation where a union organiser turns up at the plant, stirs it up a bit and then calls the workers out on strike.

I would hate to go on record as saying that this never happens, but it is far more common that, when a plant is organised by a union, a lot of simmering grievances come to the surface.

The workers become enthused by their new-found unity and some turbulence occurs.

The Electrical and Allied Workers' Trades Union (EAWTU), an affiliate of the National Council of Trade Unions (Nactu) has recently been involved in a spate of actions

Much of this action has

been at newly-organised plants — where they claim a considerable measure of success in getting employers to confront issues troubling workers.

During one of these actions — helping to illustrate that they're not haphazard or instigated merely for the sake of stirring — I spent several hours in the union office sitting in on discussions between workers and union officials

After debate that lasted most of the day, the workers decided to go back to work the following day and take things from there

The important element was the length and depth of the debate and the acceptance by the minority of the majority decision.

It was a decision in which the officials had an advisory role, but there was no way they could have forced their advice on the workers

EAWTU has been involved in a string of strikes in the 10 months from February to October, many of them involving employers for whom it was

their first experience of a relationship with a union

At one point in October there had been five strikes in eight working days

As they organise workers, union spokesmen say, they uncover a wide range of problems and abuses

"Often these are problems which the workers have raised with employers, without success," said Brian Williams, assistant general secretary of EAWTU

"Wages under the industrial council agreement are low enough, but we came across one employer who was paying some workers below the set rate

IGNORANCE

"Then there is widespread evasion or ignorance of health and safety regulations — people not getting required protective gear, unsafe machinery, defective wiring, people working with noxious fumes in enclosed spaces without extractor fans

"The problem is that the handful of inspectors are sim-

ply overwhelmed

"You could say they've got an impossible job, so it's important that the union take steps to ensure compliance by employers

"And often poor conditions go along with a poor employer attitude

"There's so many of them who don't respect their employees and their needs and ignore general conditions of comfort, don't have toilets cleaned and that sort of thing

DISMISSAL

"We also get a lot of employers who still think they can fire workers at will, without any reference to guidelines for fair dismissal laid down by the Industrial Court."

But there are some roses among the thorns

"One employer made a genuine effort to change things.

"He even agreed to us bringing in industrial health experts to inspect the plant and make recommendations — after the workers had been complaining for years," said Williams

Dispute over in PE

78/11/27
Somerset
5

THE dispute between Plascon-Evans and the Chemical Workers' Industrial Union in Port Elizabeth, has been resolved.

The dispute, which resulted in a lock-out, revolved around a R10 bonus paid to the company's employees who worked during a stayaway on May 5 and 6.

CWIU members, who stayed away from work in response to a Cosatu call, demanded the same bonus.

Cadac, Numsa in a bid to resolve dispute

ISI 23
3/11/87

BOTH parties have agreed to mediation in the month-long wage dispute between Shell-owned Cadac and the National Union of Metalworkers and Boilermakers' Society of SA.

Cadac and Numsa spokesmen both confirmed that they were trying to get a date for mediation to resolve the wage strike by about 370 workers

Numsa has demanded R3,95 an hour guaranteed, while the company offered R3,30 an hour plus a production allowance of 65 cents an hour.

Numsa's Mr Alistair Smith said yesterday that Cadac wanted the union to agree to specified levels of production on a monthly basis, failing which, all members would be penalised and

not receive the 65 cents increase.

Other worker demands include.

- Maternity leave, two weeks leave over and above unemployment fund insurance and sick pay leave,

- Long service 1 cent an hour increase for every year of service paid out from 3rd year of service

- June 16 and Mayday as paid holidays

Mr Smith said Numsa had contacted Cadac's holding company, Shell SA (Pty) Ltd to attempt to discuss the strike Shell refused to meet with the union, Mr Smith said

Numsa also approached Shell about union organisation of petrol attendants working at Shell petrol stations, but Shell also refused to meet Numsa on this, Mr Smith said — Sapa

fit."

Dispute declared at Mount Nelson

Labour Reporter

151 (123) (123)

WAGE negotiations at the Mount Nelson Hotel have stalled and the union has declared a dispute.

A spokesman for the Liquor and Catering Trades Union said there were about 10 points of difference between the parties. Agreement had been reached on some points.

If the dispute cannot be resolved 30 days after its declaration, the union can take steps to call a legal strike.

30 DAYS' GRACE

Mr Angus Dodds, managing director of the Mount Nelson, said: "We are in a dispute situation and now we go to the Industrial Council as, in terms of the agreement, we have 30 days to bring this to a head.

"We have not ended negotiations and they will continue."

● Meanwhile, the hotel has become embroiled in a row about its reporting to the British Government on employment practices.

A wholly-owned subsidiary of the British company Union-Castle, the hotel must submit a yearly report to authorities in Whitehall in terms of the European Community's code of conduct for companies doing business in South Africa.

The Liquor and Catering Trades Union alleges that in its 1986 report, which the union has a copy of, the hotel misrepresented the pay situation and claimed its African employees were paid more than the supplemented living level (SLL).

WAGE RECORDS

"All black employees are paid in excess of the SLL ... the lowest grades are paid R459,16 a month," the report said.

However, according to wage records from the Industrial Council, some African workers were normally paid R84 a week, or R353,72 a month

The union also claims that the Mount Nelson, by referring only to wages of African employees, evaded reporting that many coloured staff were paid well below the SLL.

Mr Dodds said the points had been raised in wage negotiations.

"As far as we are concerned they are *sub judice* and we do not wish to discuss them further in case we are accused of acting in bad faith," he said.

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Rand Council Crippled by work stoppage

Sowetan 3/11/87

(5)

THE Randburg Town Council was yesterday crippled by a work stoppage involving more than 800 employees, who demand council recognition of their union and the reinstatement of a dismissed colleague.

A National Union of Public Service Workers (NUPSW) spokesman said the council employees downed tools after management recognition talks ended in a deadlock yesterday.

The council workers also demanded the reinstatement of a colleague alleged to have intimidated another employee.

A council spokesman, Mr Peter Bester, said a number of workers had not reported for duty yesterday. He referred the Sowetan to the town clerk, who was said to be in a meeting.

Union officials and the council are scheduled to meet again today to resolve the matter.

Meanwhile more than 500 Schokeng and Verzeniging hospital workers may seek a Supreme Court ruling to place them back to their jobs at the two hospitals.

A NUPSW official, Mr Steve Mohamme, said yesterday his union was compiling affidavits with a view to taking court action.

NUPSW members downed tools early last month in support of a demand for an increased minimum wage from the present R266 a month.

ad; heat stress; rs; building and ival work; nitric; silver nitrate; acid; galvanising;

dust, lead ore dust, paper workers exposed to chemicals, foundry hazards; grain dust; spray pa pesticides and insect construction work; sewer acid; ammonia; benzene pitch; carbon black; talc; foundry work

Dispute mediation

THE dispute between the Commercial and Allied Workers' Union of SA and Ellerines furniture group has been referred to mediation, a union spokesman said yesterday.

Cawusa spokesman Mr Jackie Masuku said his union, however, would go ahead with strike plans involving more than 6 500 union members at about 300 Ellerines group stores.

Mediation proceedings are due to begin within the next two days, he said

151
3/11/87

3/11/87

Workers reinstated

MORE than 200 Edilcon workers returned to work yesterday after their two colleagues, laid off because of "lack of work," were reinstated, a union spokesman said.

A Building Construction and Allied Workers Union spokesman said the union would also resume negotiations with management for a better package deal for 24 workers retrenched by the company recently

ISI
Sometime
3/11/87

Cape Times 4/11/87 (157)

Luxury hotel staff seek a living wage

By PETER DENNEHY

STAFF at the Mount Nelson Hotel, who are engaged in a wage dispute, composed their own welcoming letter to patrons of the hotel this week, and distributed copies in guests' rooms and placed them under windscreen wipers on their cars

In the letter, hotel guests were asked to "enjoy themselves" and to "come again" — but also to "spare a thought for our needs" while theirs were being catered to

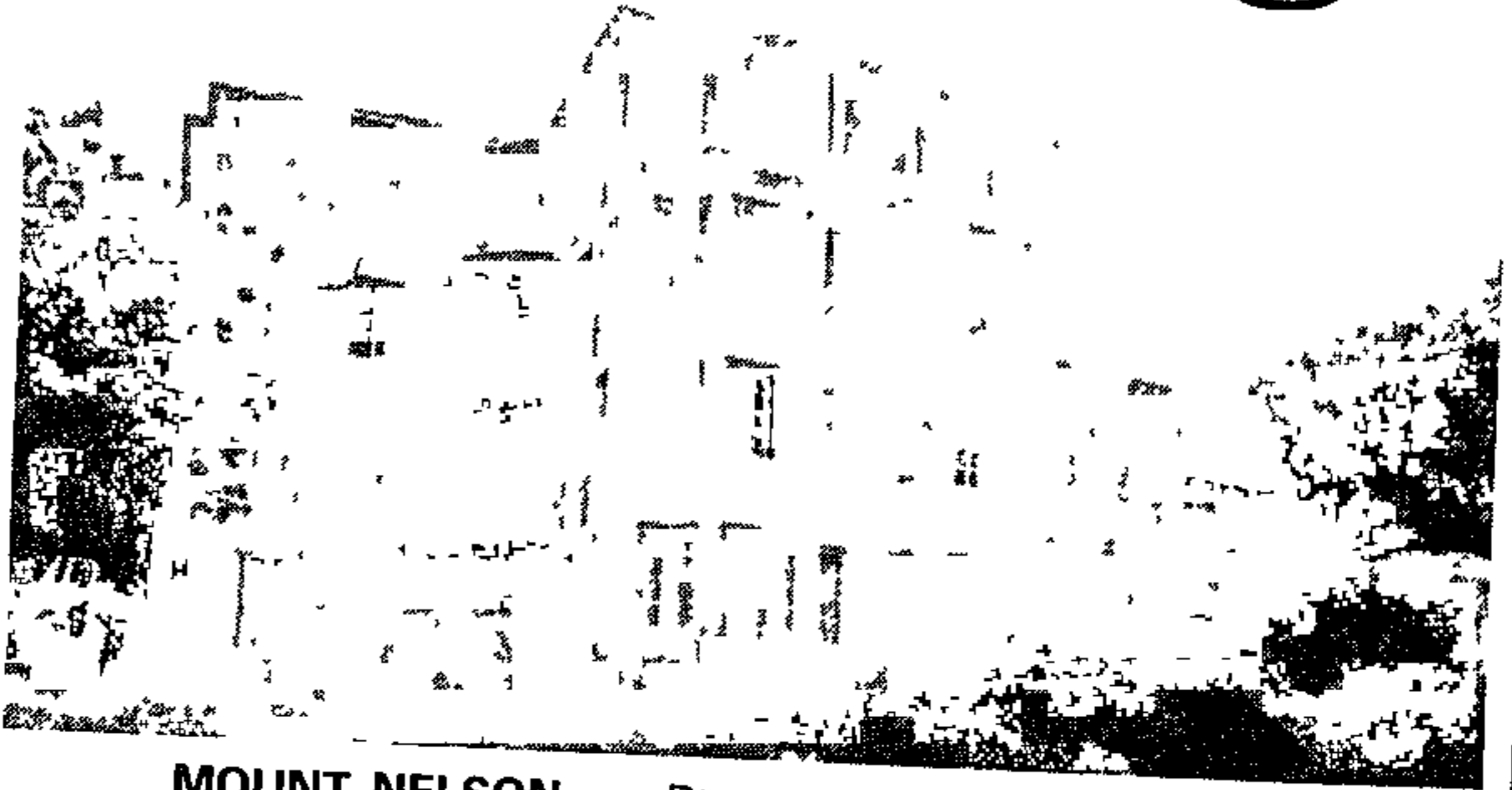
"You may be shocked to hear that a worker who has been working here for over 12 years is still only earning R92 a week as a waiter"

"This same man was dismissed earlier this year when he was caught 'stealing' dirty scraps of food from a dirtbin to take home to his cat"

The pamphlet adds that the man had been reinstated after his union had instituted legal action against the hotel

Workers said their demands included a minimum wage of R455 a month; and a reduction of the present 53-hour week to 44 hours "so we can enjoy some social and family life"

A spokesman for the Liquor and Catering Trades Employees' Union said yesterday that the wage the



MOUNT NELSON . Discontent below the surface

workers were now demanding was still below the present Supplementary Living Level (SLL) wage of R476,29 a month which the company was bound to pay

"The European Economic Community has a Code of Conduct for companies in South Africa which requires that they pay above the SLL," he said

The Mount Nelson was subject to this code because it was owned by the Union-Castle Company which was largely owned by the British and Commonwealth Shipping Company

The managing director of the

hotel, Mr Angus Dodds, could not be reached for comment yesterday, but he has reportedly denied that the hotel is circumventing the European Community Code

Mr Dodds is also reported to have acknowledged that claims that the hotel had "misrepresented" the wage situation in its 1986 report to Whitehall had been raised in meetings

These points were *sub judice*, as far as management was concerned, and he declined to discuss them further for fear of being accused of acting in bad faith, he said

ACCAS
5/11/87
151

CAPE

Faction takes over union's offices

Labour Reporter

A GROUP which had split from the Commercial, Catering and Allied Workers Union (Ccawusa) allegedly forced its way in and occupied the union's Cape Town branch offices.

Mr Graham van Wyk, branch secretary of the union, an affiliate of the Congress of South African Trade Unions (Cosatu), said about 10 people forced their way into the offices on Monday.

He alleged the group ransacked the offices and stole cheque-books and other documents.

"They stayed there until about noon yesterday but left when about 300 union members gathered and demanded that they go."

The split in the union opened in June.

Merger

One group in Ccawusa claimed a merger with the Retail and Allied Workers Union and the Hotel and Restaurant Workers Union had been accomplished, while the other faction said the meeting at which the so-called merger was approved had been unconstitutional.

Attempts to resolve the split have so far been unsuccessful.

Mr van Wyk said the Cape Town branch had rejected the "new" union.

The branch had been aware of meetings involving supporters of the other group.

"There was a meeting on Sunday night at which a committee of 10 people was elected.

"That group arrived at the offices early on Monday morning and threatened people with violence.

Locksmith

"They got into the offices after a locksmith opened up and changed all the locks."

He said the union marshalled its forces at a meeting of shop stewards on Tuesday. During lunch-hour yesterday several hundred workers arrived at the offices.

"The group occupying the offices ran away, but they were stopped, brought back and made to hand over the union's property," said Mr van Wyk.

~~(S)~~ Smith

NOV 5-11 1987

Union offices occupied

INTERNAL squabbles in the Commercial Catering and Allied Workers Union came to a head this week when a group occupied the union's Cape Town offices

The group also allegedly suspended the branch executive committee and the branch secretary, Mr Graham van Wyk

According to general secretary Papi Kganare, the group took the steps because of the incompetency of branch officials and the executive

"On Sunday the workers resolved that an interim committee should take over the union offices. This is because the Cawusa workers in the Western Cape have suffered because they have been manipulated by the executive and Van Wyk," he said

But Van Wyk and branch executive member Mr Roger Ronnie, accused the group of acting "undemocratically"

"On Monday the group invaded the offices. They asked a locksmith to open our office door and then they replaced the locks

"The group also confiscated the union's financial records and changed our letterheads

Power-hungry

"That evening about 200 members resolved at a meeting to take over the office the next day

"We found seven men in the office. Our members were angry and asked the members of the group who gave them the mandate to occupy our offices," he said

Kganare said the group was not "power-hungry" but wanted to strengthen the union

"The workers' grievances were that the union in the region was controlled by a family clique, some workers were dismissed from their jobs but the union could not assist them because of incompetency. The branch executive was unconstitutional as its term of office had expired about two years ago

"It was also said that Van Wyk sided with bosses and restricted the organisers activities. On this basis the workers resolved to suspend him," he said

Catering union ^{Star} in-fighting: legal ^{still 1} action threatened

By Mike Siluma, Labour Reporter

Moves to resolve the five-month conflict between two opposing Commercial, Catering and Allied Workers' Union (Ccawusa) factions have run into problems following a clash over control of the union's Cape Town offices.

The union split into two factions in June, one aligned to the Durban/Orange-Vaal branches and the other to the Johannesburg and Pietersburg branches.

At a press conference yesterday officials of the Johannesburg faction threatened legal action in the face of what they claimed to be a campaign of harassment from the opposing faction.

The allegations have been rejected by a spokesman for the opposing faction.

Alleged actions against the Johannesburg group included the "violent and forcible" takeover of the Cape Town offices, verbal threats against officials and members, and an attack on the home of an unnamed East Rand official.

Spokesman Mr Vivian Mtwa said the alleged attacks had been reported to Ccawusa's umbrella federation, the Congress of SA Trade Unions (Cosatu) but there had been no response.

A spokesman for the opposing faction, Mr Papi Kganare, strongly rejected allegations that threats had been used against anyone.

"Workers decided to run the Cape Town branch after it had been run by a family clique in an undemocratic way for a long time.

"This clique refused to resign even after workers had petitioned them to do so," he said.

Referring to the subsequent return to the disputed offices by the Cape Town faction, Mr Kganare charged that "an armed group, led by an official of the Johannesburg branch, took over the office".

The dispute is expected to be discussed by Cosatu's central executive committee next week.

Ellerines strike averted

THE Minister of Man-
power has appointed a
conciliation board to
resolve the dispute
between the Commercial
Catering and Allied
Workers' Union of South
Africa (Cawusa) and
Ellerines

The move has forced
Cawusa to shelve its
strike plans which would
have involved more than
6 500 union members at
300 Ellerines group
stores.
A Cawusa official,
Mr Jackie Masuku, said

the conciliation board
would possibly resume
proceedings next week

At the centre of the
dispute is — among other
things — a R550 across-
the-board wage increase
demanded by Cawusa
members. The union also
demands a R200 across-
the-board increase and
management's sales
target to be lowered

Offers

Management has
responded with offers of
R94 across-the-board to
non-sales staff, and a
R340 minimum wage for
"external" sales employ-
ees and R464 for
"internal" sales employ-
ees.

Mr Masuku said his
union had received
messages of support
from Ellerines' Swazi-
land branch employees,
who had similar griev-
ances against the
company.

ing in South Africa". ... as happen-

CAPE TIMES 6/11/89
Jungle workers dispute

THE Food and Allied Workers' Union (FAWU) has declared a dispute with Jungle Oats, Maitland, after management shut down production for a day last month.

Worker had not been paid for that day which, a FAWU spokesman said, was "very unusual".

The managing director of Junge Oats, Mr Clive Apsey, confirmed that they had not paid their staff on the day concerned.

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UNION'S INTERNAL POWER STRUGGLE HOLDS UP PEACE TALKS ON STRIKES

STIMES By CAS St LEGER 8/11/87

A POWER struggle within the Commercial, Catering and Allied Workers' Union (Ccawusa) has played a major role in the latest round of countrywide wildcat strikes and labour disputes.

So says Vincent Brett, manpower secretary of the Association of Chambers of Commerce (Assocom).

"One of the problems at the moment is certainly the Ccawusa split. Both factions claim to be the true union, which is creating much confusion for managements.

"Communication is another problem. With the present Ccawusa split, it is difficult to know who one should be talking to.

"It would appear that local shop stewards are sometimes acting without reference to the union, as well as workers acting without reference to the shop stewards," Mr Brett said.

The union, with a claimed membership of 55 000, and the third-largest affiliate of Cosatu — South Africa's largest trade union federation — has featured in several recent actions, including:

- The Checkers strike involving about 800 Ccawusa members after an alleged unfair dismissal, now resolved;

- Ellerine Holdings' wage dispute, now set for a conciliation board airing and affecting a potential 6 302 employees, of whom 2 704 are Ccawusa members;

- 150 striking employees of Benny Goldberg's liquor store in Wynberg, Johannesburg, over a wage deadlock.

Takeover

- 90 strikers dismissed by Rondalla Holiday Resort, following claims by Ccawusa members that they were asked to work Saturdays and Sundays with no overtime pay.

Cosatu is to discuss the five-month-long Ccawusa dispute — culminating in one branch of the faction forcibly taking over the union's Cape Town office on Monday — in a central executive committee meeting this week.

One group, under general secretary Mr Vivian Mtwana, has the support of the Witwatersrand; the other

is apparently aligned to the Durban and Orange-Vaal union branches and is supported by Cosatu general secretary Mr Jay Naidoo.

The result to the employer has been a list of conflicting demands and communications breakdowns, resulting in "unnecessary" strikes.

It took just 10 minutes on Wednesday to settle the illegal five-day strike of about 800 Checkers employees, said managing director Mr Clive Well.

Workers stayed out at various outlets across the Reef after a woman shop steward of the Ccawusa working at the Emmarentia branch of Checkers was dismissed for an alleged till irregularity.

Rondalla Holdings was taken to court by Ccawusa in Pretoria on Wednesday, with the union alleging that its 90 members at the Buffelsport resort had been ordered to work weekends without overtime pay.

Faulty

The company was ordered by the Pretoria Supreme Court to reinstate the strikers — but in an urgent application on Friday the claims of the union were found to be faulty, according to a Rondalla spokesman, and the dismissals were upheld.

Ccawusa is asking Ellerines for a R200 across-the-board increase and minimum monthly pay of R550 — bringing the effective minimum to R750. In order to avert strikes at its 252 outlets, management asked for a conciliation board.

Asked if the increases were at all likely to be granted, Ellerines general manager (human resources) Mr Pierre de Villiers said: "Quite frankly, we would be contracting bankruptcy at those figures."

On Thursday, a telex was received from Minister of Manpower Mr Pietie du Plessis confirming approval of the board.

Available dates will be submitted by union and management tomorrow.

The minister told a business luncheon earlier this week that 23,8 percent of the country's total workforce — or two million workers — now belonged to trade unions, leading to a need for more sophisticated and rational labour relations.

Workers reinstated

WITBANK — The Municipal Workers' Union of South Africa (Mwusa) and the Witbank Town Council have reached an agreement in terms of which more than 700 municipal workers are to be reinstated.

The workers are to report for duty from tomorrow morning and have until November 30 to apply for re-employment.

Agreement was reached through the Industrial Council to reinstate the workers

The workers were dismissed on August 27 this year after going on a prolonged strike. — Sapa (S) SMC 11/11/87.



Daily Dispatch Reporter
EAST LONDON — The Food and Allied Workers' Union (Fawu) said it is waiting for Imperial Bakery and Confectionery in Queenstown to arrange talks on a dispute which led to a strike at the two plants

Union waits for firm to arrange talks on dispute

The union said the dispute began at the start of October and the entire labour force was dismissed on October 21

Both the bakery and the confectionery plant are owned by the Pillay family of Queenstown

The manager of the business, Mr Pat Pillay, said the upheaval started on October 10 when the workers demanded that he employ

a casual labourer on a fulltime basis

He said the workers had not been fired but had walked out on October 21 and had been replaced

The organiser of Fawu, Mr Ngcola Hempe, said the strike had been caused by the unfair dismissal of five employees between October 6 and October 13.

He said four women workers at the confec-

tionery plant had been fired after they had been assaulted by a management official who accused the workers of bringing liquor into the plant

The four women were Nozibele Batani, Doris Zondani, Lulama Ganayaza who was fired for making a statement to the police that she had witnessed the assaults on her two colleagues, and Pamela Tyakala

who was sacked after she had been accused of tampering with the staff register

Mr Hempe said a bakery worker, Mr Mongezi Mrubata, was fired after he had failed to procure liquor after hours for a relative of the owners

Mr Hempe said when he reported the assaults to management on October 12, no action was taken but Mr Mrubata was fired

Approached for comment on Mr Hempe's allegations, Mr Pillay confirmed the four women had been assaulted but declined to comment on the allegation that Mr Mrubata had been assaulted

Now Drive with Confidence



Preparing to return home after fleeing farm beatings are, from left, Nuntu Nobangela, Buyisi Toyi and Melikhaya Qubela

By VUYO BAVUMA

THREE farm labourers fled from a Morreesburg farm this week after allegedly being ill-treated

The labourers, recruited from Elliot near Transkei, left the farm on Sunday three days after their employer refused to give them money. According to the workers, they did not sign contracts.

Three weeks ago SOUTH reported that six Transkei farm labourers from the same farm fled after alleged beatings. They also claimed they had worked for two months without pay.

This week the three workers said they worked from 4 am to 7 pm.

Melikhaya Qubela, 19, who left school in Sub B in 1979, described how he was recruited.

He said he had been pleased to get the job.

"I was glad when given

Workers flee farm assaults

the job I thought I would be able to assist my parents who are pensioners. But that was not the case.

"I met the farmer's foreman in the Eastern Cape. He asked us whether we were interested in working at a farm in the Western Cape. He said we would each earn R190 a month and promised us food and accommodation.

"About 27 of us agreed. We did not sign any papers but our pass documents were taken by the foreman.

"At about noon, we boarded a truck to Morreesburg. At night it was cold in the back of the truck. After travelling for

about eight hours, we reached Malmesbury and the foreman gave each of us half a loaf of bread and a pint of milk," he said.

Qubela said at the farm they were told they would clean pigsties.

"The farm owner gave us overalls and gumboots. We were disappointed when the foreman said we would be paid R90 a month," he said.

Another labourer, Nuntu Nobangela, 20, claimed the workers were sometimes assaulted.

"We asked the farmer to send us home but he refused saying he would deducting money for fares from Elliot."



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By KURT SWART

TWO petrol attendants claimed they were attacked by their employer who struck one of them in the face with a panga

Mr Columbus Tyathuza, 63, of Crossroads, and Mr Aubrey Swartbooi, 42, of Site B, Khayelitsha, have laid charges of assault against Mr Farouk Choonara, part-owner of Allenby Drive Service Station in Retreat

Choonara denied he assaulted the two men and has laid a charge of theft against them

According to Tyathuza, Choonara rushed at him last Friday afternoon, allegedly swinging a panga. He claimed he was struck in the neck and on the left elbow as he tried to ward off the blows. Choonara's wife intervened and separated them

Swartbooi alleged Choonara then attacked him with a stick in the office, striking him in the face

Maltreatment

When he asked Choonara why he was doing this, his employer replied he wanted his money. Swartbooi claimed he escaped by leaping over the counter and running away.

According to Tyathuza and Swartbooi, the altercation took place because they owed Choonara money. They claimed they had an agreement with Choonara that any shortage from the pump intake would be deducted from their wages. At the time of the alleged attack Tyathuza owed R20 and Swartbooi R50

Attacked, say workers



Tyathuza points to the scar

Denying the allegations of assault, Choonara claimed the two attendants owed him nearly R500 and that they had allegedly defrauded several motorists by manipulating the pumps

Choonara said he "lost his temper" with the two men after they had denied they owed him money

"There was no panga attack," he said. "I grabbed the old man (Tyathuza) by the collar and in the scuffle

he slipped and fell. That must have been when he injured himself. As for Swartbooi all I did was shout at him."

He had to compensate several motorists out of his own pocket because the two attendants had been "ripping them off", Choonara alleged

He claimed that in the space of two days they had run up a debt of R400

"I didn't want to get rid of the old man because he

had worked here for years," said Choonara

"But he was constantly drunk at the pumps and the two of them were crooking me behind my back. I gave them enough time to pay up and when they said they didn't owe me anything I lost my temper," he claimed

Choonara claimed that when he took over the garage in April, the previous owners warned him to keep an eye on Tyathuza. "There's more to this than meets the eye," he said

"I believe the two have been instigated by a third party to make this accusation against me. I'm not going to mention names, but I know who these people are."

Trauma

A Retreat doctor confirmed Tyathuza was treated for a "trauma to the left side of the face resulting in a seven centimetre long skin laceration", and an abrasion on the left elbow

Swartbooi was treated for an injury and swelling to the face and an injury to the soft tissue of the left elbow

Police confirmed Tyathuza and Swartbooi laid an assault charge last Friday, the day of the alleged assault, and that Choonara laid a charge of theft on Sunday, November 22

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Bid to end feud

A CONGRESS to resolve a feud in the Western Cape branch of the Commercial Catering and Allied Workers Union of South Africa (Ccawusa) will be held at the weekend

The feud is between a group which supports the Branch Executive Committee (BEC) and another which accuses the branch executive of incompetency and corruption

Last week the opposing group suspended the committee and the union's branch secretary, Mr Graham van Wyk. It also occupied the union offices before the "Van Wyk supporters" took over the office last Wednesday

The group resolved that the union should merge with the Hotel and Restau-

rant Workers' Union and the Liquor and Catering Trade Union

Mr Jay Naidoo, a Ccawusa official, told SOUTH it was wrong to describe the group opposed to Van Wyk as the "new Ccawusa"

Relatives

"At an urgent meeting two weeks ago, the workers voiced their grievances. They said the branch was being undemocratically controlled by a family clique and a small group of workers

"The union failed to educate the workers about their rights. Some workers were being dismissed because their complaints

were not taken up

"Van Wyk held secret meetings with the bosses. He told the bosses not to allow the organisers into the stores. The workers also complained that the committee was unconstitutional," he said

The Western Cape branch executive rejected the accusations as slanderous

"Those who are apparently fighting for democracy against corruption are in fact guilty of these charges. How could it be possible for 44 workers out of 2 700 paid-up members to decide to suspend the branch executive and Cape Town Shopstewards Local, and decide to take over our office violently," it said in

a statement

The branch executive, it said, was not unconstitutional

"It was elected in terms of 1985 constitution for two-years. Its term expires this year. According to the new constitution, the branch executive should be elected at a branch congress of shopstewards"

Family clique

"We also reject the allegation that the branch is controlled by a family clique. The branch secretary has a sister who was elected by workers. There are many members with relatives in the branch.

"The delegates at the National Congress in June had a mandate. Workers discussed and accepted a political policy resolution which was later adopted at the Congress. The minutes of a Shopstewards Council meeting can prove this.

"The Western Cape branch remains committed to Cosatu and is co-operating with the commission trying to resolve the dispute," the statement said

"The branch secretary is said to be siding with the bosses. This indicates that the break-away group is prepared to smear us. They are now saying funds are misused. We challenge them to prove this.

"The workers resolved to take control of the office

(151) ~~13-19-76~~ WMMU 13-19-76

Cosatu attempts peace-keeping as Ccawusa split flares again

TENSIONS in the Commercial Catering and Allied Workers' Union have again flared up — nearly four months after Cosatu appointed a commission to try and resolve the dispute between the two warring groups

And in the face of accusations and counter-accusations the Congress of South African Trade Unions has warned the factions not to undermine the commission by making public statements

Long-simmering tensions in Ccawusa burst into the open at a planned merger with the Hotel and Restaurant Workers' Union and the Retail and Allied Workers' Union four months ago

At the planned merger delegates from the Johannesburg, Pietersburg, Klerksdorp and Western Cape branch left the meeting after it was closed

Some of the delegates objected to the ruling closing the meeting and went ahead with the launch, resulting in two groups competing for control of the third largest union in Cosatu

The Johannesburg-led group said they did not recognise the merger because "democratic practices were not followed and standard meeting procedures had been broken" at the launch

The tension surfaced again at Cosatu's annual conference a week later, resulting in the federation appointing a commission to try and resolve the problems

An uneasy peace prevailed until last week when the Johannesburg branch accused the merger group of having violently taken control of the Cape Town office

The merger group countered by claiming that a rally planned for the Jabulani Amphitheatre this Sunday was aimed at getting workers to affiliate to the Black Consciousness-aligned National Council of Trade Unions.

The Johannesburg branch, which organised the rally, denied the allegations

The branch also dismissed allegations that it was involved or assisted in acts of violence against the merged Ccawusa

These claims were made by the merger group, led by general secretary Papi Kganare

"Ccawusa is a founder member of Cosatu and will continue, like other affiliates, to play an active role in the federation's Living Wage Campaign," said Johannesburg branch co-ordinator Kaiser Thubedi.

The allegations were "an attempt to create suspicion and division in the labour movement, especially between Cosatu and Nactu, and to project us as people who are anti-federation", Thubedi said

He pointed out that at the time of the unity talks that led to the formation of Cosatu three years ago Ccawusa was not affiliated to any trade union federation

Ccawusa took part in the talks because of a desire for unity among workers.

"The attempts by the 'breakaway'

Tensions between warring factions in the Commercial, Catering and Allied Workers' Union flare again. SEFAKO NYAKA reports

group to create confusion and disunity in Ccawusa has failed dismally. Now they want to create and deepen the divisions that exist between Cosatu and Nactu. They are using Nactu's name for political gain," he said

Ccawusa's position had consistently been one of creating unity between Nactu and Cosatu and to form a united union in the commercial and catering sectors, he said

"We are for a merger and unity, not only with the Retail and Allied Workers' Union and the Hotel and Restaurant Workers' Union but with other unions in the sector"

The other large unions in the sector are the Cape Liquor Employees' Union, the Natal Liquor Employees' Union, the National Union of Distributive and Allied Workers and the Federated Council of Retail and Allied Workers

The rally was not a show of strength but merely a constitutional provision to report back to members about gains, victories and targets for the new year, Thubedi added

A decision on affiliation to Nactu could not be made at a rally or a general meeting as "these are not decision-making structures", he said

The Johannesburg branch would be responding to a telex from what he termed the "breakaway group" requesting that they be given an opportunity to address workers at the rally, Thubedi said.

"It must, however, be pointed out that they never invited us to a meeting they called in Soweto a few weeks ago and also that when we made an approach at their meeting in Natal they vowed never to share a platform with us"

He said this was compounded by the fact that "the group" had used force in their bid to take control of the Cape Town office

At Monday's meeting "certain anti-Cosatu elements in the Johannesburg branch together with officials from a few other branches" were accused of conducting a "disinformation campaign" among workers and in the press

The merger group denied the allegations that it forcibly took control of the Cape Town office, claiming that the take-over occurred after members suspended the Cape Town branch secretary

The group, which emphasised that it was not a "breakaway group", claimed that a day after the newly-elected branch executive members took control of the office, they were attacked by a group of 60 workers from the OK stores in Parow and Woodstock, led by a senior member from the Johannesburg branch

"An organiser was held halfway through the window and threatened that he would be thrown out of the second floor unless he handed over the keys," Kganare said

Two organisers were allegedly forced to telephone a number of companies to say the branch secretary was not suspended and that they had resigned

Death threats and threats of physical assault were made, he added

Kganare denied that his group was a "breakaway", claiming that the Johannesburg branch-led group was in the minority

"The disinformation campaign has had partial success in only four out of eight branches of Ccawusa

He said seminars organised by the Johannesburg branch and attended by some members from the Johannesburg, Pietersburg, Klerksdorp and Western Cape branches were addressed by Nactu officials

The seminars, which were dealing with the political policies of Cosatu and Nactu, were critical of the former's policies

This has been denied by the Johannesburg branch

Meanwhile, Cosatu's six-man commission is expected to meet this weekend to try and resolve the issue

FOR THE RECORD

THE reinstatement of the former mayor of Ibhayi Town Council, Tamasinga Linda, is in limbo this week while the Cape Provincial Administration seeks legal advice

Linda, who was hounded out of the township by angry residents 19 months ago, was disqualified as mayor after he failed to attend four consecutive council meetings. Regarded as one of the prime initiators for the municipal police system and an opponent of trade unions and the UDF, Linda said the majority of people who supported the council system wanted him back.

ALLEGATIONS of torture by the the Ciskei police were made during a trial at the Zwellisha Regional Court this week in which Lucille Yvonne Meyer, administrative secretary of the UDF in the Border region, was acquitted of perjury

The state alleged that Meyer made a statement to police in which she admitted involvement in the armed activity of which Rev Arnold Stofile was later found guilty

She denied any knowledge of the events. The magistrate found that the evidence of the state's sole witness, Warrant Officer Oweluzima Peter Swelindawo, was full of contradictions and that he had been evasive when the allegations of assault were put to him

A NEW spate of arrests and prosecutions has further undermined the liberal reputation of the Durban City Council's squatter policy. The arrests — in pre-dawn raids — of 45 "household heads" last month, resulting in convictions for trespassing, was followed by 15 more arrests in another raid last week

Senior councillor Sybil Hotz said the council's June decision applied only to people "listed" by the council. "The newcomers must have come from somewhere and we are quite prepared to assist them in going back there"

THE question of whether long service allowances are "socialist" could be the key issue delaying a return to work by 1 200 strikers at Durban's Dunlop tyre factory

Cosatu or Nactu - which will Mwasas members choose?

By MARTIN NTSOELINGOE

THE Media Workers' Association of South Africa has a very difficult decision to make at its annual congress in Durban this weekend when it is to choose whether to affiliate to one of the two giant union federations

The union is to choose whether to affiliate to the Congress of South African Trade Unions or the National Congress of Trade Unions

A spokesperson for Mwasas said since the beginning of the year, the union has invited officials belonging to both federations to its regional conferences, to address its members to prepare them for the decision

He added that Mwasas believed in democracy and that for the decision to affiliate to either federation to be taken, it was of paramount importance for its members to be well prepared for such a decision

"We believe that it is important for our members to know the policies of both the federations so that when they vote they should not be swayed by extraneous forces

"Our members must decide on the basis of what federation would accommodate the aims and objectives of the union," said the spokesperson

He also stressed that Mwasas members must know both federations, their policies, history and their relationship with the liberation struggle in the community

The Southern Transvaal region of Mwasas has already made a recommendation to the national executive to affiliate to Nactu

Dunlop strike goes on

CP Correspondent

CONCILIATION Board negotiations on the wage dispute between Numsa and Dunlop BIR have broken down for the third time.

The union has accused the company of "union bashing"

The board was set up on October 29 after about 1 200 workers voted to strike when management refused to reinstate long-services bonuses.

The workers objected to a disciplinary clause in the payment of annual bonuses - Concord

Beauty and the C

By BONGANI HLATSHWAYO

KAIZER Chiefs will be holding the national finals of its beauty contest tomorrow after the team's needle match against Orlando Pirates at Ellis Park.

The winning beauty will represent the club at the Miss NSL beauty pageant

The judging will take place at Club 2000 in Johannesburg from 7pm. There are 32 finalists drawn from throughout the

country.

The club may have fans to attend.

There will be 10 top girls. The Premier Milling SMW

Entertainment provided by Yvonne Williams and the

City Press 15/11/87



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LABOUR

Mount Nelson's wage dispute goes to mediation

Labour Reporter

THE wage dispute at the Mount Nelson Hotel goes to mediation today in an attempt to reach a settlement.

The Liquor and Catering Trades Union declared a dispute with the management on October 22 when wage talks deadlocked.

They have 30 days to resolve the dispute, after which the union may take steps to call a legal strike.

Christmas bonus

The union is seeking a R105-a-week minimum wage and a R40-a-week-across-the-board increase, a 44-hour week, four weeks' leave for all employees and five weeks for those working split shifts, a Christmas bonus of three weeks' pay, a long-service bonus of R1 a week for every year's service, compassionate leave, overtime pay for Sunday work and company loan facilities for employees with more than two years' service.

The management has offered a R76 minimum wage, R16 across the board, a 51-hour week in season and 49 hours a week out of season, three weeks' leave and four weeks for those working a three-way split shift, a conditional three weeks' pay bonus, fewer days compassionate leave, no Sunday pay but a night-shift allowance and company loans at the management's discretion.

'Our union remains committed to Cosatu'

Ccawusa (non-merged) says

The general secretary for the non-merged wing of Ccawusa, Mr Vivian Mtwu, said Cosatu's decision was unfortunate, as his group had co-operated fully in meetings to resolve the dispute.

"The last meeting broke down due to the other group merging with the Cape Liquor Union, contrary to the Cosatu executive committee decision that no merger must occur with that union prior to the dispute in Ccawusa being resolved through a congress

"The combination of, firstly, the violent take-over of the Cape Town office (by the other faction of the union) and, secondly, the contravention of the Cosatu executive committee's decision (that the other group should not merge with the Cape Liquor Union), were the main stumbling blocks in resolving the problem.

"The central executive committee has now passed a decision siding with the very group that went against the Cosatu commission's recommendations, and the Cosatu executive committee's decision

"We are not anti-Cosatu. From time to time we have levelled certain criticisms but this does not mean we are against Cosatu.

"The central executive committee statement that there are anti-Cosatu elements within Ccawusa is unfortunate and incorrect. We remain committed to Cosatu.

"There has been an allegation that certain officials of Ccawusa have refused to allow the Cosatu president and general secretary to address the rally at Jabulani Stadium. This is not true.

"The central executive committee decision was made only hours before the rally. When the Cosatu delegation arrived they did not announce their presence to the Ccawusa general secretary, nor to the Johannesburg branch secretary. This resulted in them being turned away by a worker who was angered by the central executive committee decision," said Mr Mtwu.

STAR 18/11/87

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New turn in Ccawusa split

THE dispute within the Western Cape branch of the Commercial Catering and Allied Workers' Union of South Africa took a new turn this week when Cosatu resolved to recognise one of the feuding groups.

Meanwhile, a new branch executive committee was elected at the weekend.

This followed the failure of a commission elected by Cosatu to solve the feud.

The now-recognised group accused the branch executive of being ruled by a family clique, being incompetent, and failing to deal with workers' problems.

The Western Cape BEC rejected the allegations.

The recognised group is made up of the dissatisfied group in Ccawusa, Liquor Catering Workers Union and Hotel and Restuarant Workers' Union.

Cosatu also resolved to convene a congress with Ccawusa, that the disaffected sections of Ccawusa should raise problems through the recognised structure (the Ccawusa that merged on 27/28 June).

The general secretary of the Ccawusa, V Mtwla, of Johannesburg expressed dismay at Cosatu's decision.

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Former GM workers Khayaletu Ngqonde (left) and Sipiwo George working on an engine in a New Brighton yard

Industrial Court to rule on GM strike

From MBULELO LINDA

PORT ELIZABETH — The 13-month-old dispute between General Motors and the 3 000 workers who were fired following a dispute over a severance agreement is to be settled by the Industrial Court

While they wait, workers have become involved in various casual jobs including township mechanics workshops, brick-laying, dance and drama

Following an announcement that the company was pulling out of South Africa, more than 3 000 members of the National Automobile and Allied Workers' Union (Naawu) and the Motor Assembly and Components Workers' Union (Macwusa) issued management with a set of demands on October 22 last year.

The workers at General Motors, now Delta Motor Corporation, downed tools after their demands for severance pay, pension refunds and the right to appoint two directors to the board of the new company were turned down.

On November 5 last year, strikers who refused to leave the Kempston Road

plant were evicted. The next day the Supreme Court granted an interdict declaring the strike unlawful.

A series of meetings between management and workers reached a stalemate. The matter was referred to the Industrial Court, and a year later, the workers are still waiting.

Some workers returned to their jobs with the South African management.

Naawu representative Fred Sauls said the number of unemployed strikers who still regarded themselves as GM workers had been reduced from 2 000 to 500.

More than 20 former GM workers are employed at a mechanical workshop in New Brighton.

"Because we could not get jobs anywhere in PE, we organised ourselves to use the skills we have," said Mzolisani Ngqolana.

Ngqolana, 29, was a trimline worker at GM for five years. "We don't worry about those who stabbed us in the back, they are still our comrades."

"I work as a panelbeater to support my four brothers, sister and children."

Workers share the earnings at the end of the week — Pen

Nov 19-26 1987

South LABOUR

Sacked workers replaced by whites

From LOUISE FLANAGAN

EAST LONDON — Several companies involved in industrial disputes this year are employing white workers to replace dismissed blacks

At Hoover, about 200 workers were dismissed in September following a dispute over wages and recognition of their union, the South African Allied Workers Union (Saawu). The company has replaced them with about 160 white

workers.

Hoover personnel manager Mr Alistair Geddie would not comment on vacancies, or say whether there were still black workers in the plant.

Geddie said the company hoped the new workers would be permanently employed. "Things are going so well, we'd hate to replace people," he said.

Mr Corder Tilney, who took over as managing director when the parent company disinvested, con-

firmed whites were employed after the dismissal of the 200 workers.

He denied there was a conscious policy to employ whites rather than unionised blacks, and said his company employed anyone, irrespective of race.

Dismissed workers had been involved in an illegal dispute, and the company had followed the correct procedure, including asking the workers to return after they were dismissed, he said.

slightly better quality than the men. The men are drop-outs who've had problems," he said.

Both Tilney and Geddie said the new workforce had started off with lower wages than the dismissed workers, as they were less experienced. It is believed they started at R3 per hour, although increases followed within weeks.

Smoothly

Tilney said production at the factory was running smoothly.

"Everyone is very happy, if you walk through the factory in the morning they smile at you," he said.

At Barlows, 150 black workers were dismissed in August after a dispute over working conditions. Again, white workers took over some of the jobs. Management was unavailable for comment.

Another East London company, Raylite, also employs whites in jobs previously held by black workers, but denied this was a result of industrial action.

Manager David Saunders confirmed his company also employed whites, but said this was simply because it was an equal opportunity employer.

"It's an experiment," said Saunders. "So far it's going quite well".

He said Raylite workers all received the same wages and used the same facilities. — *Elnews*

Disruptive

About 18 workers who had not supported the dispute were still employed at Hoover.

Tilney said Hoover did not intend to employ only whites.

"We employ people who want to work," he said. "We've never worried whether people are white or black".

However, Geddie said that union activity among the dismissed workers had been disruptive and that this was no longer the case with the white workers. He said the company was almost back to full production and that they were very happy with their workforce.

Geddie said that there were a lot of unemployed white workers in the town who were willing to accept the jobs.

Referring to the white workers, he said "The women are more stable,

VW workers agree to stamp out racism

PORT ELIZABETH — Black workers and white foremen at Volkswagen SA in Uitenhage, reached agreement last month to stamp out racist remarks and intimidation at the plant

The accord led to the termination of a four-day strike at the plant late last month by 5 000 workers, members of the National Union of Metalworkers of SA (Numsa) — a Cosatu affiliate

The strike followed the dismissal of a worker

who allegedly assaulted a white foreman, a member of the SA Iron, Steel and Allied Industries Union — an SA Confederation of Labour affiliate

VW's public affairs manager, Mr Ronnie Kruger, yesterday released a statement, concerning the incident, saying it has been agreed by all parties that the dismissed employee will be reinstated with a final warning, while the foreman involved will return to the job as normal. — Sapa

(151) SAA 20/11/87 (15)

Charges fly in Ccawusa split

By SEFAKO NYAKA (S)

THE breakaway wing in the troubled Commercial Catering and Allied Workers' Union yesterday accused the Congress of South African Trade Unions of not acting in the interest of worker unity.

The breakaway wing, led by former Ccawusa general secretary Vivian Mtwa, was responding to Cosatu's decision to recognise the merger in June between three unions in the commercial and catering sector.

According to Cosatu's information officer, Frank Meintjies, regional reports have indicated the group had organised seminars and workshops addressed by National Council of Trade Union members, where Cosatu policies, principles and the Freedom Charter were criticised.

The refusal by certain officials of the breakaway group to allow the Cosatu president and general secretary to address a rally held at Jabulani, Soweto, last Sunday "is further evidence of the anti-Cosatu outlook among certain elements of the disaffected (breakaway) group", Meintjies said.

Mtwa said members of his group were criticising "certain undemocratic activities carried out by certain Cosatu structures or individuals. We see this as our democratic right and it does not mean we are criticising Cosatu as a whole." WMAIL 20-26 NOV '87

Judgment milestone for labour

CP. Correspondent

A SUCCESSFUL appeal against the conviction of 16 former General Motors workers will have far-reaching consequences for union members convicted under the Internal Security Act for attending illegal gatherings during labour disputes.

Advocate D Chetty, for the accused, said it was implicit in the judgment that such gatherings could not have been contemplated by the legislature to prohibit gatherings within the meaning of Section 46 (3) of the Internal Security Act - Eena

CP/NEWS

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22/1/87

Firms sidestep the unions

CP Correspondent

SEVERAL East London companies involved in industrial disputes with black workers earlier this year are employing white workers in their place

About 200 South African Allied Workers' Union members were dismissed by Hoover in September following a wage and recognition dispute. The company has since employed about 160 white workers in

their place. Personnel manager Alstair Geddie did not say whether there were still vacancies or whether there were still some black workers at the plant.

At Barlows, 150 black workers were dismissed in August after a dispute about working conditions. Again, white workers took over at least some of the jobs. Geddie said Hoover

hoped that the new workers would be permanently employed. "Things are going so well that we'd hate to get rid of the people we're employing," he said.

Corder Tilney, who took over Hoover when the US parent company disinvested earlier this year, confirmed that whites were employed after the dismissal of the black work force.

However, he denied there was a conscious policy to employ whites rather than strongly unionised blacks and emphasised that his company employed anyone, irrespective of race.

He said that former workers had been involved in an illegal dispute and the company had gone through all the correct procedures, including asking them to return after they

were dismissed. Tilney said about 18 of the original workers, those who had not supported the dispute, were still employed at Hoover.

He said Hoover had not intended to employ whites. "We employed people who wanted to work," he said. "We've never worried whether people are white or black."

However, Geddie said that union activity among the dismissed workers had been disruptive and that this was no longer the case with the white workers. He said the company was "very happy" with the work force and was almost back to full production.

He said there were a lot of unemployed white workers who were willing to take the jobs.

Referring to the white workers, he said "The females are more stable, slightly better quality than the males. The males are dropouts who had problems."

Both Tilney and Geddie said that the new work force had started off with lower wages than the dismissed workers, as they were less experienced. Wages are believed to have started at R3 an hour, although increases followed within a few weeks.

"Everyone is very happy. If you walk through the factory in the morning they smile at you," he said.

Another East London company, Rayite, also employs whites in jobs previously held by black workers, but denied that this was a result of industrial action at the factory.

Manager David Saunders confirmed that his company employed whites, but said this was simply because it was an equal opportunity employer.

"It's an experiment," said Saunders. "So far it's gone off quite well." He said Rayite workers all received the same wages and used the same facilities - Elnews

Sydney Mafumadi



Employees go back to work

AMALGAMATED Plastic Industries (API) and the Paper, Wood and Allied Workers Union (PWAU) have negotiated a settlement which has resulted in a return to work of dismissed employees, after a work stoppage on November 9.

API and PWAU said they believed the agreement would form the basis for the development of positive and orderly industrial relations for the future.

PWAU accepted its allegations of instant dismissal of two employees for theft were incorrect and were made in error.

Sapa

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Blad 24/11/87

45 EXPELLED FROM TRADE CENTRE

24/11/87
151

By JIMMY MATYU

FORTY-FIVE trainees have been taken off a Mossgas course at the East Cape Training Centre after a group of women visiting from the University of Port Elizabeth were wolf-whistled at the centre on Friday.

Three of the trainees were expelled on the spot. The rest walked out in sympathy and are not being allowed to return.

Those expelled were Mr Thembekile Speelman, Mr Mbuyiseli Mpahlwa and Mr Michael Nyati.

Their 42 colleagues demanded the reinstatement of the three. When this was turned down, they staged a sympathy sit-down and the centre administration subsequently decided they had expelled themselves.

All 45 trainees are reporting daily to the centre's gate, demanding that they should be allowed to continue with their 16-week rigger-training.

The trainees come from the Qhayiya Technical College in New Brighton and the Bethelsdorp Technical College in Bethelsdorp.

A spokesman for the trainees said the trouble started when they "innocently wolf-whistled" young women students from the UPE who had visited the centre on Friday.

"We cheered loudly and wolf-whistled. Among us were our instructors who joined the fun. The women merely laughed back."

"It was not the first time such a thing had happened at the centre and no expulsion had ever taken place because of it," he said.

He said the trainees then felt that the expulsions were unfair and that the three colleagues were unnecessarily victimised.

"We approached Mr Z Strydom, the training manager, and questioned the decision. We told him that all of us, including the instructors, had taken part in the fun and that he should expel all of us," he said.

"We are prepared to go back if the three expelled trainees are reinstated. We do not want to cause any problems as we are interested in learning about our jobs," he said.

Mr L J de Villiers, deputy director of training at the centre, today confirmed the "wolf-whistling" incident and the expulsion of the three trainees. However he said the other 42 had first removed themselves from the campus before being expelled.

"The three trainees were positively identified by senior management staff. We are an educational

centre of high integrity and we cannot accept this kind of behaviour at all on the campus because the campus might turn into a circus," he said.

Mr De Villiers said there were 15 other trainees left on the course.

"We have no ability to take them back now. We have a contract with our principals that we train each person for 16 weeks in six different technical skills. The course fees are totally paid for by the sponsors."

"We cannot even entertain taking them back or give them a second chance. They have broken their conditions of their contracts which do not allow us to train a person a second time on the same course," he said.

Mr De Villiers said part of the contract was that each trainee should receive R50 attendance bonus weekly after doing a full 45 hours of training a week but if a trainee did not complete the hours, he forfeited the bonus.



Pride of place in the projected new railway museum in Port Elizabeth will be taken by this old "Puffing Billy" — nicknamed "Ghuna" — which first saw the light of day in 1916, when it was imported from the United States. SA Transport Services is planning to establish the museum on the waterfront. Holding the nameplate are two specialist technicians who have restored the engine, Mr JOHN SHARE and Mr LUKAS GREYLING.

She spent life wrongly locked up

RICHMOND, Virginia — An 82-year-old woman who officials say never belonged in an institution, will be released from Western State Hospital after nearly six decades in the mental health facility, a state official said yesterday.

Blanche Moore will be transferred to a nursing home within a month, said Marion Campbell, spokeswoman for the state department of Mental Health.

"There were so many here that didn't need to be here," said Allison Bell, who heads the team of social workers who put Miss Moore's name on a waiting list at a small nursing home in South Boston. "They were shuffled off in a corner, and nobody thought about it."

"I want to get away from this old place," Miss Moore told The Washington Post in a recent interview at the hospital in Staunton.

Her records include the admission interview she had with a psychiatrist at the hospital in September 1929.

She was being transferred from what was then called the State Colony for Epileptics and Feeble-Minded in Lynchburg, where she had been sent by her family as a teenager.

In the admission interview, the 24-year-old Miss Moore admitted experiencing "nervous spells" since she was about 14, when her grandmother died but she generally answered questions reasonably.

She grew up on her grandparents' farm outside Emporia after her par-

ents had died when she was a child. She told the psychiatrist that she never learned to read or write.

The psychiatrist asked her to tell the difference between an apple and a peach, to describe a chair and to explain the difference between a cow and a horse.

"You milk a cow, and you can't milk a horse," she replied to the last question, adding, "you are not making as big a fool out of me as you think."

The diagnosis was "psychosis, equivalent of epilepsy."

Asked recently whether she was angry at being hospitalised, Miss Moore at first shook her head, but then said, "I don't know what I wish. Yes, I wish I had stayed on the farm."

— Sapa AP

Man, 26, jailed for molesting 10-year-old PE girl

Court Reporter

MOST of society considered that a man who sexually molested a child belonged in jail, and it was the duty of the courts to express the views of society, a Port Elizabeth regional magistrate said today.

Mr P P J van der Merwe sentenced 26-year-old Aubrey Harker to two years (18 months suspended) for indecent assault of a 10-year-old girl in Algoa Park

in June and July last year. Harker, a storeman at the Provincial Hospital, pleaded guilty to the charge.

The defence submitted a psychologist's report stating that Harker's father had deserted his mother when he was born and that his mother died when he

was 10 years old.

The magistrate said he was aware that people now lived in a permissive society. But sexual molestation of young children was not one of the things that was tolerated.

The child in this case was very young and she, too, was from a broken home and desperately in need of

Weather

FORECAST for the coastal belt from Plettenberg Bay to Port Alfred for the period ending 6pm tomorrow.

CONDITIONS Cloudy with drizzle and/or fog patches tonight. Partly cloudy tomorrow.

WIND Wind moderate to fresh south westerly.

EXPECTED TEMPERATURES
Maximum 20C
Minimum 17C

TODAY'S CONDITIONS (1pm)
Sea Temperature 18C
Temperature 23.7C
Pressure 1 010mbar
Humidity 61%
Wind SW 29km/h

Hotel dispute referred for conciliation

Handwritten notes:
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Sweetman
25/4/87

THE Commercial Catering and Allied Workers' Union of South Africa (Kganare group) has referred its wage dispute with the Southern Suns to the Industrial Council and Conciliation Board, the union said yesterday.

Mr Papi Kganare, Ccawusa general secretary, said in areas such as Eastern Cape and Orange Free State — where the Industrial Council system did not exist — the dispute would be referred to the Conciliation Board.

"For areas such as

Witwatersrand, Natal and Pretoria, the dispute will be referred to the Industrial Council," Mr Kganare said.

Ccawusa, together with the Natal Liquor and Catering Employees' Union, demand an across-the-board increase of R200 over an 18-month period. In addition, the unions demand a minimum wage of R500 a month to be effected by October next year.

Mr Kganare said the hotel group had offered a minimum wage of R475 a month and an across-the-board increase of R30 backdated to October. Management had also offered an extra 15 percent in April, and an additional R30 in October next year.

Southern Suns group personnel director, Mr Peter Cumberlege, said this week that management had not received the unions' formal declaration of a dispute.

'Missing' duvet Zhauns fires eleven workers

THE alleged theft of a duvet cover and sheets by two workers at Zhauns' textile firm in Salt River led to the dismissal of 11 workers last week

According to two of the dismissed workers, Smallboy Mchukwini, 20, of Crossroads, and Gibson Mbina, 19, of Site C, Khayelitsha, a friend of two fellow workers was apparently found with the goods in his possession at a police roadblock

The police informed the firm's management Eleven workers were dismissed

"We were told to fetch our salary on Friday," the workers said

Chased off premises

A spokesperson for the African and Allied Workers Union claimed the workers were chased off the premises by the owner, Mr Ahmed Zhaun, when they accompanied a union representative to see the firm's management

"I spoke to his sister, known as Mrs S She said the workers were dismissed because they were casuals.

"I've phoned the company several times, but with no response We are making an application to the Industrial Court," the spokesperson said

Ahmed could not be reached for comment A spokesman for the management, Mr Trevor Dean, failed to keep an appointment at the firm's offices after insisting on a "face-to-face interview"

(151)

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Amazing Grace fights back ... and wins

By CHRIS GUTUZA

A MANENBERG mother who this week won back her job after a four-month battle said she had been inspired by support from the community and fellow workers

The Industrial Court ruled this week that Ms Grace Bosman could return to work at Amalgamated Chemists Association which had fired her in July for "gross insubordination"

The company was also ordered to give her a month's back pay

Bosman's colleagues had given her money, and toys for her one-year-old son while she was unemployed. And last Friday community organisations and fellow-workers organised a fund-raising event for her.

Bosman is the sole supporter of her son and 54-year-old mother

Before her dismissal, Bosman, chief shop-steward of the Chemical Workers Industrial Union (CWIU), was suspended for a week after a union report back meeting

"I reported to the staff about a meeting between our consultative committee and management. I was then accused of several offences. These included not taking a direct instruction from a superior and taking 60 percent of the workforce out of the workplace

"I was dismissed after being found guilty at a disciplinary hearing. When my appeal failed near the end of August, we took the case to the Industrial Court," she said

A spokesperson for Amalgamated Chemists Association confirmed



Grace Bosman

Bosman had been dismissed and that the Industrial Council had reinstated her

An elated Bosman said she was grateful for the support she had received while unemployed

"My colleagues were my inspiration. I also received donations from them while out of work. They even bought toys and luxuries for my son," said Bosman

Bosman was one of 52 workers fired from the company last year for striking over union recognition. "We also wanted officials to have access to the work premises and a right to have shop stewards," she said

All the workers were reinstated after an out of court settlement between CWIU and management in December last year.

(151)

B/day 27/11/87

LEGAL EXPERT USE MEDIATORS IN DISPUTES

A LEADING SA legal academic has called for the appointment of professional mediators to help people settle disputes before they go to court.

"The traditional idea that only a bewigged, robed septuagenarian in a musty and institution-smelling courtroom can satisfy the rights and human needs of warring members of the community must be changed," said Prof David Scott-Macnab, professor of Mercantile Law at the University of Durban-Westville.

Writing in the latest issue of the

Own Correspondent

attorney's journal, De Rebus, Scott-Macnab said the mediation process — which had been successfully implemented in the United States — could lead to many disputes being settled out of court.

"The burning question is whether a great many disputes require or warrant a State-constituted tribunal to adjudicate upon them in the first place.

"Simple disputes about boundary fences, defective goods or

whether good service is given need not or should not demand the huge and costly machinery of the constituted court.

"We exhort developing countries and people to self-help. Why not exhort the ordinary man or woman, locked in a simple — but to him or her nevertheless serious dispute — to help themselves. Do-it-yourself justice may not be justice in the purely legal sense, but as long as parties perceive it as justice and are satisfied with the result, not only they, but the whole of society can benefit," he said.

About 300 tenants met to protest against the high rents demanded by... hoped the Anglo and De Rebus

4 ~~5~~ 51 27/11/87
BUSINESS DAY

Sasol and union to mediate over jobs

THE SA Chemical Workers' Union and Sasol have agreed to mediate re-employment terms for dismissed workers.

Sacwu publicity secretary H.O. Ndaba said in Johannesburg the agreement to mediate, which began yesterday and stretches until December 1, had followed two meetings between the union and Sasol management during the past nine days.

Dismissed workers decided after the last meeting, on November 20, to individually apply for re-employment after Sasol management said it would re-employ only 50% of dismissed workers as other vacancies had already been filled — Sapa

Board meets

A CONCILIATION board meeting to resolve the wage dispute between Ellerines and the Commercial Catering and Allied Workers' Union of South Africa continues

today This will be the second sitting of the board, which has been appointed by the Minister of manpower to settle the dispute between the two parties.

(151) ~~151~~ Smeets
1/12/89

Ccawusa split widens

Sowetan 3/2/87



151

THE Northern Transvaal branch of Ccawusa has voted to continue at the "old Ccawusa".

The resolution, taken at a general meeting held in Pietersburg on the weekend, amounts to a rejection of a decision by Cosatu to recognise the Kganari Group as the

representative group

The vote followed four hours of heckling and confusion caused by disagreement between the two groups. Tempers flared later in the day and a man was manhandled and thrown out of the meeting hall.

The meeting continued

after supporters of the Kganari Group left the hall. The union general secretary, Mr Vivian Mtwana, was carried shoulder high by the workers after the vote.

Mr Mtwana told the workers that a defence Ccawusa campaign had

been launched. He said Ccawusa remained committed to unity and to Cosatu but said disruptions of meetings would no longer be tolerated.

The Northern Transvaal is the first Ccawusa branch to react to Cosatu's division.

LABOUR BRIEFS

'We pick, you pay'

EAST LONDON.— We'll pick, you pay. That's the message Ciskei police have given the Bisho branch of Pick 'n Pay.

After a recent work stoppage in support of a detained worker, Ciskei police demanded the store end its relationship with the Commercial Catering and Allied Workers' Union. Police also demanded the right to approve appointments.

—Elnews

Actwusa deadlock

DELEGATES of the Allied Clothing and Textile Workers' Union of South Africa and the WP Cotton Textile Manufacturers have deadlocked over wage demands with members of the Industrial Council for the Cotton Textile Manufacturing Industry (Cape).

Actwusa delegates rejected the employers offer of a 45c an hour increase at the second deadlocked meeting this week

Nampak strike

ABOUT 150 Paper Printing, Wood and Allied Workers Union members downed tools this week in support of the union's demand for one national wage negotiation committee.

A union spokesperson said workers at the Nampak factory in Bellville took the action after a strike ballot last week

She said no solution could be reached at the Conciliation Board. Over 200 workers voted in favour of the strike action

A Nampak deputy general manager said the union had not followed the correct procedure. No dispute had been declared in terms of the company's agreement with the union.

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4/12/8
**Union
to take
action?**

CCAWUSA has threatened to take its dispute with El-lerine Holdings to the Supreme Court if the company did not "stop hampering members' right to strike legally".

According to the union, the breakdown of this week's Conciliation Board meeting - established to resolve a wage dispute - put it in a position to embark on a legal wage strike next week.

This could affect 6 500 workers in 300 stores.

Following the breakdown of the meeting, management informed the union that bonus payments would not be made to workers engaged in industrial action this month.

Management also said it could review its wage offer.

Ccawusa said members were "entitled to bonuses".

A spokesman said the "threat" to withdraw wage proposals implied a withdrawal from negotiations. - Sapa.

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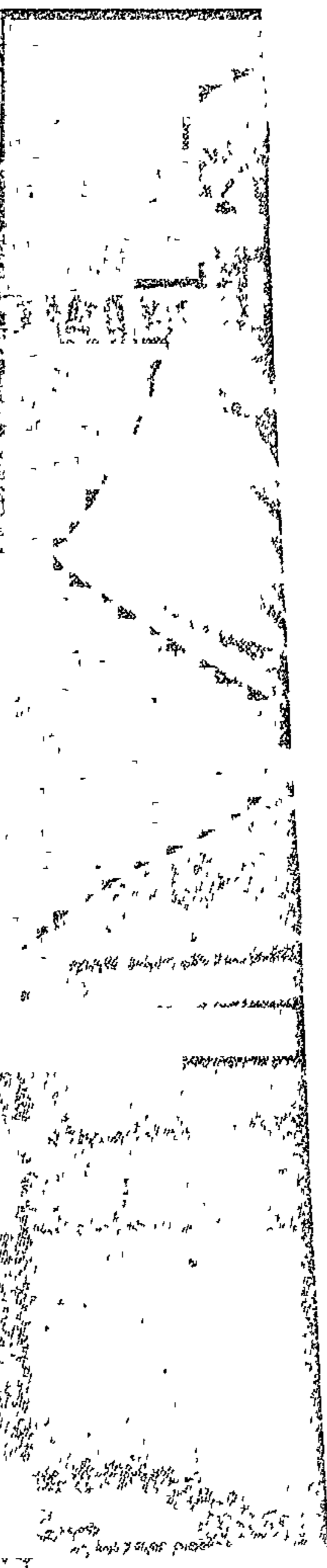
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Strike looms in motor industry

THE eastern Cape motor industry may be hit by a strike soon, possibly today, after a deadlock in industrial council wage negotiations yesterday.

The National Union of Metalworkers of SA motor section chief Fred Sauls said the timing of industrial action would be decided at report-back meetings this morning, but it was possible it would begin today.

Employer parties to the council include Volkswagen, Delta and Samcor which, between them, employ 7 500 people. Samcor's Pretoria plant has a separate in-house agreement.

Sauls said deadlock arose when the parties had been on the verge of agreement. The main point of dispute was the minimum wage for the lowest three categories of workers.

Numsa is demanding R4,50 an hour for

Alan Fine
Blay 9/12/87

all three categories, arguing there is no significant skill differential between them. Employers are offering R4,30, R4,35 and R4,45 respectively

The present minimum is R3,50, and the increases are to be implemented on February 1. The parties agree the minimum should be raised to R4,70 next August.

Agreement has also been reached on across-the-board increases of 55c to 70c an hour on February 1.

Employer spokesman Brian Robinson could not be reached for comment.

ARGUS 9/12/87

Mediators called in

Labour Reporter

MEDIATORS have seven days to settle the dispute in the cotton textile industry and if this fails the union may call the first industry-wide legal strike.

A spokesman for the Amalgamated Clothing and Textile Workers Union (Actwusa) said employers agreed to mediation yesterday after the third conciliation meeting at the industrial council failed.

About 5 000 workers, members of Actwusa, are in dispute with employers over several issues, including wages and working hours. Agreement has been reached on union demands for death and funeral benefits.

The union has asked for a 65c-an-hour increase across the board. Employers have offered 45c. It is seeking a 44-hour work week while employers want to retain the 45-hour week.

Informal support for a strike was given at a meeting of about 1 400 members at the University of Western Cape on Sunday.

● Another wage dispute between Actwusa and South African Nylon Spinners at Bellville, involving about 1 100 employees, was to go to its first conciliation meeting this afternoon.

Fired MBSA six should be reinstated — ruling

51 00
11/2/87

Daily Dispatch
Reporter

EAST LONDON — An arbitration hearing at the Technical College here ruled that six members of the National Automobile and Allied Workers Union (Naawu), who were dismissed during a strike at the Mercedes-Benz of South Africa (MBSA) plant last year, should be reinstated.

The regional secretary of the National Union of Metalworkers of South Africa (Numsa), Mr Les Kettledas, said the arbitrator, Advocate J V. Lazarus SC, ruled that the six workers be paid all wages to which they would have been entitled but for their dismissal.

The order was made binding from a date six months earlier to the date of the award and the arbitrator ruled that a further four workers be reinstated on the basis of a finding that

there had been selective re-employment or dismissal. Mr Kettledas said.

Applications for reinstatement by two other workers had been unsuccessful.

The MBSA public relations manager, Mrs D. L. MacFarlane, said the company accepted that the findings of the arbitrator were final and did not want "to be drawn into the merits or demerits of the award.

"As settlement on this issue could not be reached the company suggested to Numsa in early February, 1987, that this matter should be referred to arbitration.

"The delay to the commencement of arbitration was as a result of the inability of both parties to reach agreement on the nomination of an arbitrator. It was suggested by MBSA that Advocate J. V. Lazarus SC be the arbitrator," she said

The dispute arose out of the dismissal of 12 workers as a result of events which took place during the strikes at the Mercedes Benz plant in East London during the months of August and September, 1986.

Two hundred and eighty workers failed to meet a deadline imposed by the company and were dismissed.

Mr Kettledas said the fact that the arbitration took place almost 14 months after the date of dismissal of the workers indicated the "intransigence" of MBSA to consider representations made to it for the reinstatement of the workers

"It is this type of behaviour which inevitably leads to conflict, results in unnecessary labour disputes and is clearly counterproductive to sound labour relations," he added

Mrs MacFarlane described Mr Kettledas's statement as "ironic" in view of an amnesty offer made during November, 1986, which proposed the re-employment of the 12 dismissed workers.

This offer had been rejected by Numsa and arbitration had proceeded, she said.

Kaiser's wife goes to court

UMTATA — An application for the release of the detained former State President of Transkei, Paramount Chief Kaiser Matanzima, was filed by his wife, Mrs Nozuko Matanzima, with the supreme court here yesterday.

The application follows the detention of Paramount Chief Kaiser in Transkei.

Chalker visits Mozambique

MAPUTO — The British Foreign Office Minister, Mrs Lynda Chalker opened a Land Rover reconditioning project in Mozambique yesterday.

Employment Offered

BERGER'S STORES

Require A

BRANCH MANAGERESS/

(151) Spectrum
9/12/87

Medic case ruling today

JUDGMENT in the case of the Sebokeng Hospital workers who challenged their dismissal by the authorities on October 27 will be given today in the Rand Supreme Court.

The applicants, Mary Mokoena, Maria Mahume, Lizzie Theletsane and Jacob Tsolo declared in the application that they were wrongfully and unlawfully dismissed and that their dismissal should be set aside.



SEBOKENG and Vereeniging hospital workers at a Rand Supreme Court.

They have ordered the first respondent, the administrator of the Transvaal, to pay the costs of the application, and the other respondents, the director of hospital services, the senior administrator of the Vereeniging Hospital, the provincial secretary of the Transvaal Provincial Administration, and the superintendent of the Vereeniging Hospital should jointly or severally pay the costs if they opposed the application.

The case is the sequel to the dismissal of about 500 hospital workers on October 27 this year. The National Union of Public Service Workers challenged the dismissals.

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14/12/87
Hotels and
union start
wage talks

Own Correspondent

JOHANNESBURG —

The Commercial, Catering and Allied Workers' Union (Ccawusa) and Southern Sun today begin a series of meetings aimed at avoiding strike action over wages by 8 500 workers at 53 hotels.

The union declared a dispute last month when the hotel group, which also runs the Holiday Inns, failed to meet demands for a minimum monthly wage of R500 by October 1988.

According to Ccawusa spokesman Mr Alan Horwitz, the union is demanding across-the-board increases of R50 and R75.

Southern Sun has offered R30 and 15%.

The union is also asking for a 45-hour, five-day week and the abolition of the split shift system as from October 1988. The company has offered a 48-hour, six-day week.

Argus 15/12/87 (151) 200

SAA pilots crisis: Meeting cancelled

The Argus Correspondent
JOHANNESBURG — A meeting scheduled for Thursday between South African Airways pilots and the chief executive of the airline, Mr Gert van der Veer, over pay and service conditions has been cancelled

The cancellation ends hopes of an early settlement of the dispute which threatens to cripple the airline

SAA spokesman Mr Francios Louw said last night a meeting between the SAA pilots and flight engineers was now scheduled to take place on Thursday

Mr Louw could not say what was on the agenda

The original meeting was set up before the pilots' decision to investigate the establishment of their own "off-shore" employment agency, which would hire out its 455 members to SAA or any other airline.

He said the meeting had been cancelled and that Mr van der Veer would be leaving for Mauritius today

"Generous perks"

A spokesman for the SAA Pilots Association, representing about 95 percent of the airline's pilots, said yesterday the meeting was set up at Mr van der Veer's suggestion

But SAA has denied this Mr Louw said the meeting was requested by the pilots association

An association spokesman said yesterday that SAA pilots received "fairly generous perks"

These were included in the association's comparative assessment of pilots' pay packages, which showed SAA pilots were paid about a quarter of what pilots on other major international airlines received

Meanwhile disgruntled SAA cabin crew members are "on the verge" of joining the pilots' stand

Cabin crew members said yesterday they were considering taking action

A cabin controller, who asked not to be named, said "We are being worked to death and our working conditions are atrocious

150 hours a month

"On overseas flights, crew are officially expected to work only 90 hours a month and on the internal circuit 110 hours a month — but this is not happening

"It is not unusual for cabin crew on the internal circuit to work more than 150 hours a month"

Mr Louw said SAA would help staff with grievances if they approached the airline through "correct channels"

Since May last year 42 SAA pilots have resigned



IN FINE FORM: Sweden's top female soccer star, Gunilla Axen, needed extra speed and strength on the field — and so she had 1,3kg of breast tissue removed.

Miss Axen, 21, seen here before surgery, said breast-reduction surgery in October left her with 140 stitches, but also made her faster and stronger.

"My breasts were simply too big," said the striker in the national women's team. "When I ran it felt as if my breasts were headed elsewhere.

"It's great — I feel like a new player"

Two men appear in court over Krugerrands theft

Court Reporter
TWO men have appeared briefly in the Cape Town Magistrate's Court after the theft of Krugerrands worth R330 000 from the Board of Executors

Mr Anthony Isaacs, 28, of Bramble Way, Bonteheuvel, and Mr Marcel Moss, 51, of Selbourne Road, Claremont, were

not charged and were not asked to plead yesterday.

Defence attorneys Mr William Booth and Mr A R Wilkinson agreed to postpone a bail application and the two men were remanded for further investigation

Mr G Rossouw was on the Bench and Miss I Nieman appeared for the State

An adder-tive in the peas?

The Argus Foreign Service

LONDON — A Bristol housewife had a nasty shock when she dished up dinner for her family — there was a snake's head in the peas

Mrs Morley, a 39-year-old health care assistant, said she went "berserk" when she spotted the 20 mm black head glaring up at her

The head, complete with beady eyes, had come from a special offer pack of frozen peas

CME TRIPS 16/12/87

Sun hotels holiday strike action threat

Own Correspondent

JOHANNESBURG. — The Southern Sun hotel group could be hit by widespread strike action in the latter part of the holiday season should wage talks with the Commercial, Catering and Allied Workers' Union (Ccawusa) and three other unions fail to resolve a wage dispute.

Official dispute procedures are underway at the Witwatersrand, Pretoria, Cape Town and Durban industrial councils, and the union has also applied for the establishment of a conciliation board for group hotels not covered by any industrial council.

About 8 500 workers at 53 Southern Sun and Holiday Inn establishments are involved in the dispute.

Ccawusa spokesman Mr Alan Horwitz said yesterday that workers in Johannesburg, Pretoria and Durban will be entitled to begin lawful strike action on December 23, while the right will extend to Cape Town on December 29.

The situation at hotels in other areas is as yet unclear.

"We are not pushing for a strike, and are using every possible avenue

for resolving the dispute through negotiation. But if we are pushed into taking action we have the full support of members," said Mr Horwitz.

The union produced copies of telexes sent by the Geneva-based, 2,2 million-member International Union of Foodworkers to both Southern Sun and British-based Holiday Inn franchisers Bass PLC calling on them to meet union wage demands.

The workers represented by four unions, including Ccawusa — which has a majority membership — have tabled 21 demands, including abolition of the split shift system, 45 working hours a week and equal pay for equal work.

The workers alleged in some hotels they worked 54 hours a week.

The group's personnel director, Mr Peter Cumberlege, has said the company "cannot and will not meet" the unions' 21 demands "which would mean an additional cost of R53,4 million".

"No substantial improvement to the company's final offer is possible no matter what occurs as a result of the dispute procedures," he said.

The workers are seeking guarantees that there will be no dismissals of workers engaged in a legal strike.

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Dismissed workers rehired

TEN Mercedes Benz workers dismissed after a strike at the company's East London plant have been reinstated.

They were among 280 National Union of Metalworkers of South Africa (Numsa) who took part in a strike at Mercedes Benz last year.

A Numsa spokesman said the matter was referred to an arbitrator who ruled that:

- Six of the dismissed workers should be reinstated immediately "on their merits". They should be paid all wages "from a date six months earlier than the date of the award".

- Four of the workers should be reinstated on the basis of a finding that there was "selective re-

By LEN MASEKO

employment or dismissal"; and

- The remaining two workers "have been unsuccessful".

The arbitrator made the ruling on November

23. ~~Some~~ (S) (12) (12)

The Numsa spokesman said. "The fact that this arbitration took place 14 months after the date of the dismissal clearly indicates the intransigence of this company to consider representations made to it for the reinstatement of these workers".

Hotel workers warning of strike

JOHANNESBURG — Workers have declared a dispute with Southern Sun hotels, the largest hotel group in the country, at conciliation hearings here yesterday

They told reporters that 1 000 of the 9 600 workers employed by the group earned below R250 a month

"There is a wide gap in the salary structure" between white and black workers' wages, a spokesman of the Commercial, Catering and Allied Workers Union, (Ccawusa) said

The workers are demanding a R500 minimum monthly wage by October 1988 with uniform increases of R50, R75 and R75 in three phases. The company has offered R30, 15 per cent and R30

A union spokesman said work stoppages in a number of hotels had occurred in protest against alleged unfair dismissals and the company's wage offer

The workers said they were "not pressing for a strike"

But if negotiation procedures failed to lead the company to improve its wage offer, "there will be a strike"

The workers are seeking guarantees that there will be no dismissals of workers engaged in a legal strike

They claimed the company had already hired hundreds of white staff in readiness for industrial action — and was engaged in a campaign of "intimidation" to offset a strike.

The workers are also seeking the abolition of the split shift system and a 45 hour weekly shift

A spokesman for the hotel group said the company "cannot and will not meet" the unions' demands "which would mean an additional cost of R53,4 million". — Sapa

Work stops over hotel bonus dispute

CNE Times 16/12/87

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Staff Reporter

EMPLOYEES at the Capetonian Hotel stopped work for about five hours yesterday before a dispute about bonus packages was resolved

A spokesman for the Liquor and Catering Trades Employees' Union said about 70 workers at the hotel had stopped work at about 10am after two night shift workers received pay packages in which their salary and their annual bonus were paid. He said workers had asked management to pay their wages and bonuses separately.

Workers held a sit-in in the foyer of the hotel for about an hour before successful negotiations were held with representatives from the hotel's head office and the staff went back to work.

A spokesman for the hotel's management said there had been no disruption of hotel services, adding that the hotel was happy that the dispute was over.

Can Times 17/12/82
**Hotel group
to hold wage talks**

Own Correspondent

JOHANNESBURG. — In continuing efforts to avert a holiday season strike by thousands of its employees, the giant Southern Sun hotel group is to hold talks today and tomorrow in Durban and Cape Town with the union bodies involved in the dispute.

Southern Sun negotiators have already met with union representatives on the Reef and are confident a settlement will be reached soon, according to group personnel director Mr Peter Cumberlege, who yesterday said progress was being made.

The workers are demanding a R500 minimum monthly wage by October 1988. Mr Cumberlege said management was offering R475, and were considering the workers' R500 demand.

Southern Suns wary of holiday stoppage

DIANNA GAMES
and ALAN FINE

IN continuing efforts to avert a strike by thousands of its employees during the holiday season, the giant Southern Sun hotel group is to hold talks today and tomorrow in Durban and Cape Town with the union bodies involved in the dispute.

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The workers are demanding a R500 minimum monthly wage by October 1988. Cumberlege said management were presently offering R475 and were considering the workers' R500 demand.

Workers have also asked for uniform increases of R50, R75 and R75 in three phases. The company has offered R30, 15% and R30.

Cumberlege said any wage offer that was settled on at this stage would be backdated to October 1.

About 8 500 workers at 53 Southern Sun and Holiday Inn establishments are involved in the dispute which was declared on November 30.

The workers have tabled 21 demands, including abolition of the split shift system, a 45-hour working week and equal pay for equal work. According to Southern Sun, the 21 demands would cost the group an additional R53,4m.

The workers are seeking guarantee there will be no dismissals of workers engaged in a legal strike.

Workers have claimed the company has already hired hundreds of white staff, especially in Durban, in readiness for industrial action. But, said Cumberlege, the group traditionally employed a large number of casual staff to deal with the festive season.

Hotels ^(SA) threatened dismissals union

By Mike Siluma,
Labour Reporter

The Commercial, Catering and Allied Workers' Union (Ccaawusa) has threatened to take Southern Sun/Holiday Inns' hotels management to the Industrial Court for allegedly threatening workers with dismissal in the event of a strike.

Union spokesman Mr Alan Horwitz said that despite on-going wage negotiations, management had warned workers that if they joined a strike — legal or illegal — the following would happen:

- The workers would lose their jobs and hotel-provided accommodation.
- Workers who come from outside South Africa are under threat of deportation.
- The company would hire a security firm to protect those working during the strike.
- Those ignoring the strike would be awarded additional leave.

Southern Sun comment was unavailable at the time of going to press.

A total of 8 500 workers in 53 hotels around the country are affected by the dispute.

Deadline for Suns dispute ^{20/12/81} ^{STL} ⁽¹⁵¹⁾

FINAL dates to resolve the dispute between Southern Sun Hotels management and workers have been set by the Industrial Council

If the dispute is not resolved at one of three meetings, set up by the council for December 23 and 28, then the unions involved will hold a strike ballot.

About 8 500 workers at 53 Southern Suns and Holiday Inn establishments are involved in the dispute de-

By DAVE SMILEY

clared on November 30 and, according to a Southern Suns spokesman, the workers' demands would cost the hotel giant an additional R53,4 million

The workers are demanding a minimum wage of R500, an increase of R200 across the board and a reduction of their working week to 45 hours.

Management's offer on the

table is for a minimum of R475 and a R175 increase spread over 18 months

Southern Suns' group personnel director, Mr Peter Cumberlege, feels confident that a settlement can be reached.

"In the unlikely event of a strike, the hotels will be fully prepared and will ensure that guests and holidaymakers continue to enjoy their vacation," he said

However president of the

Natal Liquor and Catering Trade's Employee's Union, Mr Ronnie Kisten, said that to date "no progress has been made in talks, and if the dispute cannot be resolved by the final Industrial Council meeting on the 28th, in all likelihood the Union Alliance will ballot their members on strike action."

Allegations of intimidation and threatened repatriation of foreign workers were denied by an Alliance spokesman.

Hotel pay talks continue

23/12/87

(S) 8 day

DIANNA GAMES

PAY talks are continuing in the dispute between Southern Sun and unionists representing thousands of employees in Durban, Cape Town and the Witwatersrand

Negotiators have eight days in which to reach a settlement before the hotel workers will be legally entitled to strike.

A Southern Sun spokesman said yesterday there was no doubt that progress was taking place in talks between the hotel group and a trade union alliance representing the workers

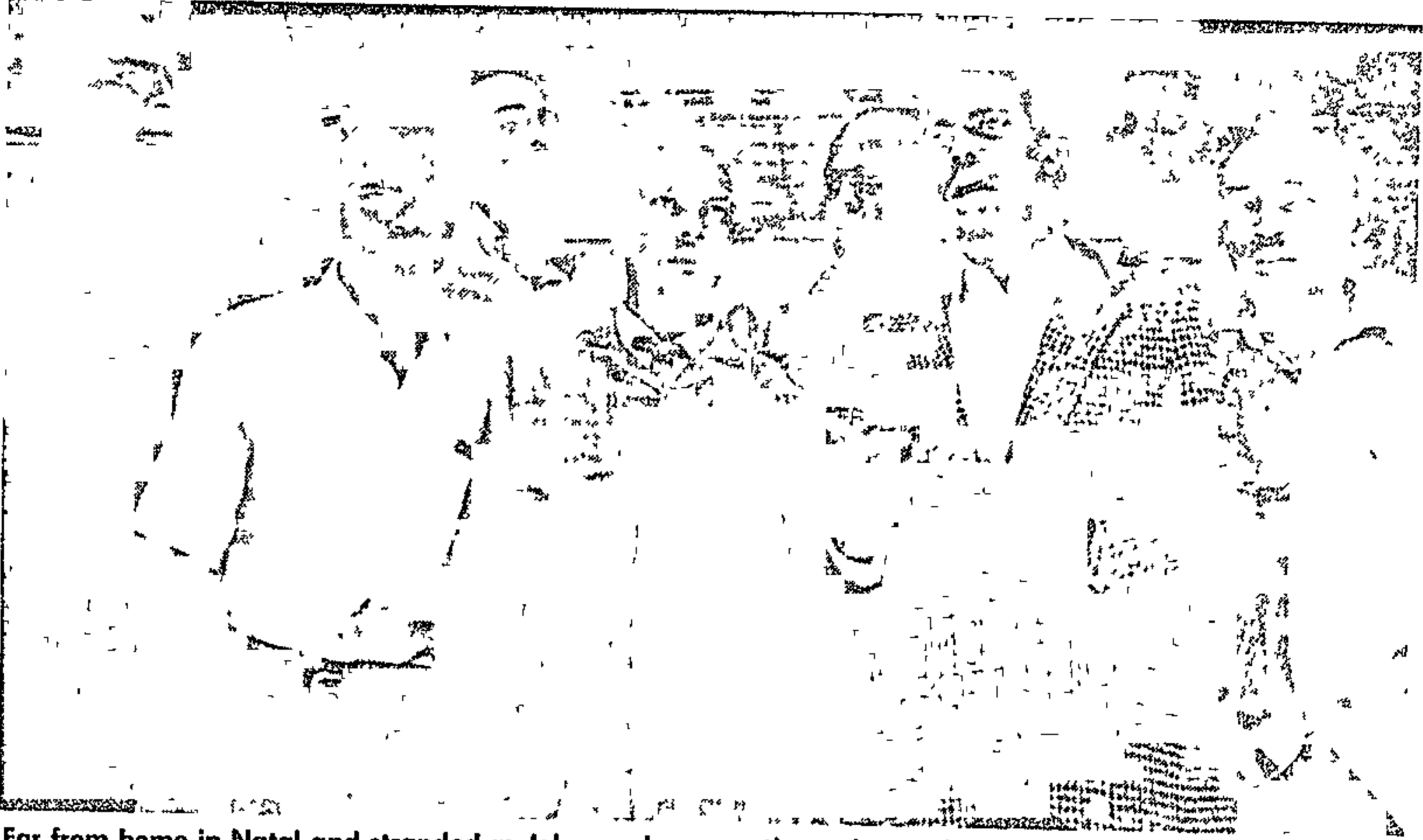
Group personnel director Peter

Cumberlege said negotiations were ongoing and the parties to the dispute had met yesterday with the Pretoria industrial council and would meet with the Durban council today in efforts aimed at averting strike action.

Cumberlege said legal strike action in Durban, Cape Town and the Witwatersrand could take place only from December 30.

About 8 500 workers at 53 Southern Sun and Holiday Inn establishments are involved in the dispute which was declared on November 30

Men stranded after losing jobs



Far from home in Natal and stranded in Johannesburg . . . the eight would-be security guards are (from left) Mr Arthur Hlopho, Mr Mandla Bhengu, Mr Denis Dlamini, Mr Darrington Dube, Mr Mlungisi Ngema, Mr Micah Zulu, Mr Arthur King and Mr Thulani Hadebe.

By Mike Siluma,
Labour Reporter

Eight security guards from Durban are stranded in Johannesburg after their employer, Springbok Patrols, allegedly failed to keep its promise of free accommodation, food and uniforms.

The workers' claims were yesterday rejected by a Springbok Patrol spokesman, who said they had, in management's view, deserted.

The eight — Mr Arthur King, Mr Denis Dlamini, Mr Thulani Hadebe, Mr Mlungisi Ngema, Mr Mandla Bhengu, Mr Darrington Dube, Mr Micah Zulu and Mr Arthur Hlopho — claimed they were fired on Sunday after querying their conditions of employment. They claimed that they did not receive pay due to them after working for a week.

The guards, whose ages range between 19 and 25, claimed that prior to their being recruited by Springbok Patrols, they had been out of work for periods of be-

5700 23/12/87
tween two months and two years. When recruited, they were promised a monthly wage of R450, hostel accommodation, canteen facilities with free food and double pay for working on Sundays.

"We arrived in Johannesburg on Tuesday last week and were dispatched to Witbank to guard a construction site on a coal-mine. We had to sleep on the floor in a prefabricated kitchen and received one meal a day, payment for which, we were told, would be deducted from our pay," said the men.

COULD GET LOAN

They claimed that when they returned to Johannesburg on Saturday, they were again assigned to do night shift. However, when they refused to return to work without their grievances being addressed, they were fired.

Denying the allegations, the Springbok Patrol spokesman said "They cannot complain about pay because the usual payday for our employees is the 30th

Picture by Alf Kumalo

of the month. There was no accommodation for them at Witbank because they had gone there to work, but in Johannesburg they lived in a hostel where they were provided with food."

The spokesman said that employees could apply for a loan to tide them over until pay day and said some workers employed at the same time as the eight were still working for the company.

Referring to the allegation that the workers were dismissed for complaining, the spokesman said "They took off their uniforms and said they did not want to work. In our view they have deserted. When they reported to the Department of Manpower offices on Monday, we sent a truck to fetch them, but they refused to return to work."

Yesterday, the men, carrying some of their luggage, came to The Star to report their plight. They were hoping to be able to raise enough money to return home to Natal.

Store strike wrangle

24/12/87

THE two-week strike of Ellerines Stores has slipped into a wrangle between the company and the union over mediation proposals

A spokesman for the Commercial, Catering and Allied Workers' Union (Ccawusa) says Ellerines has accepted a proposal that the dispute go to mediation, but on condition that sales targets are not negotiable, that workers unconditionally offer their services and drop their demands, and mediation would be on the company's wage offers only

The Ccawusa spokesman said these conditions were not acceptable.

"We question the company's willingness to settle the dispute through mediation," he said.

"We find this attitude high-handed and arrogant which will further prolong settlement of the dispute"

Ellerines claims that 2417 employees are on strike out of a total workforce of 6567

Ccawusa disputes and claims at least 4500 employees are on strike

Stores in the Cape, Transvaal and Free State are affected. Natal workers have not joined the strike.

Dispute near resolution

SOUTHERN Sun Hotels and the Trade Union Alliance need only to resolve the union demand for a 45-hour, five-day working week to resolve the wage dispute, according to hotel group personnel director Peter Cumberledge.

This clause, the last of a number of issues in the wage dispute, is to be discussed in early January Cumberledge said.

But according to the unions, strike ballots will begin late next week if agreement is not reached by then.

Agreement was reached a week ago on a number of issues, including a minimum wage of R500 a month and the abolition of all split shifts by October 1988.

The union alliance — comprising

BRONWYN ADAMS

the Hotel and Restaurant Workers' Union, the Natal and Cape Town Liquor Unions, and Ceawusa — confirmed Cumberledge's assessment of the state of the negotiations.

Spokesman Alan Horwitz said the company had placed two conditions on acceptance of the 45-hour, five-day week union acceptance of management's right to use labour flexibly, and management's right to refuse to supply information on the use of casual labour.

Horwitz said the unions were not against flexibility, but believed it should only be done with the consent of the workers involved.

Biday 31/12/87

INDUSTRIAL RELATIONS - DISPUTES

1988

JUNE ~~1988~~ - ~~NOV~~ DEC,

TECHNICAL ASSISTANCE PROJECT

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(021) 47 9852/ 69 8531 Ext. 440

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People with technical expertise in among other things engineering, architecture, economics, computers, health, labour. Open to all people interested in offering skills and expertise to progressive trade union and community organisations.

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To provide technical assistance and information to progressive organisations to aid them in their struggles.

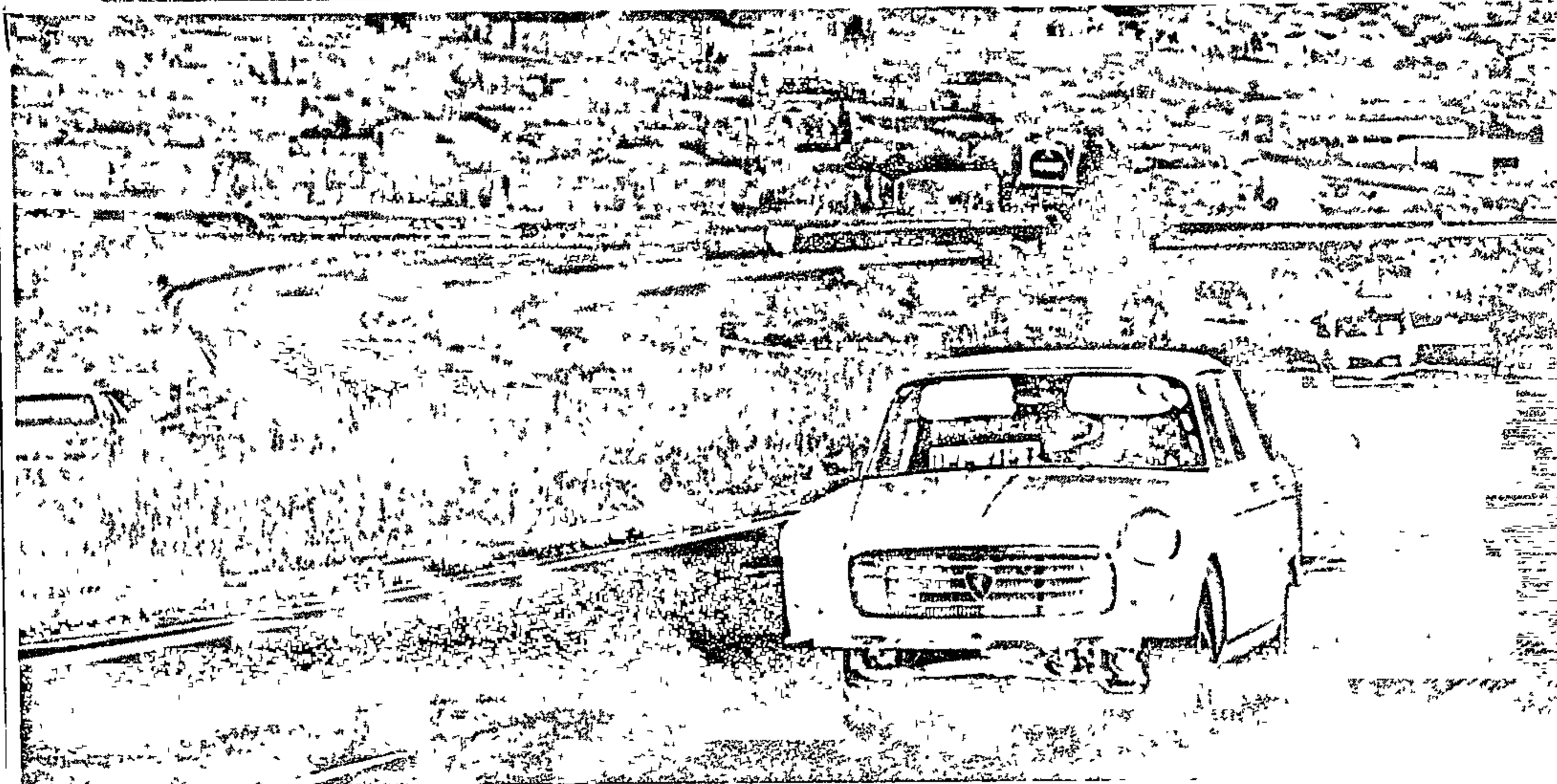
Publications

Title	Date of Publication	Price
VDU Users Survival Package (6 pp)	1982	30c
Land Valuation (4 pp)	1982	20c
Electricity Struggles	1983	50c
The Struggle for Better Sewerage	1983	50c
Hire Purchase Checklist (5 pp)	1983	25c
Medical Aids Schemes (forthcoming)	1984	

UNEMPLOYMENT WORKERS MOVEMENT

Address:

P.O. Box 21, Manenberg 7764



This is how the usually busy and congested Soweto freeway looked at peak hour yesterday morning, the beginning of the second of three days of protest action called

Controversial legislation at the heart of the stayaway

Lawyers differ over revised version of Bill

By Patrick Laurence

At the core of the three-day protest action which ends today is an ongoing — and still potentially explosive — dispute over whether the revised version of the Labour Relations Amendment Bill represents an improvement on the original Bill

The dispute has been given new topicality by yesterday's decision to refer the revised version to a parliamentary standing committee for possible further changes

Mr Bobby Godsell and Mr Halton Cheadle, who respectively represent the major adversaries, the South African Employers Consultative Committee on Labour Affairs (Saccola) and the Congress of South African Trade Unions (Cosatu), offer diametrically opposed assessments

Mr Godsell contends that the present Bill before Parliament is a "substantial improvement" Mr Cheadle disagrees, noting that of the 27 objections Cosatu lodged against the original Bill, only three have been met completely Four were met partly and 20 not at all, he adds

Semantic difference

Mr Godsell observes that the 1987 draft Bill declared sympathy strikes and repeat strikes (strikes over the same issue which occur within 12 months of the the original strike) illegal But, he adds, the revised Bill categorises them as unfair labour practices

"That is more than a semantic difference," Mr Godsell says If the definition of sympathy and repeat strikes as unlawful actions had been left intact, the State would have been able to intervene, as unfair labour practices, however, they are not criminal actions and remain an issue to be settled between employers and trade unions

But Mr Cheadle contends that the prohibi-

tion on solidarity strikes and repeat strikes remains, but in a different guise It is one of 20 objections which were not met at all, he says

He argues that solidarity or secondary strikes are already restricted in the existing Act, and that the amendment prohibiting them is both unnecessary and inimical to trade union interests

"The only secondary action which is permitted (under existing law) is that secondary action that would have as its effect pressure on the employer to settlement," Mr Cheadle says

"The amendments are even more drastic than those imposed by Mrs Thatcher's government in the UK"

Labelling repeat strikes an unfair labour practice will discourage a prevailing practice which facilitates settlement of disputes the return of workers to the assembly line as an interim measure while employers and unions try to resolve their difference in a less heated atmosphere

If a resumed strike is deemed to be an unfair labour practice, workers will not resume work and their union will not advise them to do so, Mr Cheadle says

Another major improvement, in Mr Godsell's view, concerns the indemnity granted to employers, employees and unions

The 1987 draft amendment proposed to repeal the indemnity as a whole The 1988 revised Bill, however, removes indemnity in specific situations only where any of the three parties — employers, employees or unions — engages in unlawful lock-outs or strikes, or where any of the parties commits criminal actions

Mr Cheadle concedes that the revised Bill is an improvement on the indemnity issue But he objects to the "codification" of unfair labour practices

In the 1987 draft Bill it was codified in a special schedule In revised version it is part of the proposed law proper.

Mr Godsell argues that defining unfair labour practices in the body of the statute itself, instead of in a schedule to the law, is an improvement. It means, he says, that the Minister of Manpower can no longer alter the definition by decree, he can do so only by amending the law with the approval of Parliament.

Mr Cheadle responds "Cosatu objects on principle to the codification The development of our law of unfair labour practice should be left to the industrial court (Codification) introduces rigidity where there should be flexibility"

Another "quite substantial improvement" cited by Mr Godsell relates to conciliation boards, a salient feature of South African labour law

Counter-weapon

In the 1987 draft version, divisional inspectors — or functionaries of the Department of Manpower — were empowered to unilaterally extend the life of a conciliation board

As a strike cannot take place while a conciliation board is functioning, an inspector could defer strikes — or the employer counter-weapon, lock-outs — indefinitely

That power is, however, removed from divisional inspectors in the revised version, as Mr Cheadle acknowledges

But Mr Cheadle refers to the continued existence of another "objectionable" element recognition of minority racial unions to the detriment of majority — and therefore representative — non-racial unions

Mr Godsell concedes that controversial features remain in the revised Bill But, he insists, claims that employers are in league with the State in a conspiracy to crush the unions are "not sustained by detailed analysis of the Bill"

Many pupils still absent from the classrooms

By Zenaide Vendeiro,
Education Reporter

There was almost no attendance at black schools in Soweto and the East Rand again yesterday, but other areas in the Pretoria-Witwatersrand-Vereeniging region reported a slight improvement over Monday's figures

Spokesman for the Soweto region Mr Peter Mundell, said that although more pupils reported for school yesterday morning, they had returned home by 9 am

"A larger number of pupils milled around some schools indicating that they were willing to resume classes, but they filtered back home because of a lack of strength in numbers or because staff were absent"

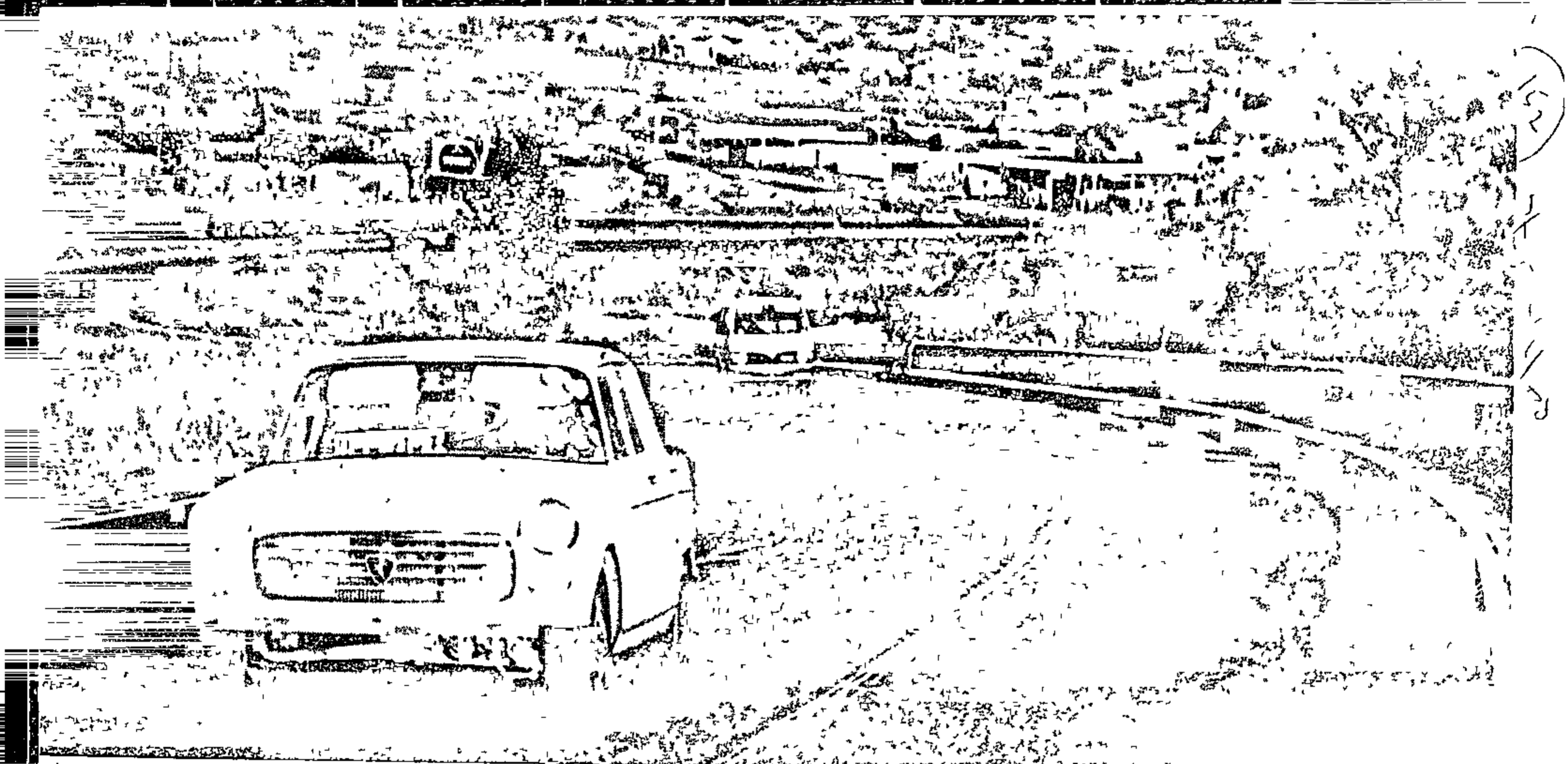
He said the situation was "very quiet" and no incidents of violence had been reported

In the East Rand there was "a complete stayaway" by pupils again yesterday, said the director for the DET's Highveld region, Mr J H Booysen

But the situation was normal in rural areas of the Highveld, he said

Mr Booysen said he had been informed that lack of transport services was the "major contributor" to the very high absenteeism on the East Rand

A spokesman for the northern Transvaal region said yesterday's attendance figures indicated that the situation was normal in Mamelodi and "better" in Atteridgeville where attendance figures ranged from between 48 and 98 percent



at peak hour yesterday morning, the beginning of the second of three days of protest action called for by Cosatu and Nactu. In the background is Diepkloof. ● Picture by Herbert Mabuza.

At the heart of the stayaway Defer over codification of Bill

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Many pupils still absent from the classrooms

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Stayaways on mines range from 100% to full worker turnouts

By Mike Siluma
and Adele Baleta

The National Union of Mineworkers (NUM) and mine managements are at odds over the effect of the national protest on the mining industry.

NUM yesterday reported a stayaway by members ranging between 15 percent at some mines to 100 percent at others. The concerns affected include coal, gold, asbestos and chrome.

But the Chamber of Mines said only 9 000 out of the 555 000 workforce were off.

A chamber spokesman said protest action was reported at six of the more than 50 coal mines.

A union spokesman said workers at New Clydesdale Colliery near Witbank had been given an ultimatum to return to work. The union was discussing the matter.

A spokesman for Gold Fields, owners of the colliery, denied any ultimatum.

He said "We informed workers that they were involved in an illegal action, and warned them that a continuation of a stayaway at New Clydesdale could result in dismissals or disciplinary action."

All operations were normal at Gold Fields yesterday, except at head office, where 40 percent of workers stayed away, he said.

The NUM also reported that in the diamond mining industry there had been a 100 percent stay-at-home at Kimberley De Beers, Finsch, Koffiefontein and Geology mines.

A spokesman for Anglo American's gold and uranium division, Mr Michael Spicer, said work had continued underground as usual at nearly all the mines it controlled.

The only exception was at East Rand Gold and Uranium Company (Ergo), where only some plants were functioning yesterday.

Anglovaal reported full attendance at all its mines.

Gencor spokesman Mr Harry Hill said workers at the group's gold mines were at their posts — except for Grootvlei Mine near Springs, where there was a 55 percent stayaway on Monday. But they all returned yesterday.

The collieries feeding these four stations are also experiencing almost total absenteeism.

There's still power for the people

Four of Eskom's 11 Transvaal power stations have been hit by the stayaway although production is being maintained throughout.

On Monday there was an almost total stayaway of black workers at Eskom's Arnot, Hendrina and Komatie stations.

A spokesman said there was an improvement in staff numbers yesterday although a partial stayaway began yesterday morning at the giant Kriel station.

The collieries feeding these four stations are also experiencing almost total absenteeism.

Chamber increases pay offer to NUM

By Mike Siluma,
Labour Reporter

The Chamber of Mines, representing South Africa's major mining houses, has reached agreement with the mainly white Council of Mining Unions (CMU), but is still locked in negotiations with the National Union of Mineworkers (NUM).

The settlement at conciliation board between the chamber and the CMU, announced by a chamber spokesman, guarantees an across-the-board 12 percent increase for the CMU's 26 000 members

The chamber spokesman said the increases would be effective from this month

The CMU represents the Mineworkers' Union, the SA Engine Drivers' Foremans' and Operators' Association and six artisan unions

Talks between the chamber and the NUM were adjourned yesterday after employers upped their pay offer to between 12 and 15 percent, after an initial opening offer of 10,5 percent for both gold and coal miners

NUM general secretary Mr Cyril Ramaphosa said the union was demanding an across-the-board 27 percent increase, down from an original demand of 40 percent

The parties will meet again for further discussions on June 15

Union asks for a Ministerial inquiry

Sowetan 14/6/88



THE independent Black Allied Workers Union of South Africa in Louis Trichardt has asked the Minister of Manpower to appoint a conciliation board to look into allegations of union bashing tactics by R Pennels.

According to the union's regional organising secretary Mr Tshivlaeli Mutobvu the request for a conciliation board followed the retrenchment of 28 union

members in January and another 48 last month.

"These so-called retrenchments came as we were involved in negotiations for a recognition agreement. We have information that new workers have been hired, and after protracted negotiations over the matter, we were left with no option but the conciliation board," Mr Mutobvu added. Pennels management was not available for comment"

Agreement reached

THE Food and Beverage Workers Union has reached an agreement with Sasko Bakery in Tzaneen over wage increases, it was announced yesterday.

Mr Moss Mahasha, an organiser of the National Council of Trade Union in the North Eastern Transvaal, said the agreement was for an across the board increase of R18 a week and a minimum wage of R99 a week. The agreement, to take effect on July 1, also covers annual leave, extension of housing loans and reduced prices for staff members buying at the bakery. A company spokesman confirmed that an agreement had been reached with the union.

Sowetan 8/6/88

Petrol bomb hurled at bus

From Page 1

In other incidents a locomotive and two goods trucks were set alight and extensively damaged by people unknown at Orlando Station in Soweto.

At about 6,30am yesterday, an explosive device detonated on the railway line near the Inhlazane railway station in Soweto.

At Tsakane near Brakpan a group of blacks hurled a petrol bomb at a bus. The driver jumped out of the vehicle and it crashed into a private dwelling injuring three black men and three black women.

At Katlehong, Germiston, a black man and black woman were arrested after a petrol bomb was hurled at a private vehicle and in another incident in the area, a group of black youths stopped a taxi at a stop street, chased the passengers away and set the vehicle alight.

At the University of Natal, Pietermaritzburg, three white men, one white woman and one black were arrested after they had allegedly displayed banners and distributed pamphlets.

At Hammarsdale in Natal two black youths were shot and fatally wounded by a group of blacks.

At Kwadengezi near Pinetown in Natal an unknown gunman fired a number of shots at a group of blacks fatally wounding a 26-year-old black woman, a 10-year-old black boy and a 7-year-old black girl.

At Nyanga, in Athlone, Cape, nine black women, one black man, one coloured man and three coloured youths were injured when buses were stoned.

In the same area a black man was injured and a bus damaged when a petrol bomb was hurled at the vehicle.

Mariannhill near Pinetown, an Indian man was injured and his vehicle damaged after it was set alight by a group of blacks.

Inanda near Durban, a policeman was injured when he was struck by a stone in one of a number of incidents in which stones and petrol bombs were hurled at police vehicles. Roads in the area were barricaded by groups of blacks and police used birdshot and teargas to disperse them.

At Zwide, Port Elizabeth, two private dwellings were seriously damaged in incidents of stone-throwing and at Williams Farm, Vereeniging, two black men were arrested after a bus was stoned and damaged.

ate

Ccawusa-OK wage dispute talks today

MEDIATION to resolve the wage dispute between OK Bazaars and the Commercial Catering and Allied Workers' Union of South Africa is to continue today.

The dispute centres on wage increases for the 1988/89 period. Mediation proceedings started on Monday this week.

Ccawusa and OK said in a joint statement "At the beginning of mediation the company's offer was R88 a month across-the-board for all employees, against the union's demand for R160 a month across-the-board"

The union's initial demands included

By LEN MASEKO

- The recognition of June 16, May 1 and March 21 as paid holidays
- The recognition of traditional doctors by the company, and a reduction of working hours from 45 to 40 hours a week

• The Transport and Allied Workers' Union has signed a recognition agreement with Ciskei Transport Corporation, a spokesman for the union said yesterday

Mr Maduke Rankholo, Tawu's general secretary, said the agreement was signed after "seven years of bitter struggle."

Mr Cameron Nzimande, who has been detained on several occasions by the Ciskei police, has been elected chairman of the local shop stewards and branch committee.

He said Tawu would continue to fight "for recognition "on behalf of the African masses in the bantustans"

Handwritten initials

Handwritten marks

Secret vote nears end

*Sowetan
15/6/88*

151

THE long, drawn-out secret ballot by about 7 000 Durban hotel workers, who have declared a dispute against the Federated Hotel Liquor and Catering Association of South Africa over wages and working conditions, looks set to be completed by the end of this week.

The union is an affiliate of Nactu

The ballot — probably the longest ever conducted — began on May 16 and will be a month old by the end of this week.

President of the Natal Liquor and Catering Trades Employees Union, Mr Ronnie Kisten said that the delay had been caused because there was a lot of work involved in conducting the ballot at more than 120 establishments

"We sometimes spend nearly a week in one

hotel alone because our members work different shifts. But we are likely to finish by the end of this week," he said.

The delay was also the result of the vast geographical area covered by the Industrial Council, he said

Mr Kisten said although the dispute was against hotel, liquor or catering establishments belonging to Fedhasa, workers at Southern Sun establishments had to be included in the ballot because they fell under the jurisdiction of the Industrial Council

The union has demanded an across-the-board increase of R200 a month. Fedhasa has offered increases of up to 32 percent to be paid in two phases, with the first R58 on March 1 and the second of R30 on October 1.

151

Cape Times 12/6/88
**Checkers in
wage deadlock**

JOHANNESBURG. — Checkers management and the Commercial, Catering and Allied Workers' Union (Ccawusa) are still in deadlock after management yesterday declared a dispute concerning the two parties' positions on wage increases.

A management spokesman said yesterday that Checkers was prepared to continue negotiations, but added that a mediator was now a prerequisite for understanding. He added that Ccawusa had not yet indicated whether the mediation proposal was acceptable to them. — Sapa

Four unions set to hold strike ballot

(S) ~~ALAN FINE~~ ~~ALAN FINE~~

THE four metal industry trade unions affiliated to the International Metalworkers' Federation (IMF) are due to begin a strike ballot of more than 100 000 employees over the deadlock in the 1988 wage talks with Seifsa

IMF local secretary Brian Fredericks said on Friday that, in the event of workers voting to strike, the action could begin on July 4. But he and other union spokesmen issued an appeal to Seifsa to reopen the wage talks, saying an industry-wide strike was avoidable.

Fredericks said the unions — which include Cosatu's National Union of Metalworkers of SA and Nactu's Steel, Engineering and Allied Workers' Union — were open to any serious new offer from employers. Seifsa has offered an hourly increase of 41c on the minimum rate, taking it to R3,02

Seifsa director Brian Angus said yesterday he had noted the IMF request and would discuss it with members this week

Fredericks said employers who facilitated balloting on company premises during working hours would be invited to observe the voting and counting process. Angus said Seifsa had recommended that members permit balloting on premises, but after working hours.

Agreement to end disruption at Mercedes

(1990) (151) By Adele Baletas
Mercedes-Benz and the National Union of Metal Workers of South Africa (Numsa) have reached an agreement ending disruption of production at the company's East London plant.

Both parties agreed on Friday that the dispute over dismissals and suspension of workers, and allegations made by Mercedes-Benz in a Supreme Court application, be referred to arbitration.

The agreement followed a warning by the West German Daimler Benz group that it would pull out of South Africa if labour conflict at the East London plant continued.

Mercedes-Benz was granted a Supreme Court interdict on May 26 which prevented Numsa from organising meetings on the premises without permission, intimidating workers or disrupting production.

The East London factory was closed for nine weeks until the end of September last year during a pay dispute which cost the company more than R150 million in the first month.

Mercedes-Benz South Africa is the largest single industry in the area, employing about 3 600 people, and providing a market for parts manufactured by more than 25 local supply industries.

Checkers and union talk again

By Mike Siluma (S)
Labour Reporter

Wage talks between the Commercial, Catering and Allied Workers' Union (Ccawusa) and Checkers, are to resume following the company's withdrawal of its declaration of a dispute with the union. *SK 20/6/88*

A Ccawusa spokesman said on Friday that Checkers had told the union it was willing to re-open direct talks on June 29.

The company had earlier refused to continue negotiations, saying the exercise had lost direction.

Checkers is offering R90 a month increase effective from October 1988, or a split increase based on this figure. Ccawusa is demanding a monthly rise of R140, effective from July 1.

Labour Update

2/6/08 (151)

AN agreement has been reached between Mercedes-Benz of South Africa and the National Union of Metalworkers of South Africa to end weeks of disruption to production at the MBSA plant.

A joint statement yesterday revealed that the dispute over the dismissal and suspension of workers and allegations made by MBSA in Supreme Court applications, would be referred to arbitration in terms of the agreement

This follows a warning by the personnel director of Daimler-Benz in Stuttgart that the company would consider closing down the MBSA

plant if factory floor violence escalated

MBSA was granted a Supreme Court interdict on May 26, preventing Numsa from organising meetings on the premises without permission, intimidating workers or disrupting the production process, after a clash between rival workers at the plant the day before that left nine people injured, one seriously

The statement said the arbitrators would not be limited to dismissals or other disciplinary sanctions, but would be empowered to make such findings, recommendations, orders, interdicts and awards as they

deemed fit

• A meeting of 1200 striking AFCOL workers on Friday condemned the detentions and assaults against Paper, Printing, Wood and Allied Workers Union members that have taken place recently, the general secretary, Mr Jeremy Baskin, said in a statement yesterday

“The meeting also dissociated PPWAWU from any violence against non-striking workers PPWAWU rejects the use of violence

“The meeting repeated its call for non-striking workers to stand

together with the strikers.”

• CHECKERS management has withdrawn its notification of dispute with the Commercial, Catering and Allied Workers Union, which it had declared on Tuesday over what management termed the “irreconcilable” position of the parties on wage increases

• Checkers shop steward, Ivan Molefe said the human resources director of Checkers, Mr Andy MacLaurin had telexed the union on Friday, informing members of its urgent withdrawal of the dispute notice

CAPE TOWN 2/16/84

Union appeals to court against minister's ruling

Supreme Court Reporter

THE South African Chemical Workers' Union lodged papers in the Supreme Court yesterday in anticipation tomorrow of an urgent application asking that the Minister of Manpower exercise his discretion to appoint a Conciliation Board to mediate in a dispute.

In April this year the Industrial Court reinstated 80 illegally striking Sacwu members — all employed at Cape Lime. They were dismissed following a sympathy strike in November after fellow union members at Sasol had allegedly been assaulted by police during a strike.

The union would ask that the minister show cause why a decision made by him on June 9, not to approve the establishment of a Conciliation Board to mediate in the dispute, should not be reviewed or set aside.

men only clubs

Conf Times 4/6/88

Man killed in dispute violence

JOHANNESBURG.
An Afcol worker has been killed in Johannesburg in violence accompanying a dispute with the Paper, Printing, Wood and Allied Workers' Union, PPAWU, Industrial Relations Manager Mr George Kinmont said yesterday.

"The company deplores the violence surrounding the dispute that has already resulted in various assaults against non-striking workers and the death of at least one employee," Mr Kinmont said.

He said the man, an employee at Edblo furnishes in Johannesburg, had been killed either on his way home from work on Thursday or on the way to work yesterday morning.

Afcol yesterday received an Industrial Court interdict restraining PPAWU members from intimidating other workers or from taking illegal action, but failed in its appeal to have the strike declared illegal.

— Sapa

Firms go to court over trade unions

Star 4/6/88
JANET HEARD and
SAPA

Employers yesterday began applying for interdicts against South Africa's largest trade union affiliates in response to a call for a three-day protest action starting on Monday, said Mr Jay Naidoo, general-secretary of Cosatu (Congress of South African Trade Unions).

SATYR



"He doesn't care which way round it is — as long as it keeps him warm."

He told a press conference in Johannesburg yesterday that applications were being heard in courts in Port Elizabeth and Bloemfontein, and employers in parts of the Transvaal had threatened to apply for interdicts.

Talks between Cosatu and the South African Consultative Committee on Labour (Saccola) on Thursday night failed to agree that the "peaceful protest action" called for by Cosatu and the National Council of Trade Unions (Nactu) — and endorsed by other anti-apartheid bodies — should exclude a rumoured work stayaway.

Mr Naidoo said interdicts would provide a legal

● TO PAGE 2.

Employers hit back

Star 4/6/88
● FROM PAGE 1.

Employers have warned that they will take disciplinary action against workers failing to report to work during the protest.

Mr Naidoo said Cosatu had received telexes from employers threatening to take legal action against unions and to dismiss workers if unions carried out a stayaway.

A telex from Reinforcing Steel Contractors read: "Should your organisation proceed with these stayaways, it will be committing illegal strikes which amount to an unfair labour practice. Should it go ahead with these stayaways, management reserves the right to take whatever legal action is necessary."

Mr Naidoo stressed at yesterday's press conference that the planned protest "is a peaceful and legitimate action, and is the only avenue available to our members to register their protest".

Meanwhile, Free State Consolidated Gold Mines has already obtained an interim interdict restraining the National Union of Mineworkers (NUM) from organising a stayaway or strike.

The interdict restrains the NUM, branch officials and regional officials from "instigating, calling, supporting or organising Freegold's employees to embark on a stayaway or an illegal and unlawful strike".

An Anglo American Corporation spokesman, Mr Michael Spicer, said in a statement that the order was obtained on the basis of evidence that NUM and the four officials involved had called for a three-day stayaway in contravention of recognition agreements and the Labour Relations Act.

The statement said stayaways were a destructive use of union power which heightened the risk of violence.

Intimidation reported among pupils

By Zenaide Vendeiro
Education Reporter

Star 2/6/85

disregarded by those responsible for thwarting the educational engagement," he said.

There was almost total absenteeism at schools in Soweto and the East Rand yesterday — where incidents of intimidation were reported — but attendance at other schools in the PWV area ranged from 20 to 90 percent.

The Director-General of the Department of Education and Training (DET), Dr A B Fourie, said in a statement issued late yesterday that attendance at schools in other urban areas was also affected but he gave no figures.

Dr Fourie said the department was concerned about the adverse effects the protest would have on pupils' mid-year examinations and appealed to parents and "all involved" to make every effort to ensure that children returned to school as soon as possible.

"Unfortunately a genuine concern for the well-being of the child seems to have been

Dr Fourie said that while there had been no reports of incidents at schools, there had been reports of intimidation and "those wishing to enter schools have been afraid to do so". Disruption of transport services had exacerbated the situation.

There was intimidation of teachers and of the few pupils who attended school in the East Rand yesterday, according to the acting director for the highveld region, Mr R R Motau.

SECURITY FORCES

He explained "Pupils have been going to the schools in groups of two or three so as not to attract the attention of the security forces and warning the teachers and pupils to leave the school as they are risking their lives."

Mr Motau said that while absenteeism was "almost complete" on the East Rand,

the situation in the eastern Transvaal appeared normal.

The spokesman for the Soweto region, Mr Peter Mundell, said there was almost no attendance at schools in the area yesterday. Fairly large numbers of teachers had also not reported for work.

However, no reports of violence were received and the situation had been "very quiet", he said.

Attendance at schools in the Vaal complex and northern Free State was "rather low", said a spokesman for the DET's Orange Vaal region, with preliminary attendance figures ranging from 30 to 60 percent. Attendance at the Sebokeng College of Education was much higher at 90 percent.

There had been "no trouble", he added.

A spokesman for the northern Transvaal region said school attendance in its outlying districts such as Pietersburg, Potchefstroom and Lichtenburg was normal, as was that in Mamelodi.

Dispute at Merc plant for arbiter

Star 21/6/88
By Adele Baleta (151)

Mercedes-Benz and the National Union of Metal Workers of South Africa (Numsa) have reached an agreement ending disruption of production at the company's East London plant.

Both parties agreed on Friday that the dispute over dismissals and suspension of workers and allegations made by Mercedes-Benz in two Supreme Court applications be referred to arbitration.

The agreement followed a warning by the West German Daimler Benz group that it would pull out of South Africa if labour conflict at the East London plant continued.

The East London factory was closed for nine weeks until the end of September last year because of a pay dispute which cost the company more than R150 million in the first month.

Footwear industry strike looms

Labour Reporter *ALCUS 22/6/88 (SI)*

place among 27 000 workers in the next few days

THE first national strike in the footwear industry is looming following the breakdown of wage negotiations.

Mr Freddie Swartz, general secretary of a federation of the two main unions in the industry, said strike ballots were due to take

He said negotiations for a new main Industrial Council agreement started in March and deadlocked last week, with the union demanding increases of about 30 percent overall and the management offering 12

Berden strike goes into mediation

St 22/6/88

A legal wage strike by 320 workers at the Berden Group in Johannesburg entered its third week yesterday.

The workers, members of the Commercial, Catering and Allied Workers' Union (Ccawusa), have been demonstrating peacefully on the company premises on a daily basis, the general manager, human resources, Mr Jimmy Stewart, said.

He said both parties had now agreed to mediation. (151)

The union is demanding a minimum wage of R525 a month and an increase of R170 across the board, while the company is offering to adjust salaries to a minimum of R410 and an across-the-board increase of R87,50.

Builders' union locks horns with bosses

Sowetan 23/6/88

151

THE Building Construction and Allied Workers' Union was locked in a bitter dispute with Pilkington Tiles over the stayaway by the company's workforce during a three-day "national protest" a fortnight ago, a spokesman for the union said yesterday.

Mr Vusi Thusi, BCAWU general secretary, said the company had taken 11 shop stewards belonging to the union to the Industrial Court for allegedly instigating a stayaway by the company's employ-

ees between June 6 and 8. Mr Thusi said union lawyers, at a hearing on June 15, had requested more time to study the details of the case. The case was postponed indefinitely.

He said "The 11 workers, who were suspended for failing to appear before a company enquiry earlier, have returned to work pending the outcome of the case".

The disciplinary action taken against the 11 stemmed from the call by Cosatu and Nactu for a three-day "national protest" against contro-

versial amendments to the Labour Relations Act. The protest was marked by a mass stayaway by thousands of workers throughout the country.

The union official said the action taken against its members by the British multinational company showed that it supported the controversial Labour Amendment Bill. "The company has said that there is nothing wrong with the Bill", he said.

Mr C J Louw, Pilkington's human resources manager, was not available for comment yesterday.

Sweetman 23/6/84 (11/11/84)

'Sign of hope'

(151)

THE virtual non-participation of the mining industry's workforce in the June stayaways signalled mine-workers' increasing indignation at the disruption of their lives, the outgoing president of the Chamber of Mines said this week.

Mr Naas Steenkamp, addressing the chamber's annual general meeting on Tuesday, said there might be grounds for hope that the leadership of the National Union of Mineworkers (Num) had sensed this mood among the mineworkers

This mood, he said, was reflected by "the relative peace enjoyed by the industry lately, and particularly the virtual non-participation of the



CHAMBER of Mines president Steenkamp.

mining industry's workforce in the June stayaways"

Mr Steenkamp, who is retiring as head of the employer organisation, said the Num had initiated "a costly three-week strike" last year

"The industry sought to view and handle the

strike as an industrial dispute, but an evident underlying aim with the strike was to demonstrate wide worker support for an agenda ranging from sanctions to seizure of control of the national economy," the Chamber official said.

Strike

The strike, Mr Steenkamp said, was a setback, too, for the ideal of developing constructive relationship between management and the union

He said "Among the negative effects of the strike, the manner in which it was conducted, and its drawn-out aftermath is a hardening of attitudes in the rest of our workforce"

"The philosophy behind sanctions, disinvestment and other forms of punitive action is tortuous at best, but it achieves a height of cynicism when accompanied by demands for greater recognition of and more comprehensive dealings with unions that advocate these measures," he added

He believed that good-faith bargaining would "win out" this year, because negotiations between the Chamber and Num had so far progressed "on more conventional lines"

Labour Update

SHOP STEWARDS

Sowetan 23/6/88

THE Building Construction and Allied Workers' Union was locked in a bitter dispute with Pilkington Tiles over the stayaway by the company's workforce during a three-day "national protest" a fortnight ago, a spokesman for the union said yesterday.

Mr Vusi Thusi, BCAWU general secretary, said the company had taken 11 shopstewards belonging to the union to the Industrial Court for allegedly instigating a stayaway by the company's employees between June 6 and 8

The disciplinary action taken against the 11 stemmed from the call by Cosatu and Nactu for a three-day "national protest" against controversial amendments to the Labour Relations Amendment Act. The protest was marked by a mass stayaway by thousands of workers throughout the country

Case

Mr Thusi said union lawyers, at a hearing on June 15, had requested more time to study the details of the case. The case was postponed indefinitely

He said: "The 11 workers, who were suspended for failing to appear before a company enquiry earlier, have returned to work pending the outcome of the case."

Mr C J Louw, Pilkington's human resources manager, was not available for comment yesterday.

HIT OVER PROTEST

ISI

site

CAPE Times 23/6/88 (151)

Workers win pay battle

PRETORIA — The Supreme Court has ordered a local supermarket to pay R5 800 to six workers evicted from the premises last month. A spokesman for the National Union of Farm and Agricultural Workers of SA said the reason for their dismissal was an altercation over leave and leave pay. Some of the workers had not had leave or received leave pay for up to 20 years.

CAPL
T.M.S.
23/1/88

NUM declares a dispute

JOHANNESBURG. —
The National Union of
Mineworkers yesterday
declared a dispute with
the Chamber of Mines
over the Chamber's re-
fusal accede to NUM's
wage demands.

The chamber's offer
was unanimously reject-
ed by members on virtu-
ally all the mines, a
statement from NUM
said.

The union will now
take the dispute before a
government-appointed
conciliation board.

The 260 000 strong
union group demanded a
22% wage increase.

The Chamber said in
an earlier statement it
offered a sliding scale of
wage increases from
16,5% for the lowest paid
to 13% for the highest
paid. — Sapa

165A
151
265

Miners in dispute over wages

17645 JOHANNESBURG. — The National Union of Mineworkers has declared a dispute with the Chamber of Mines over the chamber's refusal to accede to wage demands.

The chamber's offer was unanimously rejected by members on virtually all the mines, a union statement said

The union will now take the dispute before a conciliation board. If negotiations fail again it will hold a strike ballot.

The 260 000-strong union has

23/6/88 151 demanded a 22 percent wage increase. The chamber has offered a sliding scale from 16,5 to 13 percent.

The chamber also

- Refused a demand for a minimum wage of R350;
- Rejected a proposal that June 16 should be a holiday; and
- Rejected demands for 10 days extra leave and that leave allowance be increased to 100 percent. — Sapa

NUM bid for ~~R350~~ ~~R350~~ minimum Star 27/11/84 wage 'untenable' (151)

By Adele Baleta

Annual wage talks between the National Union of Mineworkers (NUM) and the Chamber of Mines have broken down.

This was announced by the Chamber's negotiating team at a press conference in Johannesburg last night.

The Chamber recently reached a wage settle-

ment with the mainly white Council of Mining Unions (CWU).

Mr Pat Rogers, the Chamber's public affairs manager, said talks with the NUM had deadlocked. The union had declared a dispute and indicated that it would apply for the appointment of a conciliation board.

The union had demanded a 22 percent across-the-board increase, down from 40 percent.

The Chamber moved from 10,5 percent to a final offer ranging from 13 percent to 16,5 percent.

Among the NUM's demands were a minimum wage of R350.

The Chamber's chief negotiator, Mr Johann Liebenberg, said while the average miner's income was R700 a month, some surface employees were earning R239 a month.

"These jobs are held by novices who do not stay in their jobs very long."

He added that at some mines a R350 minimum, which was the equivalent of a 46 percent increase, would be untenable as it would distort the wage structure.

The NUM said when it rejected the offer, the Chamber threatened to withhold members' increases while granting them to non-members.

The union said it warned the Chamber that "punishing union members would be a recipe for massive, uncontrolled spontaneous conflict".

LABOUR BRIEFS

PPWAWU dispute ~~USA~~ IST

THE Paper, Printing, Wood and Allied Workers' Union has proposed to Afcol that their dispute be referred to mediation, general secretary, Mr Jeremy Baskin, said this week.

Mr Baskin said in a statement the union had proposed mediation to attempt to resolve the dispute and in the interests of reducing "the high level of tensions surrounding the dispute"

"These tensions have led to detentions of PPWAWU members and assaults and deaths of non-strikers," he said

The dispute concerns the dismissal of approximately 300 Star Furniture Workers — Sapa

Secretan 23/6/88

NUM in dispute

South African 24/6/88

THE National Union of Mineworkers has declared a wage dispute with the Chamber of Mines after it refused to accede to its demands which include a minimum of R350.

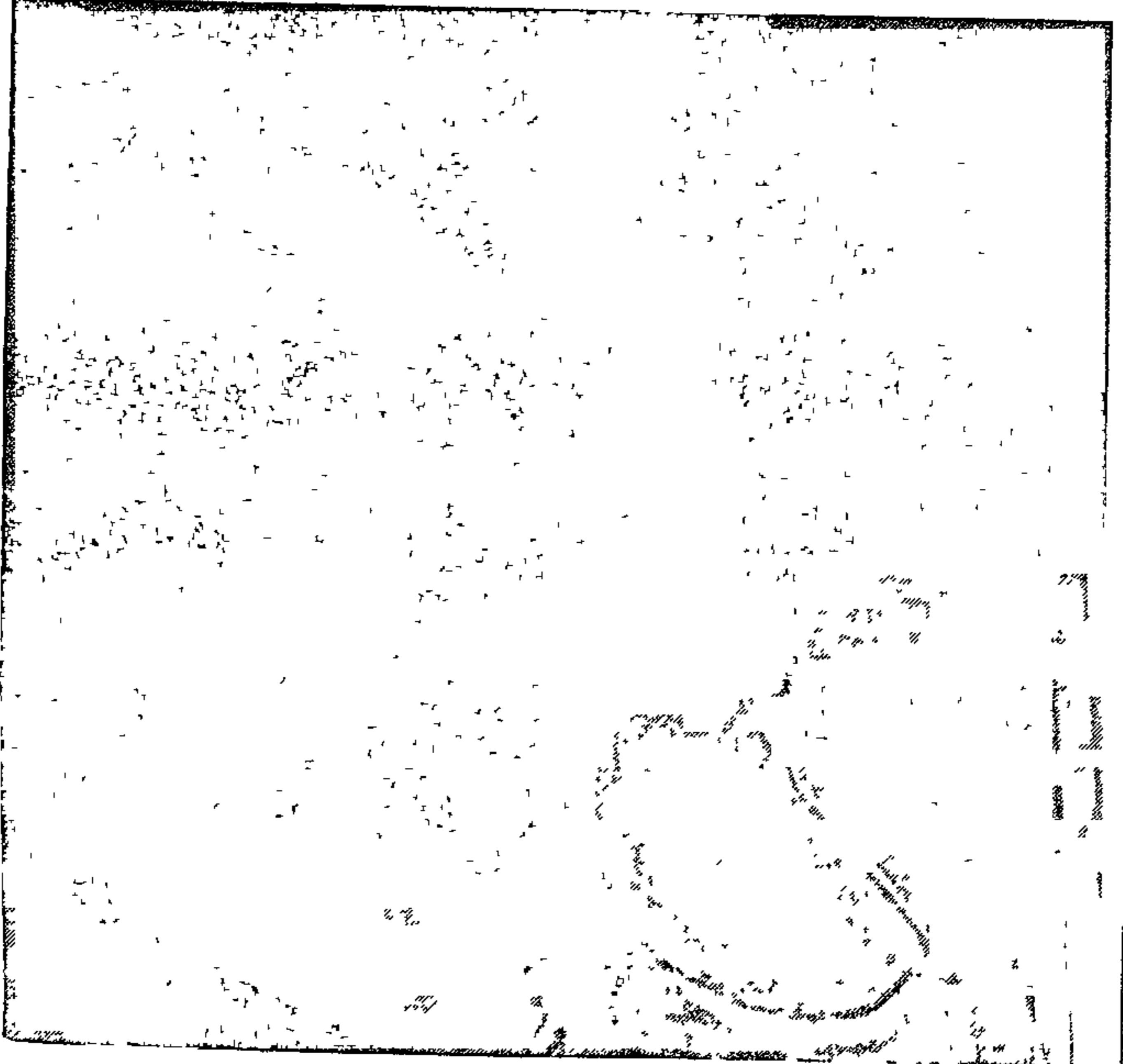
The NUM demands a wage increase of 22 percent, June 16, as a paid holiday leave to

be increased by 10 days and a 100 percent holiday leave allowance.

The Chamber said in rejecting the union's demand of a R350 minimum, acceptance would distort the wage structures on some of the mines. This is despite that a few

employees earned a minimum of R239 on gold mines, said the Chamber.

NUM general secretary Mr Cyril Ramaphosa said the union would apply to the Minister of Manpower to appoint a conciliation board to resolve the dispute.



Union Wins Recognition

Sowetan 24/6/88

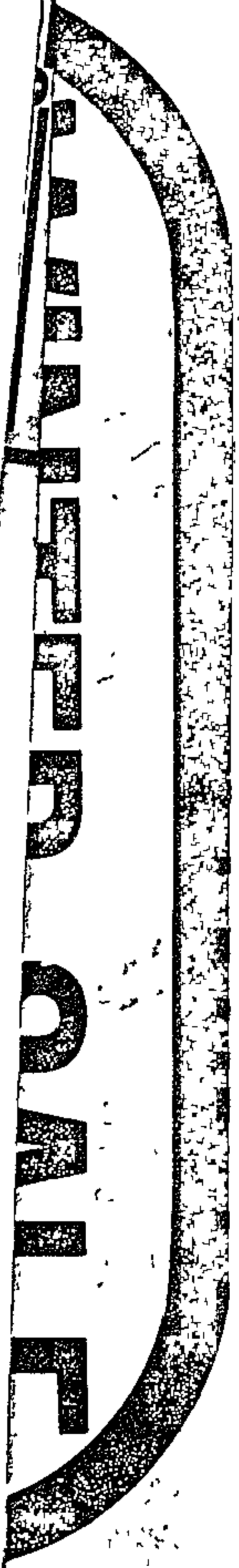
THE Federated Mining Union has concluded a recognition agreement with Samancor-controlled Mooi Nooi Mine, a spokesman for the union

said. Mr Bennett Africa, a FMU official, said the union represented 80 percent of the workforce at the chrome mine.

Meanwhile the FMU and the mine's management resumed wage negotiations this week, with the union proposing 40 percent increases for

workers in the lowest category. Mr Afrika said the union was also seeking recognition of May 1, March 21 and June 16 as

paid holidays. Management, he said, had so far agreed to recognise May 1 as a holiday in spite of the State-proclaimed first Friday of May.



Strike by council workers called off

By Jovial Rantao

Strike action by thousands of Soweto City Council workers was called off yesterday so that negotiations between the council and the Municipal Workers' Union of South Africa (MWUSA) could resume, a union spokesman said yesterday.

Council employees were expected to report for work today.

The workers went on strike on Tuesday following a wage dispute with the council.

Soweto's town clerk, Mr Nico Malan, said in a statement the council would consider negotiations if workers resumed work.

ACTION

After consultations with its legal adviser, the union decided to heed the council's back-to-work call, but the MWUSA spokesman said strike action could continue on Sunday if negotiations with the council were not successful.

The union spokesman said negotiations were stifled by the contents of a letter the workers had written to the council outlining grievances.

A meeting in which the union negotiation team intends reporting back to its members will be held at the Regina Mundi Church in Rockville, Soweto, on Sunday.

A decision will be made at the meeting on whether to take further strike action.

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Numsa and Mercedes agree to arbitration

CP News

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24/6/88

CP Correspondent

PRODUCTION returned to normal at the Mercedes Benz plant in East London this week after a last-minute agreement staved off further Supreme Court action.

In an out of court settlement hammered out last Friday, the company agreed to drop its Supreme Court action aimed at preventing the National Union of Metalworkers of South Africa from holding unauthorised meetings in the factory. In turn the union agreed to call on its members to return to work. The dispute was referred for arbitration.

Union sources said they regarded the settlement as a victory which prevented possible escalation of conflict at the plant.

The agreement ends a bitter month of conflict which included bloody clashes between workers,

and threats of the company pulling out of the country.

The dispute started last month when Numsa called on workers to strike in sympathy with strikers at two other local companies.

When Numsa members went around the plant to call workers to a meeting to discuss the issue, a bloody clash developed between them and supporters of the South African Allied Workers' Union. Nine workers were injured.

Numsa accused company officials of orchestrating the clash and of having incited the Saawu members to ambush them. Management denied the allegations and in turn accused Numsa of forcing workers to strike.

The company obtained an urgent Supreme Court interdict preventing the union from holding meetings at the factory. The union had until Thursday

to respond, and four shop stewards were ordered to show cause why they should not be jailed for breaking the interdict.

In terms of the settlement this action falls away.

In a joint statement, the company and Numsa said the matter would be referred to arbitration by referees from both parties. The company agreed to drop disciplinary action against workers, with the exception of two unnamed employees suspended on full pay pending the outcome of the arbitration.

Both parties also agreed to try to prevent further violence and breaches of labour regulations at the factory. Numsa further agreed to have a senior official available to intervene as soon as possible in any further disputes.

The settlement permits Numsa to continue to organise at the factory.

Geneva	23	12	Oslo	29	18	Vancouver	-	22	12
Helsinki	28	16	Paris	-	-	Vienna	-	23	11
Hong Kong	26	25	Perth	15	8	Warsaw	-	19	13

Council workers end strike pending talks

~~15~~ (15) Star 27/6/88
 Soweto Council workers, who resumed work "temporarily" on Friday after being on strike for three days, decided yesterday to continue working pending negotiations with the council and consultation with their legal adviser and the Congress of South African Trade Unions, said a spokesman of the South African Municipality Workers' Union

(Samwu).
 The workers went on strike last Tuesday after a wage dispute with the council. Their demands include the dissolution of the staff association and recognition of Samwu.
 The union spokesman said the negotiating team would report back to the workers on Wednesday.

Mine dispute finding due in two weeks

ALAN FINE

THE arbitration finding involving R10m, arising out of the dismissal settlement between Anglo American and the National Union of Mineworkers, was expected within two weeks, Anglo spokesman Michael Spicer said yesterday

The private arbitration before Advocate William Schreiner followed a settlement in terms of which 9 000 miners dismissed during August's strike would be re-employed with financial compensation, and a similar number would receive at least 18 weeks' notice, severance and compensation pay

The dispute arose over the definition of "pay", with the NUM claiming it included fringe benefits (valued at the time at R164 a month), while Anglo argued it referred only to the cash wage

Spicer said the arbitration hearings were concluded last week

Arbitration over the fairness of the dismissal of another 2 500 miners at Western Deep Levels after they staged an underground sit-in during the strike is due to begin next week

(15)

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~~(15)~~

28/6/88. Blday

Labour Update

Ballot count

Sowetan 28/6/88 (151)

By LEN MASEKO

BALLOT results, which may pave the way for a strike by more than 120 000 workers in the metal industry, may be released today.

Mr Brian Fredericks, general secretary of the SA Council of the International Metalworkers' Federation (IMF), said yesterday that officials belonging to four IMF affiliates had begun counting the ballot papers

The four IMF affiliates

are the National Union of Metalworkers of SA, Steel Engineering and Allied Workers' Union, Electrical and Allied Workers' Trade Union of SA and Engineering and Allied Workers' Union

Results

Mr Fredericks said strike ballots were conducted at more than 1 000 factories in the

industry "Ballot results will be out, at the latest, by Wednesday", he said

The four IMF affiliates have declared a dispute with the employer body, the Steel Engineering Industries' Federation of SA, which represents more than 3 000 firms

The Confederation of Metal and Building Unions have accepted the employers' final offer

AK645

Tuesday June 28 1988 5

Footwear pay row: Urgent talks today

Labour Reporter

ATTEMPTS are being made today to settle a wage dispute which threatens to erupt into a national strike of the footwear industry's 27 000 employees.

Employers and union representatives will meet through the national disputes committee of the footwear industrial council.

Unions in the industry are going ahead with a strike ballot.

Mr Freddie Swartz, union spokesman, said Johannesburg workers had voted overwhelmingly for a strike. Ballots in the Port Elizabeth, Durban/Maritzburg and Cape Town regions would be completed towards the end of the week.

Negotiations for a new main industrial council agreement deadlocked over wages about two weeks ago. Unions demanded an increase of about 30 percent and the employers offered about 12 percent

Right to shared parental leave agreed with union

Star 29/6/88

By Mike Siluma, Labour Reporter

The Commercial, Catering and Allied Workers' Union (Cawusa) and Pick 'n Pay have concluded a precedent-setting parental rights agreement guaranteeing couples employed by the retail chain up to 11 months' shared parental leave, nine of which will be paid

Cawusa said it was the first of its kind in South Africa and resulted from years of research and negotiations. According to the union, the agreement affected more than 24 000 employees

"The agreement is geared around the needs of the whole

family, particularly the proper care of infants (with) the responsibility of child care being shared more equally between both parents."

Fathers, whose partners were employed by Pick 'n Pay, will share the leave period

The agreement also provided for the saving of some of the leave for later periods until the child was four

Other aspects of the agreement included a proviso that the company would not reject a job application because the applicant was pregnant and prospective mothers would not be retrenched while on parental leave

Police

Perskor management has declined to comment
Perskor plants affected by the stoppage included Benoni, Roodepoort, Nelspruit, Vereeniging, Johannesburg, Bethal and Krugersdorp.

In a front page report yesterday, the *Citizen* said that it regretted that some of its readers had not been able to buy the newspaper from street vendors as a result of the work stoppage, which was sparked off by a dispute between Mwasa and Perskor.

Mwasa said in a statement yesterday. "We object to the presence of police outside the Perskor premises in Doornfontein because we believe this can be provocative to workers who are already unhappy

"We believe that the Perskor dispute can be resolved if there was a serious commitment on the part of management to enter into negotiations with Mwasa leaders

"The past negotiations we have held with Perskor management have demonstrated a lack of this commitment which is vital for the maintenance of healthy industrial relations"

Strike into second day

Sowetan
20/6/83
(151)

A WAGE strike-by about 3500 members of the Media Workers' Association at Perskor's Transvaal plants entered its second day yesterday

The work stoppage follows a deadlock in wage negotiations between Mwasa and the Afrikaans newspaper group. At the centre of the dispute is the company's alleged refusal to recognise the jurisdiction of the Industrial Council for the Printing Industry to mediate in the wage dispute

A Mwasa spokesman said Perskor employees, who downed tools at six of the company's plants, were demanding a weekly wage of R180 while the newspaper offered R100.

Yesterday, Mwasa members continued with their strike at Perskor's Doornfontein branch under police surveillance. A union official told the *Sowetan* that management had indicated that it might call in casual workers to replace the strikers



STRIKERS at Perskor in Johannesburg. The stoppage involving Mwasa members entered its third day yesterday.

Stoppage goes on

Sawetun 30/6/88

THE wage strike involving more than 3 500 members of the Media Workers' Association of South Africa at 10 Perskor plants entered its third day yesterday after the collapse of talks between union and management.

A Mwasa spokesman said that in a meeting Perskor gave an ultimatum to strikers to be back at work by 6pm last night

which ended about 8pm on Tuesday night, Perskor management declared it was not prepared to negotiate further, sticking to its offer of a minimum of R109,46 a week

According to the union, workers in Durban had joined striking colleagues at Transvaal plants including Doornfontein (Johannesburg), Benoni, Pretoria, Vereeniging, Witbank, Nelspruit, Vereeniging, Bosmont and Krugersdorp

The statement said the union had reduced its demand from R180 a week to R130

Perskor spokesman Mr Kotie van Heerden refused to comment on the strike

Mwasa said that after a stoppage by Perskor workers in May to back their wage demand, Mwasa had proposed industrial council intervention. However, the council could not meet as scheduled on June 24 after Perskor questioned the jurisdiction of the council

"Workers have rejected management's latest offer because it falls far

below what they are demanding," said Mr Khala

• The *Citizen* newspaper, which is published by Perskor, yesterday carried a notice apologising to readers experiencing difficulty in obtaining copies of the newspaper from street vendors. The other Reef newspaper published by Perskor is *Die Vaderland*

REVISED OFFERS AS A STRIKE LOOMS

EMPLOYERS in the metal industry made a revised offer to four International Metalworkers' Federation unions on Tuesday as the D-Day towards a possible strike by about 120 000 employees approached.

Indications yesterday were that the IMF affiliates, who last night

were expected to release the outcome of a ballot which could pave the way for the workers in the metal industry to go on strike, could withhold the results pending further talks with the employers. The employer body, the Steel Engineering Industries' Federation of SA (Seifsa), and the IMF unions are scheduled to meet for another round

of wage negotiations tomorrow. The four IMF affiliates are the National Union of Metalworkers of SA, Steel Engineering and Allied Workers Union, Engineering and Allied Workers Union, and Electrical and Allied Workers' Trade Union of SA. They have rejected Seifsa's final offer of 17,4 percent in favour of their demands for a pay rise of about 40 percent. Mr Brian Fredericks, general secretary of the SA Council of the IMF, was not available for comment yesterday. *Sowetan 30/6/88*
Exchange

A Seifsa spokesman said employers, in the revised offer, had proposed recognition of May 1 as a paid holiday "in exchange for one of the existing public holidays".

This proposal was conditional upon the acceptance by IMF unions of the employers' final wage offer, he said. Additional demands tabled by the unions include

- May 1, March 21 and June 16 be regarded as paid holidays;
 - Six months' paid maternity leave and 14 days' paid paternity leave; and
 - A 40-hour week
- The Confederation of Metal and Building Unions has accepted the employers' final offer.

- A minimum wage of R5 an hour

METAL INDUSTRY

Wedges in the deadlock

(15) ~~15~~ ~~15~~



Seifsa's Angus ... May Day bargaining chip offered



Numsa's Schreiner ... questioning the procedures

The unions grouped together under the International Metalworkers' Federation (IMF) are unperturbed by Seifsa's objection to their allegedly "illegal and defective" strike ballot papers. If indeed they are, this could, of course, snag the unions' planned strike against the steel and engineering sector — assuming the ballot result, expected this Thursday, is in favour of one.

While Seifsa is seeking legal advice on the matter, IMF spokesman, Numsa's Geoff Schreiner, describes the objections as "totally spurious". He points out that the balloting has been done under the supervision of independent mediators, Imsa, whose involvement would seem to give the unions cover. So, it's over to the labour lawyers.

Despite all that, Schreiner tells the *FM* a meeting is due this Friday between Seifsa and the IMF unions, which declared a dispute with the industry late in May. Seifsa,

however, said that negotiations had reached "finality". But on Tuesday, it conditionally offered to recognise May 1 as a paid public holiday in substitution for an existing public holiday if the IMF unions accept the employers' final wage offer.

Seifsa is highly unlikely to better its final wage offer of a 15,7% increase to labourers, which would give them R3,02 an hour, as against the IMF demand for R3,65. Therefore, the deadlock reached in May over the annual negotiations on the main industrial council agreement, remains — unless a deal is reached on the May Day offer.

Seifsa's Brian Angus said members were this week fully briefed on how to deal with a legal strike and contingency plans have been drawn up. The industry's main agreement on wages and conditions expires on June 1. Seifsa has meanwhile applied to the Man-

power Minister to implement the employers' final offer, which would then apply to the 11 unions grouped under the mainly white Confederation of Metal and Building Unions (CMBU), which accepted the offer, as well as to non-unionised workers. This would cover roughly half the workforce in this sector, which employs some 350 000, accounting for 55% of all manufacturing activity in SA. In these circum-

stances, some wonder whether the IMF unions have a power base big enough to mount a successful strike. If the minister does implement this "partial" new agreement it would, says Schreiner, be "novel". The IMF unions also have a legal nicety up their sleeve: they will call into question the procedures Seifsa has followed in seeking to get the partial agreement implemented — if it is. They would also question the legality of having the agreement apply to non-unionised employees. Once again — over to the labour lawyers. ■

CAPE TEACHERS

Left turn

At its annual congress last week at the University of the Western Cape, the Cape Teachers' Professional Association (CTPA) celebrated its 21st birthday by adopting the Freedom Charter. This is a watershed event in the politics of the coloured community, arguably, the conference was the most important political happening in the region since the launch of the UDF at Mitchell's Plain in August 1983.

Most of the four-day conference was devoted to dealing with matters of specific professional interest. More significant, however, were the political undercurrents. From the emotionally charged opening evening onwards, there was a clear feeling, repeatedly expressed in the speeches, that "the time has come" for the organisation to stand up and be counted.

The political significance of the conference boils down to this: an organisation which in the past had been seen to be equivocal about its political stance, hitched its wagon in the most convincing way to the "democratic movement". This was most obviously done through the organisation formally accepting the charter. It also decided to align with Sacos and the nonracial sports movement and discussed the formation of a central teacher union affiliated to Cosatu (which itself adopted the Freedom Charter last year).

CTPA's political stance is remarkable when the constituency of the organisation and its past are considered. This is not an outfit of T-shirt sporting political activists. It is an essentially moderate, God-fearing (in the words of their president, Franklin Sonn) group of people. It is also, with 22 000 members, probably the largest organised grouping in the coloured community.

The opening ceremonies were dominated by such luminaries of the Left as Allan

BALLOT PAPER

Are you in favour of taking lawful industrial action, including strike action, so as to secure agreement on each of the demands set out in the IMF proposals (as amended) concerning:

1. wages and working conditions to be embodied in the main agreement of the National Industrial Council for the Iron Steel Engineering & Metallurgical Industry to come into effect upon the expiry of the current main agreement or an extension thereof.
2. procedures for the private resolution of disputes in the industry.
3. the right to strike;
4. the negotiation of substantive conditions of employment for non-scheduled employees including monthly-paid employees?

YES	NO

Questions in dispute

1/7/88 FM

Agreement

THE Federated Mining Union and Rustenburg Platinum Mines have agreed on new wage scales affecting about 20000 employees, a spokesman for the union said yesterday. (ISI)

FMU official, Mr Benett Afrika, said the union concluded the wage agreement with Johannesburg Consolidated Investments, which administers the mines on June 29.

OK in spotlight

(151) (12/13)
THE wage agreement between OK Bazaars and the Commercial Catering and Allied Workers' Union of SA will come under the spotlight at the union's meeting in Johannesburg on Sunday.

Ccawusa has asked all Ccawusa members in the Johannesburg region to attend the meeting to be held at the union's Kerk Street offices at 10am

Ccawusa and OK recently reached a wage settlement after negotiations which were mediated by two attorneys. The parties agreed not to publicise the details of the agreement before union representatives had reported to their members.

Seifsa meeting

Sowetan 1/7/88
THE STEEL and Engineering Industries Federation of South Africa and four metal unions representing more than 120 000 workers meet today in a bid to avert a wage strike in the industry.

CAT TMS

2/7/88

Strike threatens festival

GRAHAMSTOWN — Rhodes University residence workers have refused to work during the next two weeks — the period in which the university is hosting a number of conferences and accommodating hundreds of visitors to the Standard Bank National Arts Festival

This was confirmed by representatives of workers, who are affiliated to the Transport and General Workers' Union, and the university administration yesterday

While residence workers do not work during student holidays, they are usually required to work when conferences are hosted by the university. For this they are paid an extra amount, in addition to their normal wages

Mr Elijah Ntentile, chairman of the shop stewards' committee, said workers had decided not to work as they felt they would be underpaid for the long hours they would be required to work. Workers would normally be paid only an additional R5 a day for this work, he said

Big clash looming

THE wage dispute in the metal industry has taken a new dimension with employers, considering, as a possible counter-action, lock-outs to pre-empt a strike by more than 120 000 workers.

This move has set the stage for a head-on clash between the employers and four International Metalworkers' Federation (IMF) affiliates, whose members may soon go on strike in support of their wage demands.

Locked in this wage dispute are employer body, the Steel Engineering Industries' Federation of SA (Seifsa), and the four IMF affiliates — National Union of Metalworkers of SA, Engineering and Allied Workers' Union, Steel Engineering and Allied Workers' Union and Electrical and Allied Workers' Trade Union of SA.

Seifsa has indicated that it is seeking opinion, in a ballot, from its more than 3 000 members whether to effect lock-outs to pre-empt a strike by the IMF unions. This move is apparently based on a 1948 Supreme Court case which ruled that a strike and lock-out cannot be held over the same issue.

The outcome of the ballot would be made available this week, a spokesman for the

employer organisation said yesterday.

Mr Brian Fredericks, a general secretary of the SA Council of the IMF, said union members were undaunted by the threat of a lock-out from employers. The IMF would this week release ballot results which might pave the way for a strike by its members, he said.

The wage dispute between the two parties was sparked by the IMF union's rejection of a Seifsa offer of 17,4 percent wage increase in favour of their demands for a pay rise of about 40 percent.

IMF affiliates' demands include:

- A minimum wage of R5 an hour,
- May 1, March 21 and June 16 be regarded as paid holidays,
- A 40-hour week, and
- Six months' maternity leave and 14 days' paid paternity leave.

Meanwhile, Seifsa and the four unions are scheduled to meet soon in fresh attempts to resolve the dispute. Last Friday's meeting between the two parties was postponed after the unions requested time to consult their members.

The wage talks will focus on a revised offer made last week by Seifsa in a bid to avert a strike by IMF members. Seifsa has offered to recognise May 1, in exchange for one of the existing public holidays.

... ORIGINAL S.A.U. ...

Closer to mediation

THE two-month-old (151) After management dispute between Afcop issued an ultimatum, 110 and the Paper Printing Employees returned and Wood and Allied the rest were dismissed. Workers Union will go to The 110 later staged a mediation today, the work stoppage, ignored company reported last another ultimatum and Friday.

The dispute, which were dismissed, Afcop affected seven Afcop said, adding that six plants and involved more other Afcop plants then than 1400 employees, staged an illegal work stoppage.

centred around the "Although Afcop dismissal of four Star obtained an interdict. Furnishers employees for, resulting in the employ- alleged assault of a co-ees at these plants worker in April. returning to work, the

As a result of the union declared a dispute against the company and dismissal, which follow- on May 30, all PPWA- ed an inquiry and appeal, WU workers employed the PPWAWU work- in these plants went on force at Star staged an illegal strike. strike." — Sapa.

Closer to mediation

(151)
THE two-month-old dispute between Afcop and the Paper Printing Wood and Allied Workers Union will go to mediation today, the company reported last Friday.

The dispute, which affected seven Afcop plants and involved more than 1400 employees, centred around the dismissal of four Star Furnishers employees for alleged assault of a co-worker in April.

As a result of the dismissal, which followed an inquiry and appeal, the PPWAWU workforce at Star staged an illegal strike.

After management issued an ultimatum, 110 employees returned and the rest were dismissed. The 110 later staged a work stoppage, ignored another ultimatum and were dismissed, Afcop said, adding that six other Afcop plants then staged an illegal work stoppage. "Although Afcop obtained an interdict resulting in the employment of employees at these plants returning to work, the union declared a dispute against the company and on May 30, all PPWAWU workers employed in these plants went on strike." — Sapa.

5/7/88
8/day
(15)

Bid to resolve Soweto dispute

SIPHO NGCOBO

REPRESENTATIVES of more than 5 000 Soweto-council workers are to accompany council officials to Pretoria this week to meet with the Transvaal Provincial Administration (TPA) to resolve a salary adjustment dispute, said the Municipal Workers Union of SA (Mwusa) yesterday

The move was initiated by town clerk Nico Malan and the council's management committee last month following a three-day strike by workers and the council's failure to meet workers' salary demands.

The council refused salary increases giving the two-year-old rent boycott as a reason. It said it was surviving on borrowings.

The workers said Soweto had been upgraded to category 12, so their salaries should be upgraded from category nine to 12.

Mine bosses reach agreement with NUM

Sowetan 5/7/88
THE Chamber of Mines and the National Union of Mineworkers had reached agreement on the 1988 review of wages and other conditions of employment, a Chamber spokesman announced last night.

He said differences with the union, which led

to the breakdown of negotiations on June 22, had been resolved without any changes in the 13 percent to 16,5 percent wage increases tabled by the Chamber.

At the end of the June 22 meeting, the NUM declared a dispute and

~~announced~~ announced it would be seeking the appointment of a Conciliation Board.

The Chamber spokesman said after the breakdown of the negotiations, attention was focussed on the NUM's provident fund demands

Chamber negotiators submitted an offer which was accepted by the Union.

The offer provided for the phased introduction of a contributory provident fund over the next three years.

"We are very pleased that we have been able to reach a negotiated settlement with the NUM," the spokesman said

"Bargaining in good faith is so much more satisfactory than industrial action.

"This gives us a healthier basis for the future."

CAPE TIMES 5/7/88

Mine dispute settled

JOHANNESBURG — The Chamber of Mines and the National Union of Mineworkers (NUM) reached agreement on the 1988 review of wages and other conditions of employment, a Chamber spokesman announced last night

He said differences with the union, which led to the breakdown of negotiations on June 22, had been resolved without any changes in the 13% to 16,5% wage increases tabled by the

chamber
At the end of the June 22 meeting, the NUM declared a dispute and announced it would be seeking the appointment of a conciliation board

The chamber spokesman said that after the breakdown of the negotiations, attention was focused on the NUM's provident fund demands

Chamber negotiators submitted an offer which was accepted by the union

Recognition for union?

MORE than 3 000 employees of the Soweto Council will petition the municipality today to dissolve the staff association, a spokesman for their union has said.

(151)

A spokesman for the SA Municipal Workers' Union (Samwu), which represents these employees, said the council staff rejected this association and instead demanded recognition of the union

Soweto
6/7/88

Mr Baxter Mbuthuma, a Samwu official, said his union and a council delegation would this week meet the Transvaal Provincial Administration to discuss workers' grievances which included the dissolution of the staff association

7/7/88 (151)
Metalworkers' wage talks deadlocked

Wage talks aimed at avoiding a strike or lock-out involving about 127 000 metalworkers countrywide were adjourned yesterday until July 13 after employers and trade unions deadlocked

Employers offered last week to meet the unions' demand for the recognition of May 1 as a holiday, subject to the union's acceptance of the employers' final wage offer of increases of 17,4 per cent on bonuses and wages

Unions involved are the National Union of Metalworkers of SA, the Electrical and Allied Workers' Trade Union of SA, the Steel Engineering and Allied Workers' Union and the Engineering and Allied Workers' Union, all affiliated to the International Metalworkers' Federation —
Labour Reporter

Secret meeting on pay dispute

By Stan Hlophe (AW) *Star 7/7/88*

A five-man delegation of Soweto council workers and their management will meet a Transvaal Provincial Administration MEC at a secret venue in Johannesburg tomorrow afternoon.

This follows negotiations between the South African Municipal Workers' Union (Samwu) and the management over a pay dispute which led to a three-day strike by 3 000 workers.

Samwu's regional chairman, Mr Sandile Ndlungwane, said high on the agenda in their meeting with the council, to be led by town clerk Mr Nico Malan, and the MEC would be remuneration and salary scales.

The delegation would also bring to the attention of the MEC "corruption and irregularities" in the council.

- Mr Malan was not available for comment

W. M. M. 8-14-78 (151)

Mine wages dispute ends with increase way below last year

By EDDIE KOCH

THE National Union of Mineworkers (Num) has ended its wage dispute with owners of the country's major gold and coal mines by accepting an increase far below that which the union rejected before embarking on the huge mine strike last year.

Num this week agreed to the Chamber of Mines offer of wage increases ranging from 13,5 percent to 16 percent in exchange for an undertaking from the employer body to negotiate a provident fund for black miners.

Last year Num's refusal to accept the offer of a wage hike ranging from 17 to 23,5 percent sparked the biggest strike in South Africa's history — raising the obvious question of why the union settled so quickly for much less this time round.

Num's assistant general secretary, Marcel Golding, says union members felt the Chamber's agreement to introduce a system of payment for retired black miners in the form of a provident fund was a major breakthrough for workers.

"We are not happy with the level of wage increases but the provident fund was the principal item which precipitated a settlement," says Golding. "I don't think it reflects weakness on the part of the union or capitulation."

But the outcome of the dispute is bound to reinforce the Chamber's view that the mood of mineworkers this year is less militant and the union weaker than it has been in previous years.

Outgoing Chamber of Mines president Naas Steenkamp said in an address to the organisation's AGM last month that a groundswell of reaction to the defiant posture adopted by the union last year had set in among workers

by the loss of jobs resulting from the strike and from sanctions. These have developed a counter reaction with which management must deal."

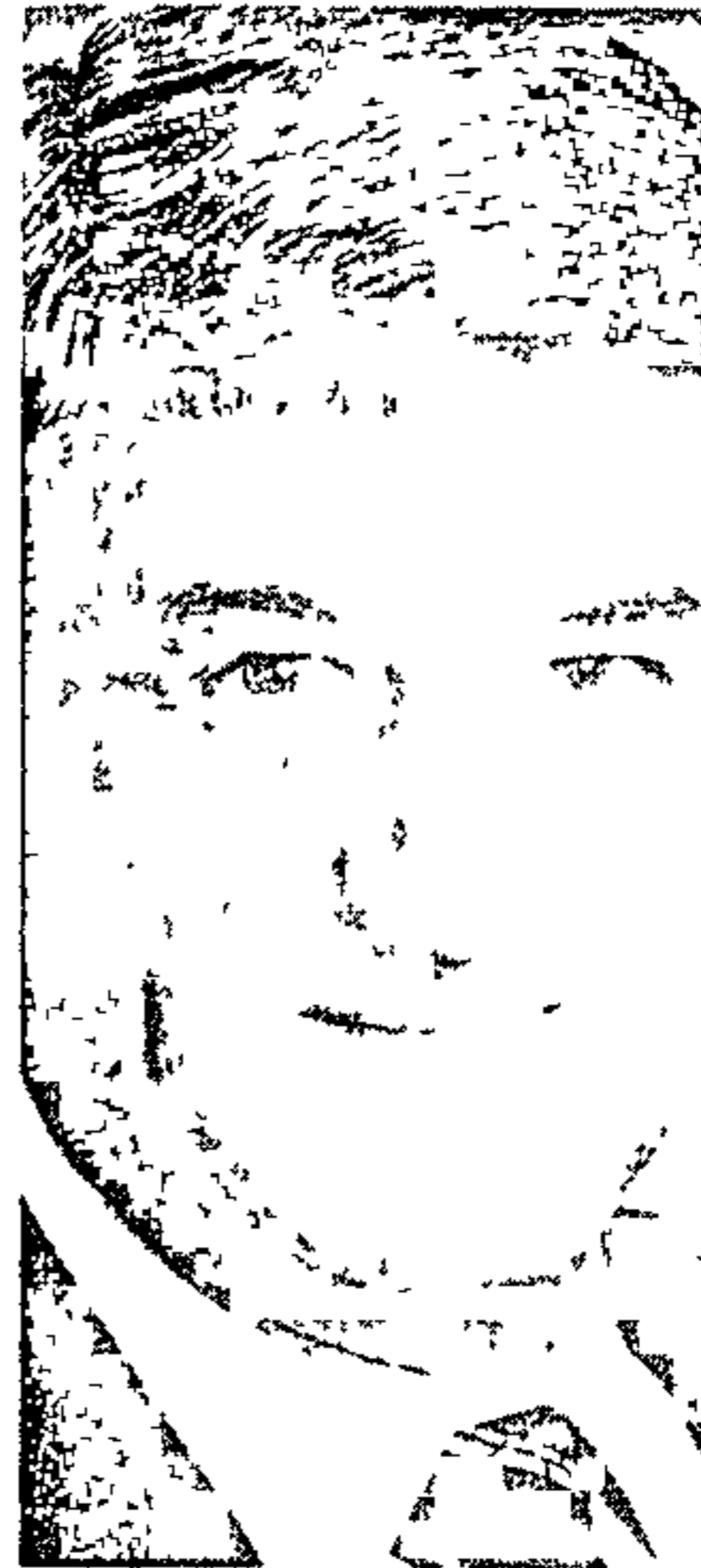
Steenkamp said the relative lack of mineworker participation in last month's stayaway to protest against the Labour Relations Amendment Bill was further proof of a new mood of moderation among the workforce.

However, a more obvious reason for the settlement was Num's obvious desire to rebuild its organisation in the wake of the dismissal of 40 000 members, including an estimated 3 000 to 4 000 shop stewards, after last year's strike.

The mood of workers is difficult to judge but one trend in labour disputes is for the level of rank-and-file militancy to build up as the dispute progresses.

Although Golding refused to be drawn on the issue, it is possible that Num decided to settle as quickly as possible to pre-empt growing demands for a strike which would cut across the tactic of rebuilding union structures before seriously tackling the wage issue again.

However, it is clear that the introduction of a provident fund is a major gain for black miners and is not merely being used by the union as a



Naas Steenkamp

means of presenting its apparent strategic retreat as a victory.

For the first time most of the 750 000 workers employed in the mining industry, the largest industrial workforce in Africa, will have the right to regular remuneration after they retire.

The introduction of such a system in South Africa, where unemployment is high and workers enjoy minimal forms of social security, has been a major demand of organised workers in recent years.

The details of the fund still have to be worked out but the Chamber of Mines has committed itself to the phased introduction of a system whereby workers and mineowners will pay equal contributions to the fund. In the first year each party will contribute 1,5 percent of the workers wage. This will increase to three percent in the second year and five percent in the third year.

Details and rules of the fund will be negotiated by the union and the Chamber over the next three months and disagreements will be referred to a mutually acceptable arbitrator.

This represents a minor gain for the union in that the Chamber has tended to reject arbitration in the past and has preferred to follow the more cumbersome procedures laid down in the Labour Relations Act.

But it is employers who are most satisfied with an agreement in which they did not have to significantly boost the level of increases offered when the annual wage talks began.

"We are very pleased to that we have been able to reach a negotiated settlement with Num," said a Chamber representative. "Bargaining in good faith is so much more satisfactory than industrial action. This gives us a healthier basis for the future."

FUNNY BUSINESS



"Ah, not merely a gold card but a gold card first-class with oak-leaf cluster. How refreshing."

LABOUR
AFFAIRS
DICK
USHER



Body searches — both parties have rights

THE closest I ever came to being thumped by an employer was several years ago when he took umbrage at some questions about body searches of workers at his plant

The factory produced cosmetics and skin lighteners which made it a rather high-risk operation for theft among a totally female workforce and there was, understandably, some "shrinkage".

This particular employer's solution to the problem was to employ a security firm to body search all employees at the end of the day, a process to which the women objected, especially as they were required to strip to their underclothes for the search in full view of a busy road

But, the law and trade union strength being what they were in the mid-1970s, there wasn't much they could do about it except turn to the Press. Which in turn led to an interesting con-

frontation in the manager's office.

Fortunately, the photographer with me was something of a self-defence fund and the only blood spilt was the employer's when he tried to tear my notebook in half and cut his hand on the wire binding

This all came to mind because of an article in *Labour Law Briefs* about theft and searches as one way of preventing it and it's worthwhile to outline the position on searches which also illustrates how some things have changed

The article says that the simplest and least contentious form of search is of employee lockers, which are company property. It can be made a condition of employment that the company has the right to conduct such searches at any time and neither can the employee withdraw this right

A second form of search is that of an employee's personal belongings

The article advises that this

should normally be done at a central access point. The employee can withdraw permission to search personal belongings, but this is not often done and failure to submit to it could be made a disciplinary offence, says the article

With body searches, it warns, grave legal problems are possible.

This is the most contentious form of search and again, where possible, should be done by mechanical means

Although the article suggests that it would be wise to obtain the consent to body searches from the employee as a blanket authorisation in the contract of employment, it also points out that the employee may withdraw consent on any specific occasion

Although the question had not come before the courts at the time the article was written, the withdrawal of such consent could be made a disciplinary offence

Wage talks deadlocked

By **KERRY CULLINAN**

THIS week's meeting between metal employers and four members of the International Metalworkers' Federation failed to break their deadlock over wages and improved working conditions.

The four unions, representing 120 000 workers, revised earlier demands to employers in the Steel Engineering Industries Federation

They also extended the deadline for strike ballots

until the end of today.

The revised demands include wage increases ranging from 14 percent for artisans to 23 percent for workers, that Seifsa endorses the suspension of the Labour Relations Amendment Bill; discusses an internal dispute procedure and that Seifsa call for an end to racial discrimination by September

However, Seifsa said that it was unlikely employers would make further concessions.

ISI
C/Press
10/7/88

Strike off with new pay deal

CP Reporter

A REPEAT of last year's mineworkers' strike was averted this week when the National Union of Mineworkers accepted the Chamber of Mines' revised offer

NUM had declared a dispute with the Chamber after attempts to reach agreement over improved wages and working conditions reached a deadlock. However, the Chamber then revised its position on a provident fund and the NUM accepted the package

The Chamber's initial wage offer of increases ranging from 13 to 16,5 percent remained unchanged

Union spokesmen have indicated that, while they were not entirely happy with the wage offers, the establishment of a provident fund represented a significant improvement

Political comment and Newsbits by K Sibiya and ZB Molefe. Headlines and sub-editing by F Alberts, all of 204 Floff Street Ext Johannesburg

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C Rep

10/7/78

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Metalworkers favour ^{CABE Tuis 12/7/8} 'industrial action'

JOHANNESBURG.— Of 90 000 National Union of Metalworkers of SA (Numsa) members, 87% voted in favour of industrial action over wage increases.

A total of 130 000 International Metalworkers Federation (IMF) workers will take part in the current ballot.

An IMF spokesman said the "Industrial action" would still have to be decided upon.

A strike would be included among the possibilities.

The four unions linked to the IMF are Numsa (Cosatu), the Steel, Engineering and Allied Workers Union of SA, the Engineering and Allied Workers Union of SA and the Engineering and Allied Workers Trade Union.

The unions demand an across the board increase of 60 cents an hour.

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8/20/88
12/7/88

Bid to break Ccawusa-Checkers deadlock

THE Commercial, Catering and Allied Workers' Union of SA (Ccawusa) has applied for a conciliation board to attempt to resolve deadlock between itself and Checkers over annual wages, Ccawusa spokesman Jeremy Daphne said yesterday.

Both parties agreed to mediation within the next two weeks

BRONWYN ADAMS

Daphne said Ccawusa declared a dispute over wages and the question of a 13th cheque after Checkers refused to increase its across-the-board offer above R74,70 for a one-year period. He said Ccawusa demanded an increase of R122 a month, and an improved annual bonus.

Checkers human resource director Andy MacLauren said the dispute was declared over wages and Checkers' rejection of the annual bonus as part of wage negotiations.

Daphne rejected Checkers' argument that Ccawusa had agreed to an effective R96 at the OK Bazaars and should agree to a smaller increase from the less "well-off" Checkers.

Police must keep hands off - Mwasa boss

SO ref no 12/7/44

THE Media Workers Association of South Africa yesterday called on the South African Police not to be involved in a dispute between the union and Perskor management in Pretoria.

Mwasa's Southern Transvaal chairman, Mr Sam Mabe, made the call after the detention of a number of the organisation's members involved in the dispute

A Mwasa member, Mr David Nokonyane of Garankuwa, was detained last weekend. Police

have notified his family of his detention

Mwasa claimed in a statement last week that three of its members employed by Perskor were detained when they went to collect their pay. The three are Mr Solomon Moloiane, Mr Simon Motau and Mr Obed Moholoane

The SAP's public relations division yesterday said in a statement that the three Mwasa members were not being held under security legislation

At the weekend

another Mwasa member, Mr Siza Masinye, was detained and released after more than 12 hours. He works at the Perskor plant in Doornfontein, Johannesburg

The wage dispute between Mwasa and Perskor is now in its second week. About 3 500 Perskor employees, all Mwasa members, are affected. Last week Perskor announced that it had dismissed 2 000 of the workers

Mr Mabe said: "We take very strong exception to the arrest or detention of our members whether it be in terms of the security or any other legislation. Mwasa has a dispute with the Perskor management and we are committed to resolving this dispute through negotiations. We see no reason why the police should be involved. We would appreciate it if the police kept out of this dispute."

11/6/68 10/7/68

Union establishes rights over rival

11/7/68 151

Labour Reporter

A SNAP ballot at an Atlantis textile company has been won by the Amalgamated Clothing and Textile Workers Union, according to a union spokesman

The ballot followed an application this week in the Industrial Court for an urgent interdict alleging unfair labour practices by the company, Capelon Yarns

The union had recognition from Capelon until February this year when it was withdrawn

"It then refused to negotiate wages with us, encouraged support for a rival trade union, denied access to our officials and threatened to withdraw stop order facilities"

At a hearing on June 27 the

court granted an interim order re-establishing the union's rights at Capelon and calling on the rival, the Garment and Allied Workers Union (Gawu), to show cause why it should not be joined as second respondent in a final order

The spokesman said the urgent application was brought when the company later gave access to Gawu officials

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~~5/11/83~~

Grinaker assures unions on Bill

By Adele Baleta

Grinaker Construction Limited (GCL) says it has reassured unions that existing agreements will be honoured irrespective of what appears in the eventually amended Labour Relations Act

The company has 12 000 employees

Group manpower consultant, Mr S van Wyk, said GCL companies had been consulting elected shop stewards on the draft Bill

The group had reaffirmed its commitment to the process of collective bargaining

Congress of South African Trade Unions publicity secretary, Mr Frank Meintjies, said businesses should speak out against the Bill and apply pressure for its withdrawal

Several companies had already condemned the proposed legislation

Former Premier Group chairman, Mr Tony Bloom, said in his company's 1988 report that proposed amendments should be resisted by employers and employee alike

"The message must be conveyed to the Government that the potential for reasonable industrial peace is being severely jeopardised by legislative activities and security police involvement in industrial relations"

Shell executive chairman, Mr J R Wilson, said in his company's 1987 report that the Bill was aimed at undermining the strength of the union movement

It was up to companies to make known their criticism and grave disquiet

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Num asks for a ^{Sowetan (7/7/88) 151} conciliation board

WAGE negotiation talks between the National Union of Mineworkers and De Beers Consolidated Mines broke down on Tuesday after almost two months bargaining. Both parties immediately applied for a Conciliation Board to resolve the impasse.

Both parties have stated their willingness to continue the talks but each accuses the other of negotiating in "bad faith".

Dragged

The Num spokesman, Mr Marcel Golding, said in a statement to the *Sowetan* that "De Beers have dragged the negotiations and have acted in 'bad faith' by refusing to provide reasonable and realistic offers".

De Beers spokesman, Mr Neville Huxham,

said "We perceive an unwillingness to negotiate from the NUM team which failed to move from the initial wage demand while we bettered our offer".

Negotiations started on May 18.

When talks broke down on Tuesday the Num stood by its 20 percent across-the-board parity increase for all its more than 8 500 members in six De Beers mining companies.

De Beers employs an estimated 9 000 workers, which means that NUM represents at least 99 percent of its workforce.

De Beers said it had improved and "moved" on its initial offer to 12,5 percent for unskilled workers and 12 percent for skilled workers when talks closed on Tuesday.

Mr Huxham said the

above percentage offer would raise the minimum rate for unskilled workers from R481 a month to R541, an increase of R60. This excludes accommodation which is offered free to employees.

Reasonable

Mr Huxham said their 12,5 percent offer was "reasonable" because the Num settled with the goldmines for 13-16 percent this year. He said conditions in De Beers diamond mines were better than those at the gold mines.

But Mr Golding said "The De Beers offer does not even compensate for inflation which is at about 13-14 percent".

He said De Beers had made a record 47 percent sales which earned the company R5 910 million.

15-21/7/84
Mwasa

Mwasa to meet Perskor in court

THE Media Workers' Association of South Africa is taking Perskor to the industrial court.

The action follows the dismissal of 2 000 Perskor workers on June 30 while negotiations were still taking place. Mwasa filed papers on Tuesday this week demanding their reinstatement and describing Perskor's action as an "unfair dismissal".

Meanwhile police have confirmed the detention of three Mwasa members under Internal Security legislation. The three were detained while

collecting their pay on Friday July 8 at the Perskor Pretoria depot. They are shop steward Solomon Moloi-sane, Simon Motau and Obad-Moholoane.

According to Mwasa secretary general, Sithembelele Khala, the union has called off all negotiations with Perskor while waiting for a hearing date from the industrial court.

At the time of going to press, Perskor management could not be reached for comment.

Dismissed

Source to union 13/7/88
AT least 259 members of the Vukani Guards and Allied Workers Union were summarily dismissed by the Cape Peninsular Security Guards in Cape Town this week.

The dismissals come in the wake of initial talks between the union and the company for recognition. The company said it had lost contracts with Government schools in the area.

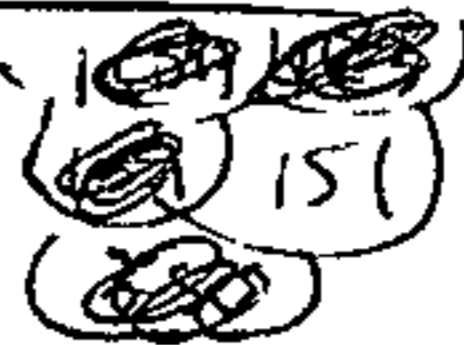
Agreement

THE Vukani Guards and Allied Workers Union have concluded a wage agreement with Rapp and Maister Real Estate Security Division this week.

The company offered R510 basic salary, plus a R10 dry cleaning allowance and an additional bonus of R17 upon the existing 5 percent which is to be backdated to December 1 1987.

The union is an affiliate of the National Council of Trade Unions

DEMANDS REVISED



FOUR unions affiliated to the International Metalworkers' Federation this week tabled revised demands in a fresh bid to break the stalemate between them and employers in the metal industry.

The revised wage demands, submitted at the two parties' meeting in Johannesburg on Wednesday, include increases ranging from 14 percent for artisans to 23 percent for labourers. The employer body

By LEN MASEKO

the Steel Engineering Industries' Federation of SA (Seifsa), has agreed to consider the wage demands and is to report back to the IMF unions on July 13.

The IMF-affiliated unions are the National Union of Metalworkers of South Africa, Steel Engineering and Allied Workers' Union, Engineering and Allied Workers' Union and Electrical and Allied

Workers' Trade Union of South Africa. Their demands included:

- May 1 to replace Workers' Day as a paid holiday,
- June 16 to be recognised as a paid holiday in exchange for October 10 and March 21 (Sharpeville Day) in exchange for another public holiday,
- Seifsa to publicly endorse the suspension of the controversial Labour Relations Amendment Bill.

• Seifsa to call on its members to give an undertaking to end racial discrimination in the industry before September 1988.

In their campaign against the Bill, the IMF affiliates have proposed an internal dispute procedure for the industry. This move, if agreed to by Seifsa and the four unions, would nullify State interference in the collective bargaining process in the industry.

ISI 3/day 19/7/88

Average increases down to 17,6%

Pay settlements have declined — labour survey

ALAN FINE

THE levels of wage settlements negotiated between unions and companies showed a marked decline in the four months to June, after reaching a peak in late 1987 and early 1988, the latest wage-settlement survey published by Andrew Levy and Associates said.

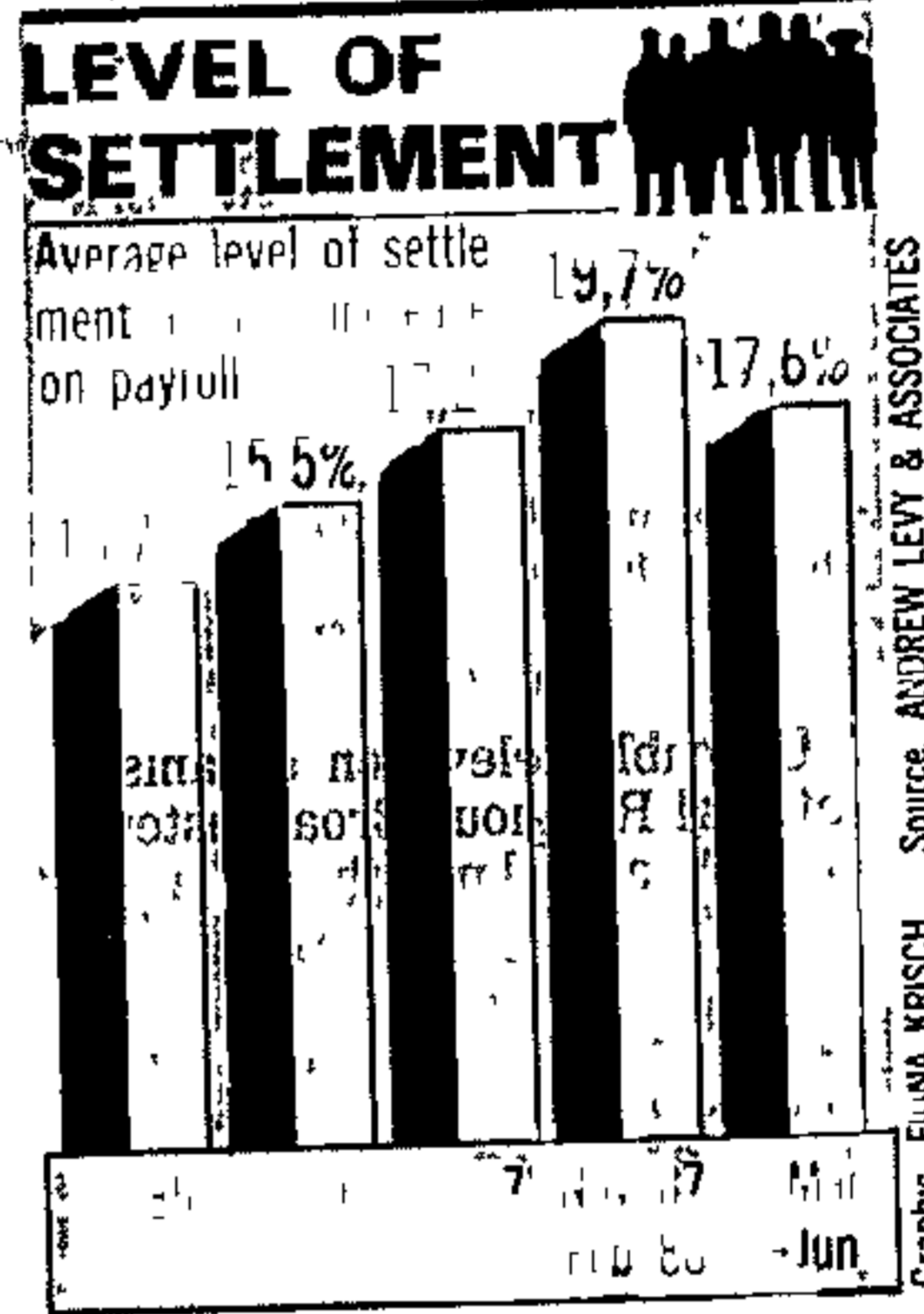
The survey showed a fall in average settlement levels to 17,6% in the last four months, compared to 19,7% in the period from November to June. They were nevertheless above the inflation rate and the 15% level estimated as the private sector norm.

The level had steadily increased from the 13,7% noted in 1985, when the labour relations' consultants began monitoring wage agreements.

Author Pat Stone attributed the decline less to the fall in the inflation rate than to certain other factors. He said unions based their expectations on the company's ability to pay and levels achieved elsewhere.

On the other hand, managements' view was that the economic upswing and improved corporate profits, were a result of factors such as an increase in the money supply, and were not likely to lead to sustained economic growth.

Further, management attitudes had hardened as a result of the political stayaways and numerous official



public holidays since March.

Finally, because a large proportion of wage negotiations were in their third or fourth year, this minimised the initial "impact effect" usually associated with the first set of such negotiations between parties. In such cases "guilt" payments were made and glaring anomalies rectified.

The survey also showed the average opening union wage demand was for increases of 53,6%, the lowest since the survey was first carried out.

Wage dispute rages on

Sawetam 19/7/55



A WAGE strike involving 400 members of the Commercial Catering and Allied Workers' Union at Gallo Stores would continue until their demands were met, a union official said yesterday.

Mr Madumo Ramalope, the union organiser, said workers at Gallo went on strike on July 7, demanding an increase in their wages.

Ccawusa demanded an

increase of R262 a month across-the-board while management offered R108.

Other demands include: 40 hours a week without loss of pay; a long service allowance; a 13th cheque to be paid in December.

Workers are also demanding that the company recognise traditional doctors and that March 21 and June 16 be recognised as paid public holidays, he said.

Meanwhile, the company issued notices warning workers that their absence would be regarded as a breach of their employment contract.

A Gallo spokesman said: "We find it disturbing that, with the agreed mediation proceedings imminent, the workers have decided to take industrial action."

Labour Update

A NEW DEAL FOR WORKING MUMS

Sowetan 19/7/88

14077 151

SOWETAN Correspondent

THE Amalgamated Clothing and Textile Workers' Union of South Africa has concluded a "far-reaching agreement" on maternity leave with a British-owned manufacturer of protective clothing and equipment.

A spokesman for the union, Mr John Eagles, said the agreement — signed with James North (Africa) in New Germany near Durban — covers the factory's 240 workers and is the first parental rights agreement ever to be negotiated in the entire garment sector country-wide

"The garment sector is marked by no maternity protection whatsoever. There are no formal job protection agreements in existence, and the pregnant mother has to rely on the goodwill and charity of the employer to give her her job back

after her child has been born — definitely not a praiseworthy arrangement," he said

The union had made great strides in winning parental rights for its members in the garment sector, he said.

He said that among the significant features of the agreement were:

- A guarantee of re-employment following the birth of the baby.

- Unlimited maternity leave and financial assistance equivalent to one third of the women workers' wage for a maximum period of three months

Mr Eagles said Actwusa had already negotiated several maternity agreements with employers in the textile industry

While many agreements provided for unpaid leave, an increasing number of paid maternity leave

agreements were being concluded, he said

There were already over seven separate agreements covering about 1100 women countrywide granting them paid maternity leave

"The financial assistance which has been won from otherwise tight-fisted employers has allowed families to look forward to the joys of parenthood — rather than to place additional burdens on people who

are already struggling," he said

James North manager, Mr Philippe Julie, confirmed the agreement and added that the paternity agreement had been in force in James North since 1984

"Actwusa subsequently tabled certain amendments to the old agreement which was duly negotiated upon," he said

He said the agreement would be implemented as from January 1, 1989

'Dispute over salaries'

Sowetan 17/7/85
ABOUT 60 constructions workers at a site in Hospitalview, in Tembisa, downed tools last Monday, alleging that they had not received their salaries from their employers, Bilhard Construction.

A spokesman for the workers said that each time they went to the bank where their salaries were being deposited by the employers,

they drew a blank as no money was deposited in their accounts

Mrs Bridget Harding, a director of the company said that the workers downed tools because they wanted to be paid for June 16 and for the three days of protest action.

"We only pay people for the number of days they have worked," she said The workers

interviewed said it had nothing to do with the stayaway days, but that they had not received their wages for the past three weeks and more

Mrs Harding, however, admitted there was a dispute and that they were hoping to resolve it by today

By yesterday the workers had not gone back to work

Potwa case resumes

Business Day Reporter

AN application by 112 members of the Post Office and Telecommunications Workers Association (Potwa) to have their dismissal from the Crown Mines depot last year declared unlawful resumed in the Rand Supreme Court yesterday.

As an alternative, they have asked the court to nullify the dismissal of categories of workers such as technicians and telecommunication assistants and direct the Department of Posts and telecommunications to allow them to re-apply for their posts.

The Department of Posts and Telecommunications, opposing the application, called its first witness yesterday. Mr Justice Melamet is hearing the application.

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19/7/88
B/day

since the old agreement expired on July 1

A union source points out, though, that their entire "package" would have to be accepted by Seifsa in order to stave off strike action, for which balloting has been extended until Saturday.

Aside from the reduced wage demand, the unions want to parley over public holiday concessions. Using the "same criteria" on which Seifsa last week based its offer to grant May Day as a paid holiday in lieu of another paid holiday, the unions now also wish to explore the possibility of swapping say, Settlers Day (April 6) for Sharpeville Day (March 21), and, similarly, being granted June 16 instead of Kruger Day (October 10).

The package (unofficially) would also require.

- Seifsa to publicly endorse the call for the Labour Relations Amendment Bill to be suspended, at least until Cosatu and the minister have met to discuss it;
- An "interim agreement" whereby the metal sector would agree to "address" contentious clauses of the Bill,
- Seifsa to accept that the unions may bargain on behalf of "non-scheduled" employees;
- A joint investigation into the question of paternity leave, producing a recommendations in three months' time; and
- Seifsa to call on all its members to end "discrimination" within four months.

Meanwhile, employer responses to Seifsa's ballot on a possible lockout of the unionists in dispute are coming in and the result (as well as that of the unions' strike ballot) was expected this Saturday

Three forms

A lockout, in terms of the Labour Relations Act, is a refusal by an employer to employ his or her workers unless they collectively accept certain conditions — in this case, Seifsa's 1988 wage offer. It is a form of economic pressure invoked when collective bargaining reaches deadlock.

Lockouts can take one of three forms: excluding the workers from the factory premises, the total or partial discontinuance by the employer of the business or of work provision, and the breach or termination of the contracts of certain employees. In order for a lockout to be legal, it must carry with it the employer's demand, where employer bodies are concerned, they also require secret balloting to decide whether a majority is in favour of closing the factory gates, so to speak

Whether a lockout and a strike (or a go-slow) can occur at the same time is unclear, although one precedent suggests that the party which initiated the action determines its nature. From the employers' viewpoint, a legal lockout could well induce the union to settle since it is not able to resort to legal remedies via the industrial court if the dispute is unresolved. It is not clear whether a legal lockout exempts the employer from paying the workers affected ■

METAL INDUSTRY

New IMF package

Signs of new room to manoeuvre out of the wage deadlock between Seifsa and the four International Metalworkers' Federation (IMF) unions emerged on Monday

But whether the employers, who seem to have the upper hand, would play ball over a fresh package of proposals bounced off the union membership last weekend awaited Wednesday's meeting between the parties.

The *FM* understands the IMF unions have significantly reduced their main wage demand from 40% to 23%. This would mean a rise from R2,61 an hour to R3,21 — down from last week's R3,65 and not too far off Seifsa's R3,02 offer which the employers say is "final". They have already asked the Minister of Manpower to implement their offer,

Bands hit right

note backing strike at record studios

By Mike Siluma, Labour Reporter

Some leading recording artists have stopped work in support of the strike by between 180 and 400 Gallo Africa employees

Groups which confirmed they have stopped recording are Splash, Volcano, and leading band, Stimela. More musicians contracted to Gallo were reported to have stopped work in support of the strikers.

According to a spokesman for the Commercial, Catering and Allied Workers' Union (Ccawusa) Mr Abie Ramalope, about 400 workers downed tools on Friday at four Gallo concerns in Steeldale, Bedfordview and Johannesburg, including the company's head office.

Mr Ramalope said workers had been driven off company premises by dogs on Monday morning after failing to heed a management demand that those on strike leave the premises. No one was injured.

He said workers were demanding an across-the-board R262 monthly increase, increased leave, long-

service awards, a 13th cheque, the recognition of traditional African doctors, interest-free personal loans and the recognition of March 21 and June 16 as public holidays.

Spokesmen for both Splash and Volcano said the groups had decided to support the strikers because they believed that they had a common demand for better pay.

Stimela leader Ray Phiri said his band was not on strike, but had stopped recording in solidarity with the Ccawusa members.

A company spokesman said earlier that the company was offering a 20 percent increase package.

The dispute between Ccawusa and Gallo is to be dealt with through mediation on Saturday, according to the company.

Legal unit to handle pay row

THE wage row between an East Rand construction company and its more than 60 employees continued yesterday.

The row has led to a work stoppage by these employees who allege that the company, Billhard Construction, owes them four weeks' wages.

A spokesman for the Building Construction and Allied Workers Union (BCAWU), which represents the disgruntled workforce, said yesterday that they had referred the matter to the union's legal unit.

The union spokesman said the company had dismissed one worker for allegedly instigating the stoppage this week.

Billhard director, Mrs Bridget Harding, said she was not aware that an employee had been dismissed.

Source: 20/7/58

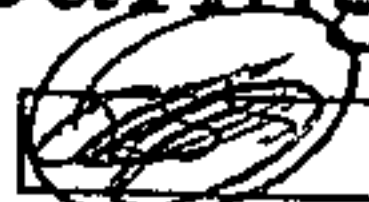
PRACTICE

Sats arbitration hearings set down

ARBITRATION hearings in the wage dispute between Sats and the Federal Council of Sats Trade Unions had been set down for August 8-10, council general secretary Abraham Koekemoer said yesterday

Koekemoer said both sides would present evidence to Mr Justice Jacobs, a retired Appeal Court judge, and he expected a final decision within two weeks of the hearing

The dispute arose out of the pay freeze on civil service salaries announced earlier this year, and prompted several protest meetings organised by the unions

 (15) B/day
ALAN FINE 20/3/84

During the failed conciliation process which began in April, the council motivated a 17% increase for railway-workers

Koekemoer said the council would maintain this position during arbitration. In the event of an unsatisfactory outcome, the matter would be referred back to members for a decision on what steps to take

Sats employees are barred by legislation from taking part in industrial action

Thousands of Soweto Council workers strike

Star 21/7/81
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By Stan Hlophe

Thousands of Soweto Council workers went on strike over a wage dispute yesterday and resolved not to go back to work until their demands were met.

The decision was taken at a meeting of the South African Municipal Workers' Union (Samwu) held at the Tabernacle Church in White City.

"We have compromised a lot. Until our demands are met we will not go back to work," a union spokesman said.

The workers' demands include recognition of the union, the disbanding of the "sweetheart" staff association, and salary upgradings retrospective to July last year.

"What we are asking from the council is the minimal living wage. We are paid peanuts while the white officials and councillors are earning fat figures," the spokesman added.

The strike follows a deadlock be-

tween the workers' delegation and the management committee at a meeting on Monday.

Workers have further accused the council of using "coercive" methods to involve workers in the rent impasse.

"We are workers, not agents for the council. If they fail to talk to the true representatives of the people, then they should not involve us," the spokesman said.

The spokesman added that the union took exception to the letter from town clerk, Mr Nico Malan, stating that the strike was illegal and that they were in breach of their working conditions.

Soweto's mayor, Mr Nelson Botile, refuted the union's allegations. He maintained the council was prepared to meet their demands, but was short of funds.

Mr Botile also denied that the council attempted to use workers in a bid to solve the rent boycott.

Strike looms

WORKERS at Allied Publishing Company are gearing themselves for a legal strike which could disrupt the distribution of English-language newspapers in the Western Cape.

The workers are demanding parity with workers at the Argus Printing and Publishing Company, the major shareholder in Allied

Workers claimed this would mean increases of between 40 and 200 percent in some departments Management had offered them a 16 percent across the board increase, they said

About 350 workers arrived at the firm's Paarden Eiland depot on Wednesday to vote in a strike ballot, which had been called off at the last minute by Media Workers Association of SA (Mwasa) shopstewards

Declared dispute

It is believed shopstewards feared intimidation by management if the strike ballot went ahead

However, a legal strike may still take place if the Minister of Manpower does not appoint a conciliation board by this week to settle the dispute

The Minister had 30 days to appoint a conciliation board after he was approached by the union on June 21 His deadline was Thursday this week

Mwasa represents about 500 of the 600 workers at Allied, including office workers, roundsmen, bossmen, transport workers, vendors, street sales supervisors and labourers.

They started wage negotiations on March 30 and declared a dispute last month, claiming the company did not subscribe to the principal of equal pay for equal work

Asked for comment, Allied's provincial manager John Rayner said in a telex message. "As our talks with the union are at a very sensitive stage we are unable to comment at present"



News vendors may join a legal strike if their dispute is not settled

German firms ^{22/7/88} 'must negotiate individually'

(S) ALAN FINE *Alan*

THE SA-German Chamber of Commerce and Industry said yesterday acceptance of the proposed new code of labour practice by German subsidiary companies was a matter of individual negotiation and agreement between companies and their respective trade unions.

The chamber said some metal sector companies had already reached an agreement along the lines of the I G Metall and International Metalworkers' Federation proposals. Others were expected to follow suit after negotiations.

The chamber directorate said it favoured good union relations, but could not prescribe to its members nor make decisions for them.

After a meeting with I G Metall president Franz Steinkuhler, the directorate of the chamber had decided the code should be regarded as a reasonable and meaningful base for negotiations between companies and their employees.

□ BMW corporate planning director Pierre de la Rey disclosed yesterday his company had already agreed in principle on the contents of the code in discussions with the National Union of Metalworkers of SA. He added that in many ways the code formalised what had been the case for a long time.

Mercedes Benz said this week talks on the code were in progress.

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If the labour courts can't cope, disputes could shift elsewhere

DISILLUSIONMENT with the industrial courts, so overloaded they are unable to cope with all disputes, may lead many to avoid the courts altogether

This was one of the major trends to emerge from last week's labour law conference at the University of Natal, Durban, organised jointly by the university's Centre for Socio-Legal Studies and the Centre for Applied Legal Studies at the University of the Witwatersrand

Commenting on the conference, director of the Centre for Socio-Legal Studies, Chris Albertyn, said he felt there was a recognition the industrial court could not cope with the resolution of all disputes before it. During the conference he had discerned a strong feeling that private labour arbitration had a significant role to play

He added, "If the state is going to compound the complexity of dispute resolution mechanisms, which ap-

A labour law conference talks of likely responses to changes in the labour laws, such as an exodus from the industrial court process. CARMEL RICKARD reports

pears to be the case, then parties must look to the regulation of all their disputes outside of the Act and to the possibility of contracting out of the act entirely"

Albertyn believes the effect of such a contract could be that unions might waive the right to strike in rights disputes (such as alleged unfair dismissals and agree on such issues being settled by arbitration

In return they could be given protection from dismissals on strikes over other issues, such as wages and working conditions. In effect, this would mean they had a right to strike on such issues without endangering

job security

"This kind of arrangement is quite possible and a number of companies seem to be investigating this idea. It would make for a much simpler procedure and clarity over rights in the event of a dispute. In those circumstances, the role of the industrial court would be to bring those employers and unions which refuse to bargain collectively within the process of collective bargaining"

An industrial relations lawyer who specialises in advising management said the conference was "extraordinary" in bringing together such a large group of managers and unionists, as well as management and union lawyers

He agreed there seemed to be a trend towards an increasing use of arbitration and that among his own management clients there was a growing tendency to prefer using private arbitrators instead of the industrial court, "partly because the industrial court is so busy"

The general secretary of the Chemical Workers Industrial Union, Rod Crompton, said the advantages of private arbitration as a speedy way of resolving disputes were "aired" at the conference

"There was also a lot of interest in creating a system of handling disputes outside the Labour Relations Act."

Asked whether he thought it possible the unions might be prepared to waive the right to strike on some issues he said it was "too early to tell"

"In a crude way employers are already trying to do this in some cases, with a demand for a 'peace clause' However, there has so far been a paltry quid pro quo.

"However, as management's return offer becomes more realistic, there is a possibility both sides could reach an agreement on this issue"

In a paper suggesting the possibility of such a contract between management and unions outside of the act, Clive Thompson, the director of the Labour Law Unit, University of Cape Town, said such a system "would allow for both fair and orderly trials of strength on a periodic basis in respect of wages and working conditions"

"The objective is to extend an effective right to strike consistent with international norms and unencumbered by the provisions of statute

"To that extent, one is attempting to anticipate and contribute towards a future society which is both more pluralistic and democratic than the present order

"By giving protection in the area of core bargaining topics, the expectation is that unauthorised industrial action can be discouraged and curtailed"

The gossip is juicy, the facts ... imaginative

By EDDIE KOCH

A NEWSLETTER which recently hit the streets with promises to publish hot-off-the-press gossip about labour leaders every month, has sparked a pamphlet war between the anonymous publication and trade unions.

Under the masthead *SA Trade Union Monthly Titbits*, the latest edition of the newsletter claims that Archbishop Desmond Tutu spent 73 days of the first 151 days this year campaigning for sanctions "instead of praying for his congregations".

Other pieces include reports that the 70 000-strong Food and Allied Workers' Union (Fawu) "is falling apart because of internal corruption" and that last month's stayaway was a failure because "black workers don't need Indian Jay Naidoo to run their lives".

Naidoo is general secretary of the South African Congress of Trade Unions (Cosatu).

Thousands of copies of the newsletter have been distributed in major centres, says Cosatu press officer Frank Meintjes. *Titbits*, he says, is just the latest in a spate of smear pamphlets.

The smear campaign was high on the agenda of Cosatu's recent central executive committee (CEC) meeting where it was reported that an average of three different pamphlets are being distributed every week in what appears to be a co-ordinated attempt to undermine the Cosatu leadership.

Allegations in *Titbits* that

THE FLYING BISHOP



TUTU IS CALLING FOR SANCTIONS AGAINST SOUTH AFRICA.
TUTU IS CALLING FOR DISINVESTMENT IN SOUTH AFRICA.

Titbits on Tutu

Fawu's general secretary stole R15 000 from union funds and that other union officials had been caught with their hands in the till have prompted the union to lay defamation charges with the police.

Another counter-measure has been to issue thousands of pamphlets that reply to the smears in *Titbits*.

The accusations against the leadership of Fawu, the third biggest affiliate of Cosatu, came at a time when the union was experiencing serious internal divisions that erupted over the misuse of funds that should have been used to support striking workers at the Spekenham factory.

After the publication of *Titbits*, Fawu responded with a counter pamphlet confirming that the organiser responsible for the funds had been dismissed and stating that the union had drawn up a strict leadership code which provides for immediate dismissal of union officials involved in embezzlement.

Meeting over pay dispute

The current wage dispute between Checkers and the Commercial, Catering and Allied Workers Union (Ccawusa) will be discussed at a meeting of the union's members in Soweto on Sunday.

The meeting will be held at the Methodist Youth Centre in Central Western Jabavu at 10 am.

Star, 22/7/88
● A 300-member congress of the Amalgamated and Textile Workers' Unions (Actwusa) this week endorsed the union's participation in the proposed front of anti-apartheid organisations, decided upon by the Congress of SA Trade Unions in May.

Actwusa said delegates had also decided to restructure the organisation to ensure "greater democracy, accountability of leadership and greater participation by workers".

At the congress, Mr Amon Ntuli was elected president and Mr John Copelyn was elected general secretary of the union.

151 THREATS

● Ccawusa this week accused the management of the Savells furniture store in Mafikeng of threatening 17 members with dismissal and dismissing another for belonging to the union.

A management spokesman said "The company subscribes to freedom of association and denies that any employee is victimised or disciplined as a result of their union membership".

The company and the union had agreed to have an informal meeting to discuss Ccawusa's allegations.

CVE Times 25/7/88

Industrial disputes 'increasing'

Own Correspondent (15)

JOHANNESBURG. — Independent Mediation Service of SA (Imssa) records reflect a fast-growing use by employers and trade unions of voluntary third-party assistance in the settlement of industrial disputes, Imssa director Mr Charles Nupen said last week.

Imssa last year handled 199 cases of mediation and 162 arbitrations, overall almost double the number for 1986 and 10 times Imssa's 1984 caseload.

Statistics so far this year suggest the growth is continuing.

The services of the organization, the only one of its kind in SA, are increasingly being called upon in the face of an overloaded Industrial Court and a trend towards private arbitration generally due to fears about the future of SA labour legislation.

Mr Nupen said wage disputes had become more complex and economic and political circumstances had caused a hardening of attitudes.

5 Feb 20/7/86

New move in Sats wage dispute

(S) By Mike Siluma
Labour Reporter

Mr Justice H R Jacobs to
inquire into the dispute

shortly The recommen-
dation of the commission
will be binding," the Sats
statement said

The five-month-old wage
dispute between the SA
Transport Services (Sats)
and the Federation of SA
Transport Services Trade
Unions, affecting 185 000
employees, has been re-
ferred to a one-man com-
mission, Sats announced
yesterday.

Sats spokesman Mr
Louis Niewoudt said the
Minister of Transport, Mr
Eh Louw, had appointed

NO AGREEMENT

The commission was
appointed after a concili-
ation board failed to
reach agreement

The unions, which are
demanding a salary in-
crease of 17 percent,
asked for the establish-
ment of a conciliation
board after declaring a
dispute with Sats in Feb-
ruary Mr Niewoudt de-
clined to give details of
the Sats offer

"Mr Justice Jacobs has
already held preliminary
discussions with the par-
ties concerned and the
hearing will commence

Despite a special ap-
peal by President Botha,
the unions rejected the
Government's suggestion
in February that they ac-
cept a wage freeze

The federation's chair-
man Mr Dudley Henn,
whose membership ear-
lier threatened strike ac-
tion to back their de-
mands, could not be
reached for comment

Since the commission's
findings will be regarded
as binding, a strike in the
event of the unions' de-
mand not being met is
unlikely

Fawu condemns faked pamphlet

THE Food and Allied Workers Union yesterday condemned the authors of a mysterious pamphlet which seemingly sought to promote rivalry between itself and another union in the food sector, writes LEN MASEKO.

Fawu president, Mr Chris Dlamini, said the pamphlets — distributed at a number of East Rand factories — made "damaging allegations" against him and his union.

The allegations, he said, were

- That he (Mr Dlamini) received double pay from the union and Kellogs in Springs, where the official is employed,
- Fawu was "in disarray" and its members should join the Food Beverage Workers Union,
- That Fawu members had been dismissed by their employer, Kanhym (Balfour), because a union official had failed to follow "correct procedure"

Mr Dlamini said "It is not true that I am receiving a salary for being an official of the union. Only full-time employees of the union receive salaries"

Fawu viewed the mysterious pamphlets as part of a "concerted attack" by some employers

Mr Dlamini said the FBWU had promised to investigate the matter

"It is true that we had some misunderstanding within the union, but this was resolved at our congress. Our members are united," the Fawu official said



FAWU official Mr Chris Dlamini.

26/7/58
Row over salaries (151)

Row over salaries

THE Commercial Catering and Allied Workers Union of South Africa has declared a dispute with three Tradegro companies, a spokesman for the union said yesterday

Ccawusa official Mr Jeremy Daphne said the companies were Checkers, Metro and Frasers

The union demands

- Checkers An across-the-board increase of R122 a month while the company offered R74,40,
- Frasers A rise of R150 a month across-the-board against the company's offer of R80 a month,
- Metro An increase of R140 a month while management's offer is R40 a month

Mr Daphne said "All Tradegro companies have started wage negotiations on exceptionally low base and are amking, in the view of the union, low base and are making, of the improved financial situation in the retail trade

SATS wage dispute inquiry ordered

Sowetan 26/7/88

A COMMISSION was appointed to decide the dispute over wages between the South African Transport Services and the Federation of South African Transport Services trade unions, SATS announced yesterday.

The Minister of Transport Affairs, Mr Eli

Louw, appointed Mr Justice H R Jacobs, as a one-man commission into the dispute between the SATS and the FSATS trade unions in regard to the federation's claim for a salary increase of 17 percent with effect from April 1988, a SATS statement said

The commission was appointed after a

conciliation board made up of representatives of both parties failed to reach consensus on the federation's claim.

"Mr Justice Jacobs has already held preliminary discussions with the parties concerned and the hearing of the matter will commence shortly," the statement said

"The recommendation of the commission will be binding" — Sapa

Tradegro firms in pay talks

By Mike Siluma,
Labour Reporter

The Commercial, Catering and Allied Workers Union (Ccawusa) has declared wage disputes with three companies in the Tradegro group, affecting thousands of workers

Ccawusa spokesman Mr Jeremy Daphne said the three companies with which Ccawusa was in dispute were Checkers, Fraser and Metro

Ccawusa was also having wage talks with two other Tradegro companies — Jazz Stores and Smart Centre — and was soon to start talks with Fairways

According to the union, more than 30 000 workers are affected in some way by the negotiations. Conciliation Board hearings have been applied for at Checkers and Metro

At Checkers, Ccawusa was demanding a R122 a month across-the-board increase against the company's offer of R74,70, alternatively R40 in July and R70 in January

4 UNIONS DISGUSSED PAY OFFER

Severin 27/7/82
 IS1
 FOUR unions affiliated to the International Metalworkers Federation are to hold a meeting today to discuss metal companies' final wage offer.

By LEN MASEKO

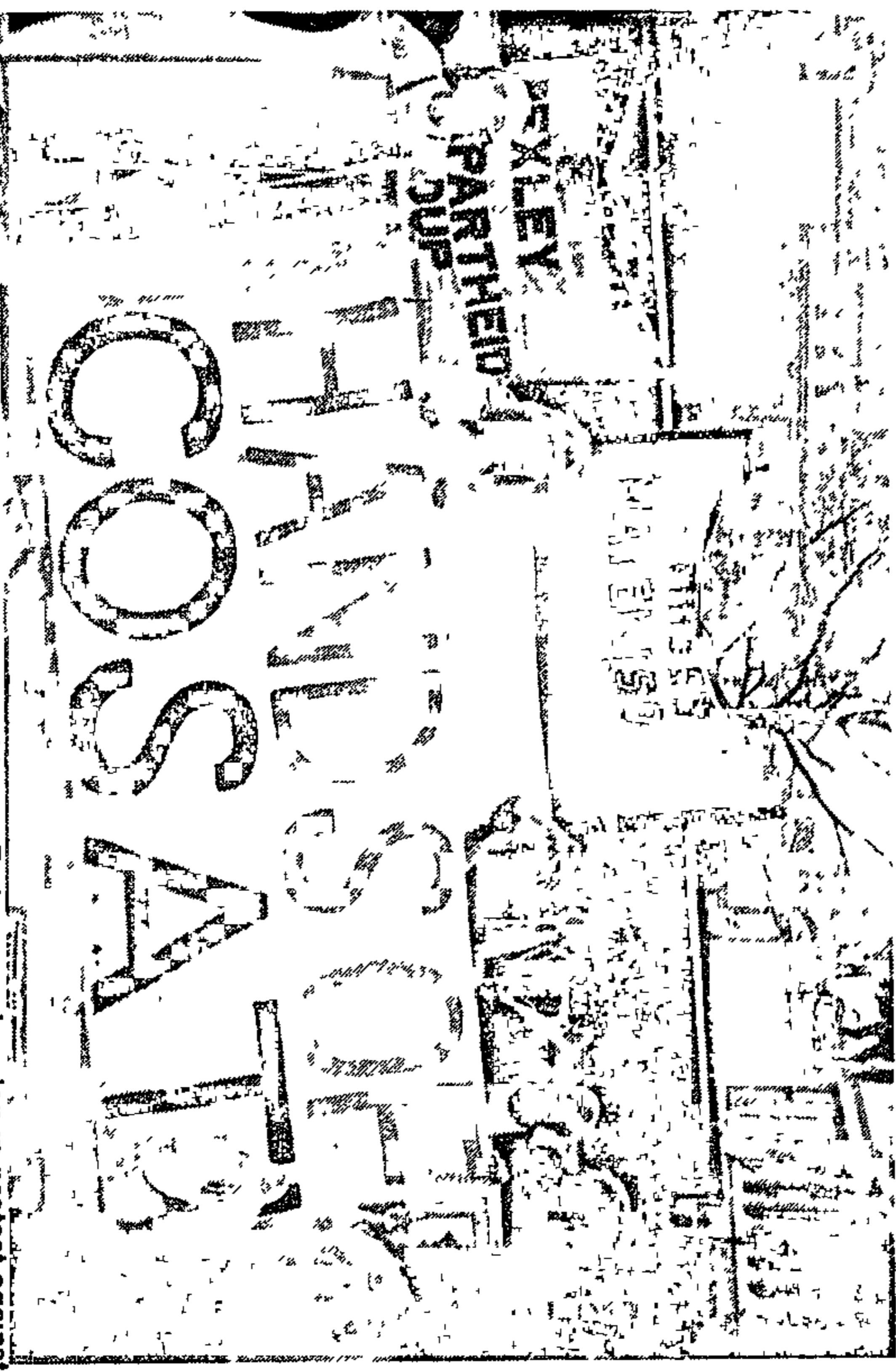
The meeting comes in the wake of reported strikes at eight metal factories on the Reef this week.

South Africa
 The four unions also demand recognition of May 1 and June 16 as paid holidays. Seifsa has offered to recognise the two days in exchange for the existing public holidays.

Demands

The IMF unions demand — among other things — a minimum hourly wage of R3,21 while management's final offer stood at R3,02 an hour.

The IMF affiliates are the National Union of Metalworkers of South Africa, Steel Engineering and Allied Workers Union, Engineering and Allied Workers' Union and Electrical and Allied Workers Trade Union of



ANTI-apartheid demonstrators picket the South African Embassy in London in protest against restrictions placed on the Congress of SA Trade Unions. The demonstrators belong to various British organisations.

First dismissals today

B/day 28/7/88. (151)

THE first dismissals arising out of industrial action in the metal industry during the past week are set to occur today.

Dorbyl industrial relations adviser Neville Jordan said some employees at the group's Palaborwa structural engineering site were involved in unlawful action and had been given an ultimatum to return to work today.

Most of the plant's 240-strong workforce were conducting an overtime ban. However, only about 80 were members of unions party to the dispute and had followed the correct procedures.

ALAN FINE

The remainder, who faced dismissal if they did not return to work today, had joined the action in solidarity with their colleagues. Their non-membership meant their action was unlawful and in contravention of employment contracts.

A Seifsa spokesman said the situation in the industry had remained unchanged with six firms affected. He said 1 977 workers were on strike while another 360 were taking part in overtime bans.

Anglo company

Pa. Anglo American also wanted Posei-

Our wealth must be shared: Kent Durr

151

TION

Coping with disputes

THE lack of trust between employers and employees in the building industry will change only once the political dispensation has been altered, and blacks have a say in determining the laws of the country

This was one of the views offered by Lou Davis, executive director of the Building Industries Federation of SA (Bifsa) while talking about employers, the Industrial Court and the Labour Relations Amendment Bill.

He says many employers in the building industry risk being taken to the Industrial Court over unfair labour practices, because in many cases they fail to meet the minimum requirements laid down by law.

The massive increase in the number of cases brought before the Industrial Court in recent years shows that unreasonable and unfair labour practices are increasingly being tested and opposed by trade unions

In 1979, when the Court sat for the first time, only four cases came before it. Last year the figure reached 3 533.

Davis says it is not entirely bad news, as it indicates that the proper channels are being recognised and used to resolve disputes. This adds meaning and value to the field of industrial relations (IR)

He says employers can best protect themselves from industrial strike action by introducing equitable procedures into their companies and applying them consistently. Disciplinary and grievance procedures are vital, as well as properly worded employment contracts and retrenchment policies

"There are misconceptions among employers concerning the role of the Industrial Court, which is not a court of law, but a court of equity. In other words it analyses cases brought before it, applying the rules of justice based on fairness. It pays special attention to two critical interpretations: those of procedural and substantive fairness," he says

To quote from the judgement handed down in the case *Larcombe v Natal Nylon Industries*, Advocate Reece SC, ad hoc Member of the Court: "Fairness and Equity. The employer is primarily responsible for the maintenance of fair and equitable labour relations with his employees. Where the employer suspects that an employee's conduct merits the termination of his employment or some other disciplinary action, he must act fairly and with due consideration for the employee's rights. For this purpose it is necessary that he holds a proper enquiry so as to establish the facts and to give the employee an opportunity of stating his version and if necessary to plead in mitigation of the penalty"

Davis says the political dispensation in SA makes the IR situation here unique. "We have legislation debated and passed in Parliament affecting peo-

ple who have no representation, and this creates many additional problems. The Minister of Labour has invited unions to debate and change certain issues, but blacks still have no representatives in Parliament and there's no guarantee any notice will be taken of their participation

"The Labour Relations Amendment Bill proposes a number of changes to accommodate the union demands. It is largely a technical adjustment to the Labour Relations Act to make it more streamlined and workable

"The use of words such as 'secondary', 'repeat strikes' and 'boycotts' is encouraging, as they all represent a destructive use of power and are discouraged partially or completely in many western democracies and in almost all African countries"

The massive increase in the number of cases brought before the Industrial Court in recent years, shows that unreasonable and unfair labour practices are increasingly being tested and opposed by trade unions

Davis says the section of the Act most relevant to all the unions is section 79, which is concerned with indemnity. In certain cases there will be no indemnity. If the union acts unfairly or illegally the law now says that a company, industry or employers' association can sue it for damages

Clause 26 says indemnity is only removed in a case of illegal strikes or lockouts, or if criminal acts are undertaken. The clause also includes a presumption that union members, office bearers or officials are acting as authorised agents of their union, this will only apply where it can be demonstrated that such persons have committed a wrongful act

"Clause 4 changes the method for registered unions to object to other unions seeking to claim new or expanded registration. If this will enable unions to use racist criteria to block the registration of other unions, employer organisations will certainly oppose it," he says

"If we look at the views of the trade unions, they say the Bill will attack their right to strike, as workers will not be allowed to strike over the same issue within a period of 12 months

"Already there is a very complicated procedure in the law. If one looks at strike action in general, in terms of the Labour Relations Act there is a specific mechanism for settling disputes which has to be followed, and only after all avenues have been exhausted between employer and employee, is a strike legally permitted

"If there is an Industrial Council in existence, it will look into the dispute in an attempt to negotiate an agreeable settlement. If, however, there is no council, an application for a Conciliation Board has to be made which basically amounts to voluntary arbitration or mediation," says Davis

On a last resort will matters go to the Industrial Court for final determination, and usually such action is viewed as exhausting the procedure for dispute settlement, and in that process a strike would be viewed as illegal

The Bill makes it more complicated to strike by saying that the president and general secretary of the union have to sign papers when declaring a dispute that could lead to a legal strike

Davis says "You can only strike legally if you notify the Department of Manpower, the Conciliation Board or Industrial Councils within 21 days of a dispute having been declared. But the Bill does not make it clear when a dispute begins."

The new Bill gives the inspector powers to delay the calling of a legal strike

"It says that an inspector can extend the period by 30 days on the request of management. The terminology is broad though, and it implies that the inspector could extend the delay indefinitely

"So the new Bill gives management the right to prohibit legal strikes"

"We are nowhere near settling into a standard pattern of IR procedures. To make a bold statement, I can see labour legislation changing dramatically"

Our labour structure is three-sided, consisting of employers, employees and the State. The Government does not interfere, says Davis, but provides a legal framework within which these IR determinations and negotiations can take place

"As far as the building industry is concerned, we have 10 Industrial Councils in the country. Representing employees we have the traditional long established unions and the emerging black unions. The latter contend that by complying with the registration requirements they are reinforcing the apartheid system, and don't want to

"The Construction and Allied Workers Union, which is affiliated to Cosatu, is as yet unregistered. It has a membership of about 49 000 blacks, and they're not part of the Industrial Council. They want to bargain with employers and circumvent the Council system"

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8/29/78
**Metal industry
faces new action
by trade unions**

154
By Mike Siluma,
Labour Reporter

The metal industry, plagued by a prolonged wage dispute between four unions and the Steel and Engineering Industries Federation (Seifsa), could be hit by large-scale industrial action next week

Four South African unions affiliated to the International Metalworkers Federation (IMF) said today that union leadership had recommended "strategic industrial action" to induce Seifsa, the employer body, to agree to re-open talks on wages

Union members are to meet this weekend to make a decision on the recommendation.

At the same time, said a union spokesman, 66 metal companies had agreed to re-open negotiations with the unions on the wage issue

CONTRARY

This is contrary to a Seifsa directive that employers not deviate from Seifsa's final offer

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The union spokesman said workers had already taken strike action at seven metal firms, demanding that employers agree to "move away" from the Seifsa position on the issues of wages and holidays

He added that the unions had indicated to Seifsa that they were prepared to recommend that members lower their demand for an hourly minimum from R3,65 to R3,21 — 20c above Seifsa's last offer. The union offer, was subject to the employers agreeing to re-open talks in the first place

Seifsa comment was pending at the time of going to press

Union stops court action, says Ergo

By Mike Siluma, Labour Reporter

The all-white Mine Workers' Union (MWU) has withdrawn its industrial court action over recognition against the East Rand Gold and Uranium Company (Ergo), a company spokesman said.

According to the spokesman, the MWU had taken Ergo to the industrial court after the failure of a conciliation board in May to resolve the dispute. The union had accused Ergo of committing an unfair labour practice by refusing to negotiate on substantive issues until recognition had been concluded.

However, the general-secretary of the MWU Mr Peet Ungerer denied the union had withdrawn its application. "The fact of the matter is that we had an executive committee meeting (on Wednesday) to discuss very urgent matters. I asked the registrar of the industrial court not to withdraw the case but to temporarily remove it from the court roll."

"We have now asked the court to place the case on the roll again," said Mr Ungerer.

The Ergo spokesman said the union had declared a dispute when the company insisted on clarification of the following points prior to recognition of the MWU.

- The conflict of the MWU's constitution with Ergo's non-racial employment policy and equal opportunity philosophy
- The MWU's rejection of joint bargaining with other unions and the implications of the MWU's recognition for black employees who would be excluded.

Settlement to Soweto workers' strike likely

Star 29/1/88

151 (151) (151)

By Stan Hlophe

The Soweto council workers' strike, in its ninth day today, is likely to end if yesterday's negotiations between a workers' delegation and the council management is anything to go by

Although it was agreed that the outcome of the meeting not be disclosed pending a further meeting this morning, both parties appeared satisfied and hopeful.

The workers' delegation was headed by its legal adviser, Mr M D Legodi, and the management team was led by town clerk Mr Nico

Malan
The Star established that negotiations were "fruitful" and an agreement was about to be reached

According to sources, the implications of the strike by more than 30'000 workers were realised by both parties.

"There is no longer any toughline attitude from either party," one source disclosed.

High on the agenda at today's meeting will be a circular, distributed by Mr Malan, warning workers they would not be paid this month unless they went back to work

29/7-4/8/88

(151)

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w/ Mail

On the edge: Metal industry hovers close to strike blow-up

By DREW FORREST

THE simmering wage dispute in the giant metal industries came to the boil this week as trade unions representing the majority of organised workers in the sector moved decisively towards large-scale industrial action.

At the same time, the metal industries' employer body, the Steel and Engineering Industries Federation (Seifsa), issued strike guidelines to its members.

Seifsa director Brian Angus told the *Weekly Mail* that employers were adamant there would be no improvement in their wage package.

"All the indications are that a substantial proportion of workers do not support the proposed union action and that they have undertaken not to support strike action if employers implement their final offer," he added.

At a meeting on Wednesday, four union affiliates of the International Metalworkers' Federation, representing 125 000 workers, most of them black, voted to recommend "strategic" industrial action to meetings of IMF shop stewards at the weekend.

Metal companies mainly on the Reef have already been hit by selective industrial action, and the first dismissals arising from the strikes were due to take place yesterday.

However, the decision of the IMF negotiating committee indicates a move to more systematic and widespread action.

Seifsa's Angus said he knew of six companies where members of the National Union of Metalworkers of SA (Numsa) were on strike, and three others where strikers had returned to work after accepting the employer offer.

According to Bernie Fanaroff, engineering sector secretary of Numsa, the largest IMF union, strikes have taken place at four plants of National Bolts on the Reef and in Parys, Femco in Brits and three other Reef firms, Astas, Denver Metal Works and Tilley-MacMill.

The dismissals are reportedly threatened at a Dorbyl structural engineering site at Phalaborwa, where 240 workers are said to be conducting an overtime ban.

A Dorbyl spokesman was quoted as saying only 80 were union members and had followed the correct procedure for lawful industrial action. The rest faced dismissal today.

Commenting on the distribution of the strikes already undertaken, Fanaroff stressed that 270 000 of the industry's 320 000 production workers were concentrated in the Transvaal.

Although Eastern Cape workers were very militant, he said, most employers in the area had been amenable to plant-level negotiations.

The current dispute centres on annual negotiations for a minimum wage agreement covering the entire metal industry negotiated at the metal industrial council.

The IMF unions have rejected the employers' offer of a 15,7 percent increase which would bring the minimum wage for the lowest-paid workers to R3,02 an hour. Their most recent demand was for R3,21.

The remaining unions on the council - which represent mainly artisans - have, however, settled with Seifsa. The agreement has been forwarded to Minister of Manpower Pietie du Plessis with a request for the IMF union members to be excluded from its scope.

This is a significant departure from last year's negotiations, when the agreement was extended to all union members, effectively scotching legal strike action by Numsa.

Fanaroff revealed that a letter had been sent to the minister complaining that in requesting the exclusion of IMF members from the agreement, the council had acted "unconstitutionally".

Commenting on the charge, Seifsa's Angus said the council's actions reflected the wishes of employers and unions party to the agreement.

In the letter to the minister, the IMF also argues that because the unions party to the agreement are not representative of workers in the industry, the minister cannot gazette it.

A Numsa organiser, Jeff Schreiner, said legal action on the issue was being contemplated.

Schreiner also stressed that in the absence of a gazetted agreement, workers were entitled to conditions under the Basic Conditions of Employment Act - which in many cases were more favourable to workers than their current contracts.

Money was already owed to workers under the Act, and certain factories would be targeted for back pay.

This, he said, represented a form of pressure on employers "at least as significant as strike action".

In another development, Seifsa has circulated guidelines to its members on how to handle strike action.

These appear to take a cautious line on dismissals, advising members not to fire without a Seifsa directive and to be wary of falling foul of industrial court rulings on the issue.

11/19/11
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11/19/11

MORE than 60 workers involved in a pay dispute with an East Rand construction company have been dismissed, a spokesman for the Building Construction and Allied Workers' Union said yesterday

BCAWU official, Mr Andrew Morifi, said the workers were sacked last week after they refused to resume duty at Billhard Construction's site in Tembisa in protest against non-payment of four weeks' wages to them

The BCAWU members employed by the company downed tools early last month, complaining that they had not received their wages since June 6. They said the company had failed to deposit their wages in their building society accounts during that period

Billhard director, Mrs Bridget Harding, yesterday declined to comment on the matter

Billhard management earlier claimed that the workforce wanted to be paid for June 16 and for the three-day protest action which was marked by work stayaways countrywide

The union members have disputed this claim, saying the stayaways had nothing to do with the pay row

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Cabinet gets proposal for new bargaining system

PRETORIA — The framework of a new collective bargaining system for public servants has been submitted to Cabinet.

It is backed by a memorandum from the Commission for Administration and provides for "impartial" arbitration in the event of deadlocked salary negotiations.

The issue of greater involvement of public service staff associations in determining salary hikes and other employment conditions has been a ~~feeling problem for years~~ Until now all associations — actu-

GERALD REILLY

ally throughout the public sector, including Sats and the association for post office workers — had to accept the deal handed them by Cabinet.

There was no recourse if deals were unacceptable. It was a take-it-or-leave-it situation and workers were forbidden by law to strike in support of claims.

A task group consisting of representatives of four staff associations and the Commission for Administration, and a sounding-board committee

was established to prepare the framework of the new deal.

If Cabinet accepts the recommendations a bargaining council will be formed with representatives from government and the staff associations.

If, according to the Public Servants' Association journal, the bargaining body fails to reach a settlement, provision is made for an arbitration panel consisting of "independent and impartial members".

Government and staff associations

would appoint an equal number of representatives to the panel.

Quoting labour expert Nic Wiehahn, the journal says government workers were ready for greater bargaining power.

The country was fast moving away from paternalistic attitudes and people wanted to share in decisions that affected them, the journal adds.

Wiehahn also said job security in the public sector had become almost as vulnerable as in the private sector.

Metal unions trying to resolve squabble

DAYS after metalworkers ended their wage strike, metal industry unions are trying to resolve a domestic squabble over the agreement ending the stoppage.

Smaller affiliates of the International Metalworkers Federation (IMF) have not yet signed the agreement, alleging they were left out of the negotiations with the Steel and Engineering Industries Federation (Seifsa).

The two-week strike ended last week, after Seifsa reached agreement with the National Union of Metalworkers (Numsa), the majority union in the IMF.

IMF spokesman Brian Fredericks yesterday said a special meeting had been called for Friday to discuss the matter.

"It was not a good situation. I am optimistic we will be able to resolve the problem on Friday," he said.

He said members of the Steel, Engineering and Allied Workers' Union,

Engineering and Allied Workers' Union and the Electrical and Allied Workers' Trade Union had voted against the strike during ballots.

He said 99% of strikers were Numsa members and "at the end of the day, Seifsa negotiated with Numsa. The other unions were not part".

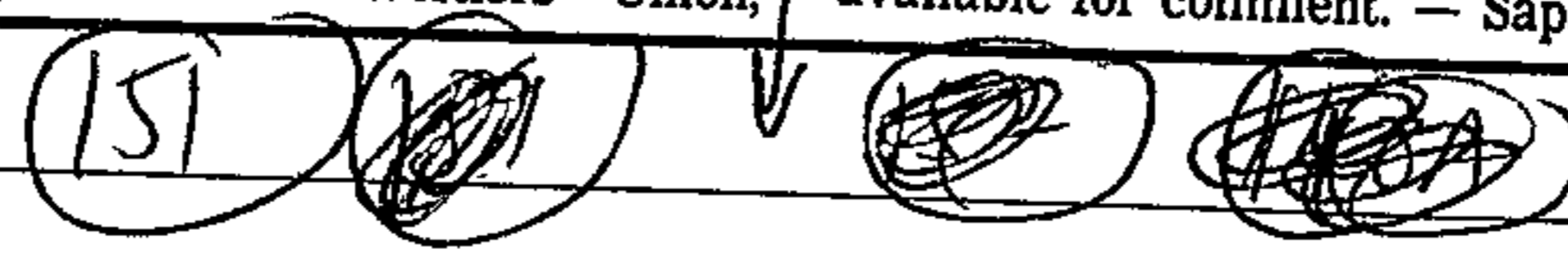
"I accept Seifsa did divide the unions," Fredericks said.

The strike ended after Numsa accepted a compromise offer from Seifsa, granting May 1 as a paid holiday and June 16 as unpaid holiday.

The wage offer had not been improved and the union accepted increases of between 14 and 17%. Its original demand was 24%.

EAWTU secretary J Hlongwane said union members would meet at the weekend, to decide whether or not to sign the agreement. The other unions were not available for comment. — Sapa.

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New Labour Bill could draw out legal processes

CRITICS of the amendments to the Labour Relations Act may have certain of their fears heightened by the history of a dispute in Natal

Many legal people involved in the industrial relations field have said that one main effect of some of the amendments will be to increase the volume of litigation and extend the time it takes to get disputes settled.

This is mainly because there will be more to argue about and the amendments will create a special labour court which will effectively add another step to the legal ladder

"A major effect of the Bill will be that lawyers will get rich," was how one expressed it

According to a report from Bloemfontein, the dispute involved the National Union of Textile Workers (NUTW), Jaguar Shoes and the National Industrial Council for the Leather Industry, footwear section

The report said that an appeal the industrial council was to have made to the Appeal Court in Bloemfontein, due to be heard on September 1, had been withdrawn

So, the process has finally reached conclusion

The point is that it all

started in 1984 which, if my arithmetic is any good, is four years ago

The NUTW is now the Amalgamated Clothing and Textile Workers' Union and nobody I could contact at the union had been there when it all started so I wasn't able to get complete details of what the dispute was all about

But, to illustrate the fears about drawn-out legal processes, the report said that the dispute arose over the extent of NUTW's representivity at Jaguar's Pietermaritzburg factory, the imposition of an overtime ban in September 1984 and the retrenchment of some employees in November 1984

The disputes were referred to the industrial council which was unable to settle them

They then went to the Industrial Court where in June 1985 Mr M Bulbulia authorised the deduction of union dues by stop order

Presumably the company was unhappy with this judgment because the matter then went to the Supreme Court in Natal where, in January 1987, Mr Justice Law dismissed an application by the industrial council for an order declaring that it was not compe-

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Union: Woolworths seeks legal advice

17/8/88 B/Day (15)

FEARS that Woolworths would reconsider union recognition if a dispute over representation in the union negotiating team was not resolved soon were expressed yesterday by a spokesman for one of the Commercial, Catering and Allied Workers' Union (Ccawusa) factions.

The factions, led by Papi Kganare and Vivian Mtwa respectively, have been in dispute for several weeks on the numbers of shop stewards from each side that should comprise the team.

Kganare group spokesman James Khumalo said yesterday the two sides were no closer to agreement on the issue which had sparked a number of wildcat strikes in the group.

After a strike at the Randburg

BRONWYN ADAMS

branch last week, Woolworths obtained an Industrial Court order, with costs, interdicting unlawful action by the union and certain individuals

Woolworth's human resources executive Andrew Wilson said the company was seeking legal advice on its relationship with the union, although withdrawal of recognition was not an option under consideration

He said management was looking for a means whereby a bargaining forum could be constituted within the bounds of the recognition agreement. However, if no agreement was reached between the two factions, a bargaining unit outside the recognition agreement would have to be created.

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Local tourism in spotlight

THEO RAWANA

DOMESTIC tourism was in the spotlight yesterday as Satour and SAA opened the five-day Focus '88 at a Johannesburg hotel.

The annual event, whose main objective is to bring new tourist developments and rates to the notice of travel agents, has shown marked growth in that the number of stalls has grown from the initial 65 in 1986 to 123 this year.

For the first time, Satour's regional offices are directly responsible for their products, resulting in retailers — grouped regionally — exhibiting at the show.



City pay talks go to conciliation board

Labour Reporter *AFGS 19/8/88*
WAGE negotiations for part of the City Council's workforce have gone to a conciliation board

Those represented by the South African Association of Municipal Employees rejected the council's pay offer and called for a cost-of-living increase independent of the council's job-evaluation scheme on which its offer was based

A board sitting on Wednesday was adjourned to next Friday

Employees represented by the South African Municipal Workers' Union, an affiliate of the Congress of South African Trade Unions, also rejected the council's pay offer

They demanded a R4-an-hour minimum, R184 a week, and "acceptable adjustments"

of not less than 14 percent for other grades of workers

According to the union, the council's offer of a 15 percent maximum increase with effect from July 1 would mean an increase on the minimum wage of R17,80 a week, bringing them to R136,45

Union officials were not available for comment on negotiations

Union dispute at nine major companies in oil industry

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THE Chemical Workers' Industrial Union (CWIU) has declared a dispute with nine major employers in the petroleum industry for refusing to agree to bargain certain issues with the union at a national level, the union said yesterday.

The dispute affects 3 000 workers and three out of four of SA's crude oil refineries, CWIU general-secretary Rod Crompton said.

He said the union had applied to the Manpower Minister to appoint a conciliation board.

The companies involved are BP, Caltex Oil, Cera Oil, Mobil Oil, Mobil Refining, Sapref, Shell Oil, Shell Chemicals and Veetech Oil.

The CWIU alleges the companies have refused to negotiate for public holidays, maternity leave, education assistance, job security and social responsibility programmes.

15) Programmes

"The oil companies are very vocal about their efforts in the field of social responsibility.

"Some of them spend on one project more than the average worker will earn in a lifetime," Crompton said.

He said the union was also concerned that the boost to corporate image should not replace social needs as the criteria for selection of recipients.

"The union finds it shocking that the oil companies refuse to discuss these projects with the very workers who create the profits to make these social responsibility programmes possible," he said. — Sapa.

da's Justice Mini

Justice Minister Al-
se has resigned from

THEO RAWAI

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murders which have upset the

CAP 6 Tins 19/11/88
Checkers end
wage dispute

JOHANNESBURG. — Checkers and the Commercial Catering and Allied Workers' Union of SA (Ccawusa) have resolved their wage dispute after three months of negotiations, a Ccawusa spokesman said yesterday.

They agreed to an across-the-board increase of R95 from July 1 and another R5 from January 1. The agreement also provides for a Christmas bonus of 10% of monthly salary multiplied by the number of years service up to the equivalent of a 13th cheque

• There is not yet any agreement between the two factions of Ccawusa at Woolworths over the composition of a negotiating team.

Woolworths workers offered wage increase

CAPE TIMES 22/8/88
Own Correspondent

JOHANNESBURG — Woolworths has taken the dramatic step of making a unilateral wage offer to individual employees as an "interim" measure designed to resolve the delay in annual wage talks.

The delay has been caused by the split in the Commercial, Catering and Allied Workers' Union.

A notice handed out to all staff, on Friday, invites full-time store employees to accept a monthly increase of R120, backdated to July 1, with a 13,4% rise for those now earning more than R900 a month.

Pro rata increases for part-time workers and casuals are provided for.

Woolworths human resources executive Mr Andrew Wilson said this route was taken, as something had to be done about the situation. Factions in the union have been unable to resolve a dispute about the composition of the union negotiating team.

He said the offer was pitched at a fair level and compared favourably with retail sector trends.

Conciliation board to look at Sats pay hike

GERALD REILLY

PRETORIA — Railwaymen's battle for a 17% pay hike will be continued in Johannesburg today when a conciliation board will review the claim

Last month's conciliation board proceedings ended in deadlock. An arbitration commission was then appointed, chaired by a Supreme Court judge.

When the arbitrator refused to consider argument for any lesser award than 17%, the Federation of Sats Trade Unions' delegation walked out. Today's meeting is in terms of the new Sats labour council regulations

Should today's proceedings also end in deadlock then the issue will be submitted to arbitration. Union sources said with an arbitration board there should be greater flexibility and a better chance of a settlement

Political comment in this issue by Ken Owen. Newsbills by Kevin Davie. Headlines and sub-editing by Michael Moon. All of Times Media Ltd. 11 Diagonal Street, Johannesburg.



cap-7/mk 2/9/81

Labour Act causes deadlock

Own Correspondent

JOHANNESBURG. — Nactu is keeping its options open, regarding the future of talks with Saccola on the Labour Relations Amendment Act, general secretary Mr Piroshaw Camay said yesterday.

Mr Camay said Saccola's negative response to the Nactu-Cosatu demand that it recommend to employers that they do not make use of certain rights conferred upon them by the Act, and other aspects of Saccola's position, were being discussed within Nactu structures.

"We are at the equivalent of a dispute stage with Saccola. It would not be helpful right now to close all doors to further talks," he said.

ALAN FINE

Numsa proceeds with court action against firms

THE National Union of Metalworkers of SA (Numsa) was proceeding with Industrial Court action against a number of firms which dismissed employees during last month's strike and had refused to reinstate them, a spokesman said. He said in some cases the dismissals, which total about 500, may lead to indus-

trial action.

The largest case involves 350 members at Vetsak in Kempton Park.

The company rehired a similar number dismissed from its Bothaville plant after intervention from local councillors who warned of possible conflict in the

small nearby township should replacement labour be hired.

Other companies involved are Langenu in Germiston and National Flanges which dismissed a small number of employees for alleged intimidation, Anglo's KSA equipment which dis-

missed 24 as they were not covered by the industrial council agreement and therefore not party to the dispute, and Dorby's Uitenhage plant where 90 were dismissed as they were not Numsa members and, therefore, not lawfully entitled to strike.

W 100 (51) B/day 5/9/88.

Disputes rock oil industry

By DICK USHER
Business Staff

TWO major disputes are looming in the vital oil industry, either of which could have serious implications

The Minister of Manpower has granted a conciliation board to hear one dispute, over a demand by the Chemical Workers' Industrial Union (CWIU) for national collective

bargaining, and the union has applied for a board to hear the other but this has not yet been granted

If the board fails to settle the national bargaining issue the union has the legal right to hold a ballot and call a strike, an issue which company spokesmen say is "very, very sensitive"

In a Press statement this week CWIU referred to the hearing as a "CWIU showdown

with petroleum bosses"

It involves nine major petroleum companies, including Shell, Mobil, Caltex, BPSA, Veetech and Cera-Oil over their refusal to bargain nationally at an industry-wide level

CWIU claims to have noted common strategies and approaches by managements during wage negotiations and demanded that "employers come out into the open together and negotiate certain employment conditions"

These include public holidays, maternity and paternity leave, educational assistance, job security and pensions

More controversial issues are demands for a bigger say for workers in social responsibility programmes and an end to PAYE while workers do not have proper political representation

Bargaining

Company spokesmen said they regarded collective bargaining as a domestic issue to be conducted on a domestic level rather than nationally.

The second dispute is over disinvestment

The CWIU is campaigning for disinvestment by all multinationals, including oil companies.

Claiming that the collective bargaining climate was less favourable where South African management had replaced foreign management after disinvestment, the CWIU is seeking prior agreement on the course of action to be taken by companies in the event of them disinvesting

This would include sufficient notice of the intention and economic protection for workers

PITCO

negotiations have been
and the Food and Allied Workers Union

Sea Harvest workers back

~~SEA~~

South
15-21/9/88

SEA Harvest has re-employed some of the workers dismissed from the Saldanha factory last September

About 280 workers lost their jobs last year after a row over management's refusal to allow them time off to meet

151

A Food and Allied Workers Union spokesperson said 120 female workers remained unemployed but Sea Harvest had promised to employ them when the company opens a new department next month



the sport training fields around Green Point Stadium
Picture RICHARD BELL

Council workers elect court action

CAPE TOWN 21/9/88 (151)

Staff Reporter

WAGE negotiations between the City Council and its 15 500-strong workforce — represented by two unions — continued yesterday, with about a third of the workforce electing to take the council to the industrial court for arbitration.

Mr Ted Doman, a spokesman for the City Council, said late yesterday that wage negotiations were still in progress between the council and the black South African Municipal Workers' Union (SAMWU), which repre-

sented about two-thirds of the workers

The white South African Association of Municipal Employees (SAAME), representing about 4 400 municipal workers, yesterday decided to take the council to court to ask for arbitration, secretary Mr John Bondietti said

Mr Doman said SAAME had asked for an increase from 5% to 10% in the wage offer to employees in the middle of the council's salary scale Council had offered 7,5% but this had been rejected by SAAME

Mr Bondietti confirmed this Thousands of SAMWU workers

gathered in the Civic Centre concourse last week to protest against what they regarded as inadequate salary proposals

Apart from the disruption to services caused by this demonstration, Mr Doman said yesterday that no council services had been affected during the negotiations

Spokesmen for SAMWU could not be obtained for comment yesterday

● Last year council cleansing workers staged a four week go-slow which ended in workers accepting a 10% or R17 a week increase from council.

THE Pretoria Supreme Court has ordered the reinstatement of about 350 former em-

ployees of Natalspruit Hospital with 13 months' back pay, estimated at more than R1m.

A lawyer representing the workers said Mr Justice Coetzee had found the workforce had been unfairly dismissed without a hearing.

The employees reinstated were among about 600 workers dismissed by the hospital authorities after taking part in a work stoppage in August last year.

The court order followed an application filed by the National Education, Health and Allied Workers Union (Nehawu), contesting the validity of the dismissals.

22/9/98
R1m backpay for hospital workers' (15)

The test case was filed on behalf of three Nehawu members formerly employed by the hospital.

The Nehawu lawyer said the judge had found the part-time employees were entitled to a disciplinary hearing before dismissal. This ruling was based on the fact that they contributed to the state pension fund. The court granted costs against Transvaal Provincial Hospital, which administers Natalspruit Hospital. Leave to appeal was granted.

Nehawu members returned to work on Monday this week after a 13-month battle for reinstatement. — Sapa.

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CPM 7.2173 23/9/88

Workers to vote on strike

WORKERS at Mossop Leather in Epping this week resolved to prepare for a strike ballot after a month-long wage dispute with the company

A South African Chemical Workers' Union (Sacwu) spokesman, Mr Peter Roman, said yesterday that the 140 Sacwu members at Mossop Leather initially demanded a R75 across-the-board increase.

Mr Roman said that after negotiations with management failed, the workers decided to ask for a R50 increase which the company still refused to give

He said the company instead offered an 18,5% increase for workers earning below R100 and 15,5% for those earning above R100.

CP 11/25/88

Merc's wheels turn again

CP Correspondent

THE four-week-old dispute at East London's Mercedes-Benz plant has ended following an agreement reached last week.

Border regional secretary of the National Union of Metal Workers of South Africa, Viwe Gxarisa, said agreement was reached on the basis that the three suspended workers be referred to the pending arbitration and that other allegations of misconduct be addressed later at the internal disciplinary hearing. Workers returned on Monday.

The three - Msitheli Nonyukela, Abraham du Plessis and Marshal Mrwetyana - remain suspended until arbitration this weekend.

The recent dispute was sparked off by the suspension of Mrwetyana on full pay on June 30. His suspension followed a month after that of shop stewards Msitheli and Du Plessis. Management said the three were suspended because of their "gross misconduct".

Gxarisa said Mrwetyana was stabbed by another worker while he was involved in an argument with an industrial relations manager.

There had been conflicting reports during the course of the strike about the real situation at the plant.

Management had claimed that some 700 Numsa members were involved in an "illegal strike".

Numsa said of the total workforce of about 3 200 at the Mercedes plant, 2 000 workers were involved in the strike.

Police intervened in the dispute and 37 workers were arrested and charged with holding an "illegal" gathering. They are on R100 bail and due to appear on November 1.

When asked about a reported R75-million loss, the company's public relations officer, Delene MacFarlane said "Naturally the loss in terms of production was quite significant but it is not the policy of the company to release figures" - Enews

28/9/88
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SM

Dismissed
worker
is to get
R20 000

By Adele Baleta

The management of Boart Hard Metals in Springs, an Anglo American subsidiary, has agreed to pay R20 000 to a worker whom it dismissed for allegedly assaulting a colleague, a spokesman for the National Union of Metalworkers of SA (Numsa) said yesterday

Numsa's chief shop steward at Boart, Mr Solly Mlotshwa, was dismissed in July last year after an argument with a white colleague

The spokesman said the other man was transferred. Workers demanded Mr Mlotshwa's reinstatement, but the company would not take him back

The union intended taking up the matter in the Industrial Court, but the company proposed a settlement of R20 000, which was accepted

LABOUR LETTER/Alan Fine Industrial parks pose problems

30/2/88

The draft proclamation gives the SBDC further authority over the entrepreneurs who lease premises from it.

THE DRAFT proclamation published in the Government Gazette today deregulating 24 industrial parks could face opposition from both management and union groups before it is formalised.

It will be recalled that in the previous such exercise — involving Enterprise Centre at Kew — both Seifsa and the National Union of Metalworkers of SA (Numsa) submitted strong representations opposing the move.

Seifsa director Brian Angus said this week that his organisation would carefully study the proclamation — which is almost identical to the Kew one.

“Our major concern in opposing Kew was that it could set precedents for similar acts of deregulation. We are concerned it will reach a stage where it will impact on employers whose businesses are similar to those in the deregulated areas, but

who are bound by laws from which others are exempt,” he said.

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A SIGNIFICANT proportion of businesses in the areas to be deregulated conduct activities which would normally make them liable to the provisions of the metal sector's industrial council agreement.

Angus pointed out many Seifsa members employed fewer than 20 people — the maximum size enterprise which the proclamation is designed to cover.

Seifsa was sympathetic to the special needs of small businesses, he said, but their problems should be resolved in consultation with the private sector. Seifsa's view was that companies struggling to meet the

requirements of the industrial council agreement could apply for exemptions from various provisions.

Numsa, which also feared the Kew project would set an undesirable precedent, could not be reached for comment. The union argued that even limited deregulation would cause a downward pressure on wages overall. It was also highly critical of exemptions granted to businesses from health and safety regulations.

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JOHANN NAUDE, of the Small Business Development Corporation, which initiated and will administer the project, responded there were vast differences between businesses

in the formal sector and those operating from SBDC premises.

These were, he said, part of the “semi-formal” sector. They were still at an elementary phase of development and needed to become established in an “incubator environment”.

Ultimately, said Naude, the SBDC envisages these businesses “graduating” to the formal sector where they would have to adhere to the same rules as everyone else.

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IT WILL be the SBDC itself which will determine when each business reaches the stage of development when it should no longer have the protection provided by the proclamation.

The draft proclamation gives the SBDC further authority over the entrepreneurs who lease premises from it.

Affected businesses are exempted from wage-regulating measures and health and safety laws. But they are required to undertake, in their leases, that they will not conduct activities detrimental to the health and safety of employees, and will pay wages which the SBDC considers reasonable.

Naude said the SBDC interpreted this to mean that pay should be “as close as possible” to market rates. He added entrepreneurs had been sent on health and safety courses to prepare them for their responsibilities. Naude stressed the SBDC would not allow “sweatshop” conditions to develop. Further, those businesses with inferior working conditions would face the threat of others poaching employees from them.

LOCKOUTS' of more than 4 000 workers involved in labour disputes at three major metal, mining and retail plants on the Rand indicate the get-tough tactic is becoming a popular management method of dealing with strikes.

Checkers this week locked out some 1 500 workers at 15 stores across the Transvaal after 3 000 union members went on strike in protest over the dismissal of two colleagues while Zincor, on the East Rand, closed its gates to more than 600 workers who were planning to hold a strike ballot after annual wage talks at the firm deadlocked.

And at Haggie Rand steelworks, more than 1 800 metalworkers were locked out and dismissed after wage negotiations between management and the National Union of Metalworkers of South Africa (Numsa) broke down.

A war of words over the legality of the lock-out has erupted in the disputes, indicating that the issue could soon be taken to the industrial court for clarification.

Haggie Rand managing director John Millburn says the company's legal advice is that dismissal of workers who refuse to accept a reasonable wage offer from management is legitimate and insists the firm followed all procedures laid down in the Labour Relations Act.

Zincor's labour relations adviser, Judy Paul, said the company had gone through conciliation board procedures and was entitled to lock workers out as a way of urging them to accept the mine's wage increases.

Checkers human resources director Andy Maclaurin says workers were last Saturday issued with "lockout notices" and had their services terminated after the Commercial, Catering and Allied Workers' Union (Ccawusa) rejected management offers to refer the dispute to the industrial court or arbitration. The workers were told they would be re-employed if they sign a "declaration of acceptance" stating that their dispute with the company is over.

Unions at all three plants have rejected the validity of the lock-outs and considered mounting legal challenges to them. Numsa representative Alistair Smith says Haggie's legal advice is archaic and that the union has briefed its lawyers to investigate the situation. Marcel Golding, assistant general secretary for the National Union of Mineworkers, said Zincor had closed its gates before workers had begun conducting a strike ballot.

"Even though the union suggested that parties consider either mediation or arbitration to resolve the dispute, management rejected these proposals out of hand," he said.

The new labour law has signalled a change in shop-floor tactics: the lock-out. Some 4 000 workers are locked out today in three different disputes, reports EDDIE KOCH

"Zincor's decision to illegally lock-out workers, and their refusal to consider mediation, clearly reflects attempts to bash the union and is contrary to the spirit of collective bargaining."

Zincor declined to comment on the allegations saying talks to resolve the issue were still under way. At Haggie, the metalworkers' union has announced it will revise its demand for a wage hike of 85c an hour when negotiations resume next week.

The Checkers dispute was resolved yesterday morning after all-night talks between the union and management. Maclaurin said the workers would be re-hired after they agreed to sign the company's "declaration of intent" because the union had agreed to take the dismissals to arbitration.

The Institute for Industrial Relations says in a recent editorial that there is general consensus in legal circles that lock-outs cannot be challenged as unfair labour practices in the industrial court if all procedures have been adhered to. However, there is considerable debate over the legality of "termination lockouts" that involve mass dismissals.

New phase in labour tactics: The lock-out

WEEKLY MAIL, September 30 to October 6, 1988



Hotels lock out 3 000 workers

STW
4/10/88 By Adele Baleta

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At least 3 000 Southern Sun/Holiday Inn workers on the Witwatersrand were locked out yesterday as the dispute over working on June 16 worsened.

The lockouts followed similar action taken by the Karos Hotel Group last week, involving about 390 workers countrywide.

A Commercial, Catering and Allied Workers' Union (Ccawusa) spokesman, Mr Alan Hurwitz, said Southern Sun/Holiday Inn employees on the Witwatersrand were threatened with dismissal unless they agreed by Friday to the company's demand that they may be required to work on May 1 and June 16.

The hotel group's spokesman, Mr Carl Ludick, said: "The legal lockout action is an attempt to bring to a head the six-month dispute over public holidays and illegal stoppages at the groups' hotels."

He said if workers accepted the company's offer they would be reinstated with full benefits.

The hotel group has been hit by a spate of stoppages to protest against the dismissal of 142 workers for staying away on June 16.

Mr Hurwitz said the lockout was a company attempt to pre-empt strike action by Ccawusa, which intended taking a strike ballot at the hotels this week.

He said at least 43 employees of the Karos group Arthur's Seat Hotel in Cape Town were arrested at the weekend for alleged trespassing.

The workers appeared in court yesterday and the case was postponed to November 2.

Karos employees at seven hotels nationwide went on strike last week over the dismissal of 125 workers from the Karos Wilderness Hotel after a stayaway on June 16 and a deadlock in wage negotiations.

151 (151) Star 4/10/88 (151)

Workers demonstrate over dismissal dispute

By Adele Baleta

Workers at Haggie Rand sister companies demonstrated yesterday in sympathy with 1 800 Haggie Rand employees involved in a dismissal and wage dispute since last month, according to the National Union of Metalworkers of SA (Numsa)

A Numsa spokesman, Mr Tony Kgobe, said the lunchtime demonstrations took place at Conso

ludated Wire Industry (CWI) in Pretoria and Germiston, Maksimal Tubes in Springs and Denver Metals in Benoni

Workers at Haggie Rand's Germiston and Jupiter factories went on strike on September 17 following a deadlock in wage negotiations

Managements of CWI and Maksimal Tubes could not be reached for comment

Minister refuses conciliation board request

The Minister of Manpower, Mr Pietie du Plessis, has rejected an application by the Chemical Workers' Industrial Union (CWIU) for a conciliation board hearing over a move in which 39 multinational companies are cited as parties to a dispute over disinvestment. *Star 5/10/88*

The CWIU declared a dispute with the 39 companies on September 12 over their refusal to negotiate agreements in the face of possible disinvestment.

The deputy director-general of manpower, Mr

Joel Fourie, said the Minister did not give reasons for his decision which could possibly be reviewed. *(ISA)*

Mr Fourie said many of the multinational companies had technical objections to the CWIU application because there was confusion about whether the dispute was between the parties and the union, or between the overseas holding companies and the union.

A CWIU spokesman, Mr Taffy Adler, said the refusal was surprising and disappointing.

Hotel workers' union will contest lockout in court

151 By Adele Baleta

The Hotel and Restaurant Workers' Union intends to bring an urgent application to contest the legality of lockout action taken by the Southern Sun/Holiday Inn hotel group, a union spokesman said yesterday.

Management locked out about 3 000 union members at all the group's hotels on the Witwatersrand on Monday after a dispute over the recognition of June 16 and May 1 as holidays.

Management spokesman Mr Carl Ludick said between 400 and 600 workers had accepted the company's proposal that they might be required to work on May 1 and June 16 but would be paid double time.

The company has given workers until Friday to accept their proposal or be dismissed.

The union spokesman said some workers had accepted the proposal but management's figure of up to 600 was doubtful.

Mr Ludick said the group's hotels were functioning normally. Managers, trainees and casual employees were filling in for the locked-out workers and all facilities were open.

● The Karos Hotel group yesterday notified the Commercial Catering and Allied Workers' Union in Cape Town of its intention to take legal action against striking workers at the Arthur's Seat Hotel in Sea Point, Cape Town.

Employees at the Arthur's Seat and six other hotels in the Karos group nationwide are still affected by a strike over the dismissal of 125 workers for failing to report for duty on June 16.

Workers still jobless

THE 180 workers dismissed from Boland Hout in Kullsrivier last week are still without jobs.

The workers, all members of the Paper, Print, Wood and Allied Workers Union, were fired last Thursday following a work stoppage to protest delays in wage negotiations.

Police arrested two workers, Mr Norman Solo and Mr Nelson Dodo, who were subsequently charged in terms of the Illegal Gatherings Act. They were released on bail on Monday after appearing in the Kull River magistrates court.

Meanwhile, Boland Hout has turned down Ppwawu's offer of a moratorium on strikes for the rest of this year in return for the reinstatement of all the dismissed workers and an across the board increase of 25c an hour. Instead the company wants to selectively rehire workers.

A spokesperson for Ppwawu, which began organising at the plant at the beginning of last year, described the union's relationship with the company as "stormy" with management from the outset.

The spokesperson claimed the minimum weekly wage of R38 meant that Boland Hout workers were the lowest paid workers in the Kullsrivier area and that this, coupled with poor labour relations, resulted in a high staff turnover with an average of two workers leaving every week.

There were a series of work stoppages at the plant last year over a wage dispute and an interim agreement was signed. This year the company suspended the recognition agreement following the June stayaways. It then demanded that any agreement with Ppwawu cover stayaways as well as strike action. Wage negotiations subsequently resumed with Ppwawu demanding an across the board increase of 70c an hour. Management offered an increase of 25c.

At present negotiations are deadlocked with Ppwawu refusing to accept selective reinstatement. Production at the plant has been halted as there are no workers other than two drivers.

The manager of Boland Hout refused to comment.



(151)

Smith 6-12/10/88

Union dispute with nine oil companies makes little progress

w/CMGUS 8/10/88
THE conciliation board dealing with a dispute between the Chemical Workers' Union and nine oil companies has made little progress.

It adjourned after its first sitting and there will be talks between the union and individual employers in the interim.

The dispute is over the employers' refusal to negotiate on an industry-wide basis with the union.

Demands for industry-wide negotiation have come from several unions in the past year, either to one employer with several operations or to individual employers in the same industry, and have mostly been resisted



CWIU's demands included industry-wide negotiation on social responsibility, pensions, public holidays and educational assistance

Initial debate at the board was around the terms of reference, which specifically excluded social responsibility, pensions and

taxation, and it was agreed to deal with the question of industry-wide negotiations first

According to a statement from the union, employers had several reasons for their reluctance to accept industry-wide negotiations.

These included interference with their freedom of association, not being prepared to deal with the union alongside their competitors, they were not necessarily part of the same industry, not being convinced that it was feasible, and employees would not benefit

The union argued that the petroleum companies associated at various levels sharing resources such as refineries and transport, having the same raw material, crude oil, having similar working conditions for employees, and because petrol prices were fixed competition was limited to marketing

Positive step

The union views the dispute seriously and hoped that the exploratory talks with senior management from individual companies would ease the situation "from the constraint of the multi-company conciliation board proceedings".

This is viewed as a positive step towards reaching settlement on the issues.

The union said it was not contemplating industrial action "at this delicate phase" of negotiation but would report back to members in order to "take its campaign for industry-wide negotiations in the petrol sector further"

w/CMGUS 8/10/88 (1)

CAPT. TROTS 12/10/88
147-1232 (51)

Hotel groups spurn unions

JOHANNESBURG ~~Two~~ hotel groups want to cancel their agreements with an alliance of three catering unions, according to an organiser for the Hotel and Restaurant Workers' Union

The alliance had agreements with 54 Southern Sun/Holiday Inns hotels and eight Karos hotels.

Mr Allan Horwitz said Southern Sun/Holiday Inns and Karos Hotels had issued notices of termination of recognition agreements with the alliance, made up of Harwu, the Commercial Catering and Allied Workers' and the Cape liquor unions

Southern Sun/Holiday Inns personnel director Mr Karl Ludick confirmed that he had given notice of termination of procedural agreements as unions within the alliance could not agree on strategies when entering into negotiations with management.

A Karos representative would only deny that his management had withdrawn recognition

Mr Horwitz said Harwu would declare a dispute and added that Karos and the alliance were to meet today to discuss re-employment of 125 people dismissed after June 16, pay increases and recognition

He said that at 6 05 pm on April 12 pilot Jacob Kalt called Bloemfontein

All the occupants are multiple injuries on impact. — Sapa

Orders on wide variety of issues



Industrial Court powers have led to 'confusion'

Bloom 14/10/88

NEW powers given to the Industrial Court in its function of handling applications for urgent interdicts has left labour specialists confused as to the criteria being employed by the court in making its decisions.

This has emerged from a spate of applications made since the introduction of the Labour Relations Amendment Act on September 1.

Before its amendment, section 17(11)(a) of the Labour Relations Act empowered the court to perform the functions of a court of law. It was used to interdict parties from conducting unlawful activities.

Now the court may "grant urgent interim relief pending an order made ... in terms of section 43(4)".

Since September 1, the court has defined its powers far more broadly. FSA industrial relations director Mike Beaumont said yesterday it appeared the court's principal test was the prejudice respective parties would suffer if an order was granted or refused. But full judgments were still being awaited.

ALAN FINE

One specialist noted that last Friday's order in the case involving Southern Sun was unprecedented for its "interventionist" nature.

Beaumont said a factor causing more uncertainty was that the court's Johannesburg section seemed far more willing to grant orders than its Pretoria counterpart.

He noted the court had granted orders on a wide variety of issues. Some employers had applied unsuccessfully to prevent the establishment of a conciliation board to deal with a multi-level, as opposed to plant level, dispute. Another failed with an application to outlaw an overtime ban.

One employer was granted an interdict against an unlawful strike, but another was interdicted from applying a unilateral wage increase after negotiations deadlocked. Pending is a union effort to interdict a retrenchment and an employer attempt to interdict a strike on the basis of fairness.

New moves in Goldberg strike

By Mike Siluma
Labour Reporter

The management of Benny Goldberg is expected to respond today to revised union proposals made during mediation yesterday, according to the Commercial, Catering and Allied Workers' Union (Ccawusa)

The proceedings yesterday were aimed at resolving a 14-day wage dispute at the company's Wynberg liquor outlet

Ccawusa spokesman Mr Abie Ramalope said workers had been locked out after going on

strike on September 30

He said the workers' demands before mediation were

- A minimum monthly wage of R720
- An across-the-board rise of R235 a month
- Six months' maternity leave at 45 percent of pay
- A 15 percent staff discount and a 40-hour working week
- Increased staff loans and improvements in the long service bonus

Mr Ramalope said the company had offered a new monthly

minimum pay of R630 plus an individual increase of R100 a month

Management further offered maternity leave pay of 20 percent of employees' salary for six months, as well as a 10 percent staff discount and a 45-hour working week. Improvements to long service awards were also proposed by management

He said both the union and management had revised their positions during mediation, but that the union had made it clear that a settlement was dependent on agreement on wages

MONEY READY

(S) Johnston
19/10/88

THE Transport and General Workers Union has called on 43 former employees of Petford Van Lines in Boksburg to report urgently at its offices following an industrial court settlement over their dismissals in May 1987

TGWU spokesman, Ms Kelly Forrest, said the workers were dismissed on May 28 last year in a dispute with management

She said the union recently obtained an industrial court order in which all the workers should be paid outstanding monies

Twenty-three of the workers have since not found alternative employment and thus are entitled to six months' pay, according to the order

Those who have found alternative employment are to be paid money amounting to three months' pay

Ms Forrest said the workers should have been paid out by yesterday and that they should report to the union's offices at Queen's Court at the corner of Bree and Klein streets from today onwards. The call has been made to all the 43 TGWU members

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Labour Update

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'800 threatened with eviction'

ABOUT 800 members of the National Union of Metalworkers of South Africa have been threatened with eviction from a company-owned hostel by Haggie Rand if they do not end their wage strike, a spokesman for the union said.

The Numsa spokesman said the company had made this threat after talks between the union and management deadlocked on Tuesday. Numsa — among other things — demands an across-the-board hourly increase of 65 cents while management is offering 45 cents an hour. The union spokesman said "Numsa condemns the evil migrant labour system and the com-

By LEN MASEKO

pany's diabolical use of striking workers explain it, and believes that any attempt to evict its members will shatter the already fragile possibilities of a settlement". A Haggie spokesman said the company had

sent notices to the striking workers explaining its offer. These notices did not mention evictions," he said. In the notices, management said those workers who accepted

the company's offer should inform them by not later than yesterday afternoon. "The notices went on. This offer represents a considerable improvement over the current wages and conditions of employment and is well above the 'main agreement'" (Seifsa) recently agreed by all the parties in the engineering industry. "If this offer is acceptable you may resume employment without loss of service benefits"

2

CP
T.M.P.S.
ZS/1988

1 800 workers at wire plant fired

JOHANNESBURG —
Haggie Rand have dismissed 1 800 workers at its Germiston and Jupiter plants in the sixth week of an industrial dispute with the Union of Metal Workers of South Africa (Numsa)

The wire ropemaker's managing director, Mr John Midburn, said workers received a week's pay with notices

The notices urge workers to accept the company's offer of re-employment — at the rates it offered at the end of negotiations on August 11 — Sapa

151

Miners appeal to new court

THE first Labour Appeal Court case has been filed by the Mineworkers' Union in a job-reservation dispute.

General secretary Peet Ungerer also said yesterday in an angry attack on the Chamber of Mines that it was undermining white job security.

The court was established under the Labour Relations Amendment Act on September 1.

The MWU is appealing against an Industrial Court ruling last month that the union had committed an unfair labour practice by refusing to allow its members to train coloured people as winding engine drivers.

(S) B/day ALAN FINE (S)

It is not clear when the case will be heard because the court has not been physically established.

An Industrial Court spokesman said Labour Appeal Court rules had not been finalised; the six Supreme Court divisions had not appointed judges to it; and it had not been determined which department — Manpower or Justice — would administer the court.

Ungerer said until the appeal had been finalised the union would not have

© To Page 2 →

Miners' appeal to new court in limbo

to carry out the terms of the Industrial Court determination.

Ungerer — whose union has been fighting to retain the whites-only status of skilled mining occupations — also accused the chamber of trying to pressure the Economic Affairs and Technology Minister into abandoning what limited protection remained for white job security.

Ungerer warned that "should confrontation be sought the white

mineworker would accept the challenge to protect his survival".

A chamber spokesman questioned the motives of the MWU statement, saying it followed protracted negotiations on how to allay MWU members' fears regarding the abolition of job reservation.

He said the MWU had recently shown no inclination to reach a security of employment agreement and used delaying tactics.

← ● From Page 1

B/accy
25/10/88

Violence at workplace

VIOLENCE and intimidation are assuming alarming proportions in industrial relations, the Building Industries Federation annual congress in Cape Town was told yesterday.

"Brutal physical violence and murder are unfortunately all too common," Mr R H "Robbie" Botha, executive president of the Mine Surface Officials'

Association told delegates

"I doubt whether, given the kind of violent intimidation we have seen, the Wiehahn Commission's recommendation that peaceful picketing be legalised can be carried out"

The commission recommended that the Industrial Conciliation Act be amended to provide for the legitimate

use of peaceful picketing as an instrument of industrial action

Wiehahn also recommended, however, that picketing "accompanied by coercive action of an unlawful nature be prohibited" (S) (S)

Mr Botha had plenty of praise for former

Minister of Labour, Mr Fanie Botha for his part in averting what he called a "mounting revolutionary onslaught" against South Africa

"He was the one who had to sacrifice popularity with the hardliners in his own party," said Mr Botha

Dispute at Shell SA and Mobil unresolved

By Adele Baleta

The Conciliation Board appointed to resolve the dispute between the Chemical Workers' Industrial Union (CWIU) and several major oil companies, ended yesterday's meeting inconclusively with settlements reached with two of the five groups, the CWIU said.

The CWIU's general secretary, Mr Rod Crompton, said yesterday the union managed to achieve agreements with BP and Sapref.

Mr Crompton said the dispute with Caltex had been suspended as "there were good prospects" of settling with the oil group today.

INTRANSIGENT

But, he added, no settlement had been reached with two "intransigent" oil groups — Shell SA and Mobil.

"Mobil has failed to address its social responsibility towards employees," he said.

Comment from the oil groups was unavailable at the time of going to press.

The CWIU declared a dispute with the oil groups more than two months ago after they refused to bargain certain issues at national level.

The issues included public holidays, maternity and paternity leave, social responsibility programmes, educational assistance and pensions.

THE dismissal of about 900 members of the South African Railway and Harbour Workers' Union by the South African Transport Services may trigger a conflict of similar or greater proportions than the one which rocked the railways last year.

This warning was sounded by Sarhwa's assistant general secretary, Mr Stanley Nkosi, as the union and SATS management flex their muscles in preparation for a major clash over the issue.

Underpinning railway workers' grievances — which have led to a strike by more than 7000 employees in Durban and an unspecified number in East London — is SATS' discriminatory practices according to Sarhwa.

Their grievances include discriminatory salary structures and grievance procedures. Additional union demands, tabled at a recent meeting between SATS and Sarhwa, include:

- An across-the-board increase of R1000 a month,
- Extensive revision of the current disciplinary procedures,
- Equal provision of medical aid to all employees
- Pension scheme for all employees and
- Recognition of March 21, April 22, May 1, June 16 and December 16 as paid holidays.

Significantly, most of Sarhwa's demands seem to address the age-old problem prevalent in the public sector — discrimination against black workers. The question of pay parity still remains a focal point for many trade unions organising in this sector, including the post office and health sector.



FLASHBACK Some of the SATS employees who participated in the large-scale strike which crippled the railways last week

Sats, union head for big clash

Sunday 4/11/88

151

But it is unlikely that the SATS management will accede to the union's demand of a R1500 minimum wage and an across-the-board rise of R1000. This represents in some cases a hike of about 300 percent.

The recent 12 percent wage agreement between railways management and other SATS unions suggests that the transport body may settle for a much lesser figure than Sarhwa demands. Whether SATS will settle for a figure at all is still another question.

"We did not negotiate for that increase but it was discussed exclusively with those unions that SATS chose to recognise," Mr Nkosi said.

Management has already indicated that

FOCUS

By **LEN MASEKO**

Sarhwa's pay demands are subject to the arbitration agreement which effected the 12 percent increase.

Dismissed

The East London strike, now in its third week, was sparked off by workers' dissatisfaction over conditions of re-employment for 790 workers who were dismissed during a two-week strike in support of a demand for a 300 percent wage increase.

The regional manager of SATS in East London, Mr Louis du Toit, has confirmed to Sapa that the re-employment

package offered by SATS will affect workers' pensions, bonuses and leave but said this would have minimal effects and that workers would still enjoy the benefits.

This has been disputed by Sarhwa which contends that workers would lose long service benefits as well as taking large drops in salaries.

Sarhwa members at SATS Durban harbour have gone on strike to express their solidarity — with the sicked East London workers. In addition they demand a minimum of R1500 a month in salaries and recognition of the union — the main demands presented to SATS management by the union at recent negotiations.

A SATS spokesman in Durban says local management has made it clear to worker representatives that the reinstatement of East London workers was a local issue and that they were not prepared to negotiate this demand.

But Sarhwa has urged SATS management to deal with the matter at national level, "seeing that East London management have gone back on their undertakings not to dismiss workers who do not accept their financial penalisation for going on strike."

The two parties, in addition, seem to be at odds over another important issue — the recognition of the union. SATS has apparently requested certain documents regarding registration before recognising it.

Sarhwa believes that management in demanding registration documents before recognising it is marking time.

"We are presently busy with registration of the union and this will take a long time. But this should not prevent us discussing worker issues with SATS," Mr Nkosi adds.

Last year a conflict between railways and Sarhwa culminated in a large strike involving close on 23000 employees in the Southern Transvaal. The action was sparked by the dismissal of a Sarhwa member.

for the Roman Catholic Church in Zambia said
yesterday
4/11/88 (A) (S) 151
CWIU settles with Caltex
DURBAN — A settlement was reached between
the Chemical Workers' Industrial Union (CWIU)
and Caltex yesterday, ending a two-month-long
dispute. However, workers at Mobil and Shell
SA are still in dispute with management.

Cape SATS 7/11/80
**Judge calls for oral
evidence in firings case**

(15)
Supreme Court Reporter

A DISPUTE of fact in a court case between Coin Security and 75 sacked security guards led to a Supreme Court judge ordering oral evidence be led

Mr Justice C T Howie made this order on Friday in an application by Coin Security (Cape) (Pty) Ltd to have 75 guards living in the company's hostels in Khayelitsha evicted and to interdict and restrain the guards from causing unlawful damage to hostels

The guards, all members of the Vukani Guards' and Allied Workers' Union, said they had stopped work because the company had underpaid them and also that when Coin lost the SATS contract re-trenchment of some of the guards was imminent

They also claim that on September 19 the company, which was obliged to offer the guards food, was in breach of contract when it removed a food van before the guards had an opportunity to eat

Mr L Rose-Innes, instructed by Brian Lutzno Kraus and Associates, appeared for the guards. Mr P Hazell, instructed by Silberbauers, appeared for Coin

Eskom in court over salary rises for 22 000

Labour Reporter

APR 65 8/11/88 151
SALARY increases for about 22 000 Eskom employees hinge on the outcome of arbitration due to start in the Industrial Court in Cape Town today.

The arbitration involves eight unions representing Eskom employees and arises from cost-of-living increases given by Eskom from April this year.

The matter has gone to arbitration because Eskom employees are barred from striking

The unions claim that in November last year they and Eskom management agreed that pay increases for this year, to be implemented from April 1, would combine a cost-of-living and a merit component

HIGHER ACHIEVERS

But that in the interim Eskom worked out a "pay for performance" system and in March announced 4 percent increases for employees in band three of performance ranking and slightly higher increases for those in bands one and two of higher achievers

Both the increases and the unilateral implementation by management are being contested by the unions.

They claim that a 16 percent increase would be necessary to keep pace with inflation as salaried staff's pay has been significantly eroded over several years, that previous salary increases consistently showed some relation to the consumer price index but the April increase fell far short of the pattern, and that the performance system showed serious shortcomings in design and implementation

OVER 2000 DOWN TOOLS

Sowefm
9/11/88
151

MORE than 2000 members of the Building, Construction and Allied Workers' Union have downed tools at six of Vereeniging Refractories' factories, a spokesman for the union said yesterday.

BCAWU official Mr Thabo Libe said the strike followed the failure by the Anglo American subsidiary to prevent the union members from going on strike.

The company, he said, launched an unsuccessful Supreme Court application in an 11th hour bid to stop the industrial action last week. The application, heard

by Mr Justice Coetzee, was dismissed with costs, the union official said.

The court action stemmed from a wage deadlock between the company and the BCAWU, whose members had told management of their intention to go on strike.

In its application, the company pointed out that — in terms of labour legislation — workers were prevented from engaging in strike action during the first twelve months of the operation of a wage determination. Management was referring to the Wage Determination 454, published in the Government Gazette in August.

The union had argued that the dispute between it and management was not in respect of the said determination, but that the determination dealt with only minimum wages and not with the actual wages and/or wage increases being negotiated with the company.

Industrial Relations manager Mr Gustav Karlsson was not available for comment.

Union makes progress on pull-out issue

By Mike Siluma, Labour Reporter

The Chemical Workers' Industrial Union (CWIU) has reported a breakthrough in its 18-month-old campaign for the establishment of a disinvestment procedure for foreign oil companies

The union has been demanding that foreign companies agree to negotiate a pull-out procedure in case they decide to leave South Africa

A statement by the union said out of 39 companies with which it has been in dispute, only 10 had refused to start talks on the issue. It named the companies refusing to talk as Shell, BP (SA), Mobil and Maybaker.

"Maybaker aside, these companies are among the largest of the multinationals operating in South Africa. Much of their conscience money is poured into so-called social responsibility programmes. However, on the question of the security of their employees if (the companies) leave the country, they refuse to negotiate," said the CWIU statement.

A spokesman for Shell said yesterday that talks on a disinvestment procedure would be pointless because the company did not intend to leave the country.

According to a Mobil spokesman, the company could not talk to the CWIU on the issue because disinvestment was not an issue for the company.

Maybaker's personnel manager, Mr H W Warneke, said the company had received assurances from its British parent company, Rhone-Poulenc Ltd, of its "commitment to maintaining (its) business presence in South Africa".

BP comment was unavailable at the time of going to press.

2 star 11/11/88

200 more join SAB strikers

By Mike Siluma,
Labour Reporter

About 200 SA Breweries (SAB) employees have gone on a sympathy strike at the company's Alrode brewery after the dismissal of 72 colleagues following a dispute over working hours, the company said

SAB public affairs manager, Mr Gary May, said yesterday the 72 workers were dismissed after refusing to move to a 40-hour working week pattern. Two hundred other employees had then staged a non-procedural sympathy strike

Mr May said police had been called "with reluctance" to disperse the dismissed workers after they had refused to leave the site

He said following the company's agreement to implement a 40-hour working week, the Food and Allied Workers' Union (Fawu) had agreed that "the mechanics of how the hours would be reached would be decided at local brewery level".

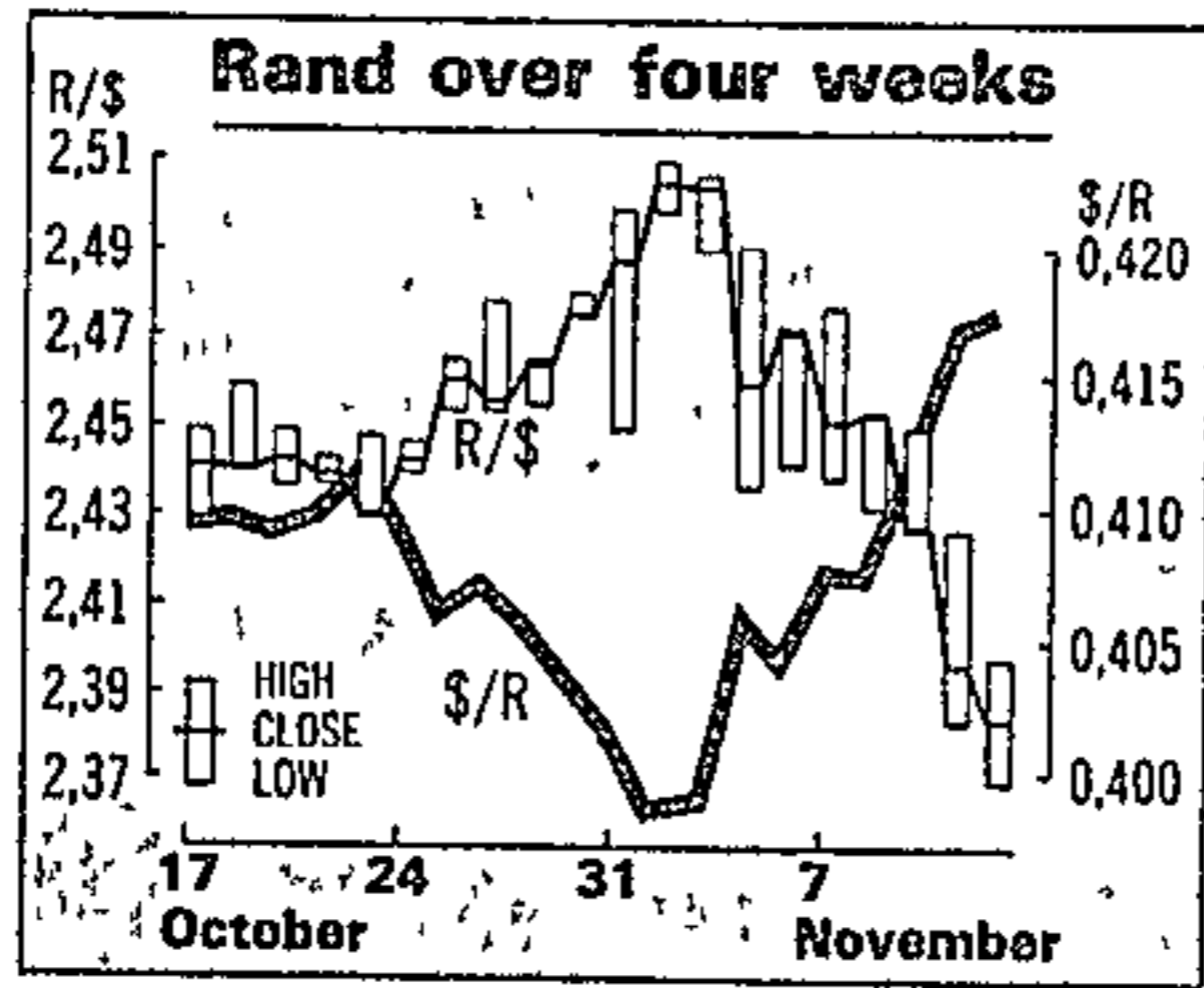
Local talks at Alrode had, however, deadlocked.

"Despite the deadlock, continuous efforts were made to keep discussions alive with shop stewards and a brief was given to all employees explaining the situation," said Mr May

The 72 workers, dismissed after ignoring the ultimatum, might be reinstated if agreement was reached on the new shift pattern, he added

Fawu officials could not be reached for comment today

○ A police spokesman in Pretoria said police had no record of the incident



THE rand showed a burst of strength last week, climbing to a three-and-a-half-month high against the dollar, which had dropped to a four-month low against the German mark. Although the gold price remained in the \$418 to \$420 band, the movement in the metal price was sluggish in relation to the dollar. The rand improved marginally against the pound.

Numsa, NUM in Eskom dispute

BRONWYN ADAMS

THE National Union of Metalworkers of SA (Numsa) and the NUM are in dispute with Eskom over the terms of the retrenchment of about 20% of the workforce, Numsa spokesman Bobby Marie said at the weekend.

He said this was decided at a weekend meeting between Numsa and NUM. Legal dispute-settling procedures would be embarked on this week.

Marie said a letter had been sent to management informing it that if it continued with the retrenchment exercises — agreed to by the other 13 unions representing the rest of the Eskom workforce — Numsa and NUM would retaliate. He added that management had failed to comply with the Numsa and NUM demands to provide information justifying the retrenchment, and to negotiate the retrenchment package with workers.

Marie said a general campaign against Eskom would also be organised. He said although Numsa and NUM represented the minority of workers at Eskom, their level of organisation made them a force to be reckoned with.

Eskom human resources GM George Lindeque confirmed the Numsa letter had been received, but said Eskom was always open to negotiations. He was not prepared to comment further.

Bday.

Clash on recognition

By MATHATHA
TSEDU

50mefan 15/11/88
MANAGEMENT at the Ranch Hotel in Pietersburg is refusing to negotiate with the Hotel, Liquor and Catering Workers' Union because the union's registration certificate does not extend to Pietersburg, a union official has said. The regional organiser for the National Council of Trade Unions (Nactu) in Pietersburg, Mr Moss Mphahlele, said a union member, Mr Steve Moabelo, who is also an executive member of the Nactu local committee, had been dismissed for unproven offences.

DISPUTE SETTLED

Sowetan 15/11/68

(151)

THE Building, Construction and Allied Workers Union has reached a wage settlement with Vereeniging Refractories, ending a week-old strike by 2200 employees at the company's six plants.

A spokesman for the Anglo American Corporation, which controls the company, said the settlement comprised Verref's original offer of

increases ranging from 44 cents an hour (18,2 percent) for lower categories of workers to 53 cents an hour (14,6 percent) for higher categories. The increases will be backdated to October 24.

The two parties, in addition, agreed to an increase in leave bonuses for all categories of employees, from five to seven percent.

More than 800 BCAWU members have downed tools at Mondi Timbers in Sabie, a spokesman for the union said.

Offering

BCAWU general secretary, Mr Vusi Thusi, said union members were demanding a "70 percent adjustment increase" on their daily rate of R6,55. The company, he said, was offering its employees an across-the-board increase of 16,5 percent.

Mr Thusi said three meetings between union officials and management had failed to break the stalemate.

Mr Louis Dekker, a Mondi spokesman, could not be reached for comment yesterday.

De Beers loses industrial hearing

THE Industrial Court has rejected an urgent application by the De Beers Premier Mine for a declaration that the refusal of two unions and 1 133 employees to work overtime represents an unfair labour practice.

The court also refused to direct the employees to work overtime on a reasonable and fair basis requested by the mine.

The National Union of Mineworkers (NUM) has expressed anger at disciplinary action launched against scores of

members who attended the original hearing two weeks ago.

The case arose from the failure of the mine and the NUM to reach agreement on Saturday work, which Premier believed was essential to its production needs.

Court president Daan Ehlers and additional member E Strydom refused the

● To Page 2

ALAN FINE 24/11/88

Industrial Court rejects De Beers case

application both on the basis that insufficient urgency had been shown, and because it did not appear the individual respondents had committed an unfair labour practice by refusing to do the overtime work requested.

A De Beers spokesman said management was now considering various options to meet its production targets.

The NUM reacted strongly yesterday to news that the mine had summonsed more than 100 members to disciplinary

hearings because of their absence from work on the day of the hearing.

A De Beers spokesman said management was investigating the absence of certain employees and would then decide what action to take. He said this was normal procedure where employees absented themselves from work without making proper arrangements.

● From Page 1

ALAN FINE 24/11/88

Discrimination is unfair practice

SLW 30/11/88
By Mike Siluma, Labour Reporter

A collective bargaining tactic used by employers to discourage employees from participating in strike action has been declared an unfair labour practice by the Industrial Court.

The case, before Mr JCB Schoeman, was a sequel to a 1987 wage strike by members of the National Union of Mineworkers (NUM) employed by Ergo.

Before the strike in August 1987, the company said workers who did not join in the industrial action would receive the company's final wage offer, backdated to June 1 1987.

Prospective strikers were informed that the new wage increases would not be backdated in their case.

In the Industrial Court, the NUM had argued that the company's decision regarding strikers was unfair in that it was contrary to the established collective bargaining relationship between the parties, it was a discriminatory practice and that it constituted victimisation of workers for taking part in a legal strike.

Mr Schoeman ruled that the deci-

sion not to backdate strikers' increases was unfair and ordered that the company pay those who went on strike wages they forfeited.

ANUM spokesman, Mr Marcel Golding, said that, in the light of the Ergo judgment and this year against Henry Gould Mines and the Gold Fields group, employers should stop using the awarding of increases as a lever during collective bargaining.

In the Henry Gould case, the court declared that discrimination against union members on the grounds of their participation in a strike was unfair.

The decision by certain mines in the GFSM group to adjust wages unilaterally was similarly found to be an unfair labour practice.

An industrial relations consultant, Mr Gavin Brown, said the Ergo decision raised a number of questions.

"The people going on strike want to cause harm to (the employer's) business. Is it right that you reward people who inflict harm the same way that you pay people who have come to work normally?" asked Mr Brown.

Industrial Court under fire

by Alan Fine 2/12/88

TWO Industrial Court decisions in the past week, Dunlop vs Numsa and NUM vs Ergo, have highlighted the growing discontent of all parties — labour, management and lawyers — with the court's operations in recent months.

There is a widespread view that the court has become too interventionist, that it is preventing the parties from exercising their bargaining power by outlawing industrial action — both strikes and lock-outs — and bargaining tactics in an unacceptably wide range of circumstances.

Furthermore, there is criticism from all sides that the quality of some judgments, and particularly those of some of the *ad hoc* (part-time) court members making them, is worryingly poor.

Union grievances go further, with a growing perception that the court is biased against them, and that if they want justice they can only find it in private arbitration.

IN THE Dunlop case, the court interdicted a strike over the dismissal of a senior shop steward on the grounds that the issue could be resolved in the court (the union wanted arbitration as it "questioned the impartiality" of the court) and because it was a repeat strike.

"The judgment makes it clear that the court feels it has a duty to inhibit strikes where possible, and that it will do so whenever there is in its view another remedy. This constitutes a gross interference in the right of workers and

unions to bargain collectively," said Numsa.

Oddly enough, Anglo American expressed almost exactly the same sentiments after the court ruled that, in offering to back-pay increases by an extra month for employees who agreed not to strike, Ergo had acted unfairly.

"We see this as an unacceptable interference in the process of collective bargaining," a spokesman said.

NATAL University's Centre for Socio-Legal Studies is launching a major research project into the Industrial Court in the province. Director Chris Albertyn said initial impressions were that about 80% of cases were going against labour.

The consequence of this, and of the numerous interdicts against strike action, was that unions were losing faith in the court and were looking for alternative procedures, such as private arbitration, he said.

Numsa engineering secretary Bernie Fanaroff confirmed his union was seriously reconsidering whether there was any point in using the court as a dispute-resolving forum. Numsa, he said, had already proposed to a number of employers arbitration as an alternative.

ANGLO AMERICAN'S Bobby Godsell put his criticisms in more diplomatic terms. "We have long been concerned at the court being understaffed. We are concerned about the extensive use of *ad hoc* appointees, which does not lend itself to the expert and consistent judgments required from the court," he said.

But he hoped the advent of the Labour Appeal Court would help with establishing a clearer and more consistent body of law.

He said Anglo also had philosophical differences with the court. It was not in the interests of either management or labour for the State to create an obligation to bargain, as no successful bargaining system could be born of this.

And this approach logically then requires the court to begin to define what constitutes good faith bargaining, something which cannot be easily codified.

INDUSTRIAL Court President Daan Ehlers conceded that there were grounds for criticism of the court, although they were probably exaggerated.

He said the court's most serious problem was that it had only four full-time members, and it was natural that full-time members would car-

ry out the work with greater continuity. Meanwhile, the court was looking at employing, on a part-time basis, academics who at least had a sound theoretical knowledge.

At the same time, while there were exceptions, he believed most judgments emanating from the court were of acceptable standard.

Manpower Director-General designate Joel Fourie said the problem was finding people prepared to work full-time for the court. While the department could probably not match the earnings of lawyers in private practice, he was personally willing to negotiate packages with any suitable candidate who came forward.

Ehlers also agreed there had been some inconsistencies over the granting of urgent interdicts pending section 43 hearings, largely because different court members had different approaches to the meaning of "urgency".

He added that the court would only interdict strikes or lock-outs where circumstances warranted it. But some times it was desirable "It reduces animosity. The parties have to live with each other in the long run."

Finally, Ehlers said that while over a period one might gain that impression, people who alleged bias "were taking it too far". In any event, if they were unhappy they were entitled to take decisions on review or appeal.

He added that the Industrial Court did not feel threatened by the growth of private arbitration. In fact, given the shortage of members, he welcomed anything which reduced its load.

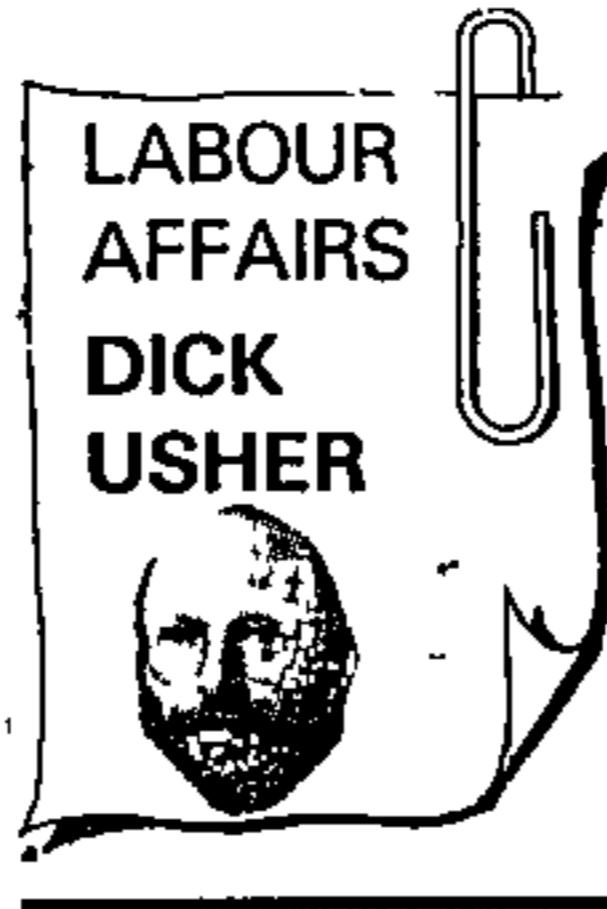
Jan 16

Dissension in Saame ranks

W/CARBUS . 10/12/88

IT could hardly be said that this year's negotiations between the City Council and the South African Association of Municipal Employees (Saame) have been characterised by 'peace and harmony in the union' (154)

The branch represents about 4 500 municipal staff, membership is restricted to whites in terms of the national union's constitution, and is a closed shop in that employees have to belong to either Saame or the South African Municipal Workers' Union (Samwu)



Bickering, backbiting (not to mention backstabbing) and highly-charged personal attacks abounded, especially since a special meeting in September which rejected the council's pay offer

There is even dispute about what exactly was decided at that meeting, with the official version being that the meeting's rejection mandated the committee to negotiate the best deal possible,

while some elements of the membership claim that a decision that it should be taken to the Industrial Court was coupled to the rejection

Matters were not helped by the settlement which was finally struck in which lower paid staff got about 15 percent, the great majority in the middle 9 percent and branch and department heads from 15 to 20 percent

Dissatisfaction about the conduct of the negotiations led to a petition demanding that Saame take the matter to court, signed by about 1 300 members, being presented before the settlement.

Tangled skein

During the period between the meeting and the settlement a stream of cartoons and notices, along with a tangled skein of rumour and innuendo, appeared to sweep municipal offices — if the number of reports that came through my telephone was anything to judge by

You've also got to wonder what happened to municipal productivity

With elections to the branch executive due shortly after the settlement the level of dissension, if anything, increased. Even once the elections were over it didn't die down and allegations of irregularities in the conduct of the ballot have been made to head office in Pretoria

On the other hand, while lots of people seem ready to talk and criticise, when it comes to the business of making the union work they don't seem to be so quick to respond

No confidence

An annual meeting due last Monday was postponed to this week because there weren't enough members for a quorum and a special meeting this week for a motion of no confidence in the committee members who voted to accept the council offer suffered the same fate

People in the union tell me that lack of attendance at meetings is a fairly regular occurrence

As always, while there is probably much that union officials could do towards rectifying matters, the final solution is in the hands of members themselves

Like government, you get the union you deserve

Municipal workers' no-confidence vote

Labour Reporter *MRGWS 13/12/88*
NO immediate action is to be taken over a vote of no confidence in several executive committee members of the Cape Town branch of the South African Association of Municipal Employees (Saame)

The vote, taken at a postponed general meeting yesterday, was a result of dissatisfaction in the association over this year's pay negotiations with the City Council.

The motion of no confidence sought the resignation of executive members who voted to accept the council's pay offer

Mr N J O'Connor, who circulated a petition to call the

meeting claimed that the majority of members at a special meeting in September voted to reject the offer and for Saame to take the matter to court

He said Saame was "morally obliged to come back to members before final acceptance of the offer"

Mr Jack Bondietti, branch secretary, said today the matter would have to come before a committee meeting for a decision

He could not say who the affected members were

But members claimed today

that the union's by-laws expressly made a general meeting the supreme authority and that the committee members in question were therefore bound to resign.

They also questioned the legitimacy of a committee, which included people who had been asked to resign, taking a decision on the motion calling for their resignations

Meanwhile, legal advice is being taken on allegations of irregularities in the elections of new branch office-bearers considered at the association's annual meeting last week

CAPE TOWN 13/12/88
Council
workers
ask leaders
to resign

Staff Reporter

CITY COUNCIL employees yesterday voted for the immediate resignation of some executive members of the Cape Town branch committee of the SA Association of Municipal Employees (SAAME)

The poll followed charges that members of the executive committee had accepted the council's pay offer, despite it being rejected by SAAME members

Yesterday's special meeting, attended by 421 council employees, was convened after Mr N J O'Connor tabled a motion of no confidence "in the committee members who voted to accept council's pay offer"

After conciliation SAAME settled for a 9% increase for lower grades, 15 to 20% for branch heads and 20% for departmental heads, Mr O'Connor said

SAAME branch secretary Mr Jack Bondietti said the 17-member executive committee would meet today to formulate a response to the call for resignation

of the Mekong River at Phnom Penh

APC 7.11 20/12/88
RP workers win pay rise

151
1988
1988
DURBAN. — About 180 employees of Republican Press have been given pay increases of up to 70%, ending a two-month-long wage dispute.

Israeli unity govt set to be named today

151

TEL AVIV — Outgoing Israeli Foreign Minister Shimon Peres's Labour Party agreed yesterday to join the rival hard-line Likud Party in a national unity government, ending 51 days of tortuous political infighting

Prime Minister Yitzhak Shamir, the Likud leader, said he expected to present a new government to parliament today

Labour's 1100-strong central committee overwhelmingly supported the agreement in a public vote

Peres won Labour backing in spite of opposition from a powerful dove faction that worried about losing its identity in a right-wing Cabinet led by Shamir

The Labour doves called on the party on Sunday to negotiate with the PLO and criticised Peres for agreeing to coalition guidelines with Shamir excluding such contacts

Before yesterday's vote, Peres coun-

tered "The Labour Party will continue to act on behalf of the political (peace) process wherever it will be"

He told party members he had extracted a maximum of concessions from Shamir, including a decrease from 40 to eight in the number of proposed new Jewish settlements in occupied Arab areas

B/day

Clash

22/12/88

Meanwhile, a protester died of army gunshot wounds yesterday and Palestinians in the occupied West Bank and Gaza Strip observed a general strike, closing shops and halting public transport

Officials at Ramallah hospital said Abd al-Rahman Qadoura, 26, was shot in the chest during a clash with troops at a funeral in Nablus last Friday in which five other Palestinians were killed — Sapa-Reuter

157 (10/11) (10/11)

Star 22/12/88

Unions, hotel group in new row

By Adele Baleta

Trade unions in the hotel industry intend bringing an urgent application to stop Southern Sun/Holiday Inn from cancelling a procedural agreement which provides for a national wage-bargaining structure, a union spokesman said yesterday.

The Trade Union Alliance, comprising the Hotel and Restaurant Workers Union and the Cape and Natal Liquor

and Catering Unions, declared a dispute with the hotel group after it cancelled the agreement.

"Although the termination clause provides for three months' notice, the company's draft proposal for a new agreement reached us two months into the notice period, leaving only a short time to renegotiate," the union spokesman said.

The union was concerned that workers

would be prejudiced as wage negotiations were due to start next month and this was not possible until the issue of the procedural agreement had been resolved.

The spokesman accused the company of acting in bad faith by sending the proposals at the end of November. The alliance had offered to begin negotiations earlier in the year but the company had refused to look into the issue then.

CANCELLATION

At a meeting this week the Natal Industrial Council recommended that the company's cancellation of the procedural agreement be regarded as an unfair labour practice.

Hotel group personnel director Mr Carl Ludick yesterday said the company rejected this view and added that the group would oppose the alliance's court application.

He pointed out that a commitment had been given by the company in the draft proposal to commence wage negotiations next month. But he said this was dependent on the renegotiation of clauses dealing with wage negotiations.

INDUSTRIAL RELATIONS DISPUTES

1988

JANUARY — MAY

4/1/88 (151) VOIKSKAS.

Work discrimination — wrangles expected

Own Correspondent

JOHANNESBURG. — In the progressive new climate of deregulation, SA is expected to face teething troubles on issues of workplace discrimination, unfair labour practices, equal employment opportunities and affirmative action, says psychologist Alwyn Moerdyk.

Writing in the latest Institute of Personnel Management journal, he says the draft Labour Relations Amendment Bill — expected to be enacted this year — making discrimination based on race, sex or religion an unfair labour practice, may result in painful alterations to the system which could be construed as reverse discrimination by affected parties.

Judging from the American and British experiences, Moerdyk identifies three general discriminatory processes:

- Premarket discrimination, restricting peoples' access to opportunities through inadequate schooling;
- Disparate treatment, whereby different groups are given different treatment for doing the same work;
- Adverse impact, where policies

can potentially have a negative effect on people by virtue of their backgrounds (for example the use of biased selection tests).

Each of these processes will have to be addressed by management in the near future, Moerdyk says.

He distinguishes between "equity of outcome" and "equity of process" for redressing premarket discrimination. He favours the former, which is facilitated by affirmative action programmes.

Affirmative action justifies different (favourable) treatment of people previously discriminated against in order for them to be treated fairly in the future.

Moerdyk advocates the presentation of documentation by management to show that all groups are similarly treated with respect to salaries and wages and access to overtime and perks.

Additionally, company statistics must indicate that selection tests (IQ and aptitude) are valid for all relevant groups; equally valid for different groups of people; and do not discriminate against any group.

Cape Times 6/1/88

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Strike ballot for Sun hotel unions

Labour Reporter

THE Commercial, Catering and Allied Workers' Union of South Africa (CCAWUSA), the Liquor and Catering Trades Employees' Union and the Hotel and Restaurant Workers' Union have announced their intention to begin a strike ballot of workers, a Southern Sun Hotels spokesman said yesterday

The groups declared a dispute with Southern Sun — which also runs Holiday Inns — in November, over wage and conditions of service demands

The parties will meet today in a further attempt to avoid strike action by 8 500 workers at 53 hotels

Southern Sun group personnel manager Mr Peter Cumberlege confirmed yesterday that the group had refused the alliance permission to use its premises for strike ballot, although it was legal in terms of the Labour Relations Act

LONDON. — The Government has been granted an interim

Journal

Hotel dispute: Unions 'threatened with lock-out'

ARGUS
6/1/88

Labour Reporter

SOUTHERN Sun management has threatened employees with a lock-out in a dispute over conditions of employment, according to a spokesman for an alliance of four trade unions.

The spokesman said the threat was made during an Industrial Council meeting yesterday.

He said the hotel group's management had also refused to allow the use of company premises for a strike ballot.

FLEXIBILITY

Two more meetings are due today. If the dispute is not settled the next step is a strike ballot.

The four unions in the alliance are the Liquor and Catering Trades Union (Cape), the Liquor and Catering Trades Union (Natal), the Hotel and Restaurant Workers' Union and the Commercial, Catering and Allied Workers' Union.

The company wants flexibility in assigning employees' duties but the unions want conditions attached to the way flexibility is applied.

They say changes of duty should be in the same job category and such changes should be mutually agreed and arranged. Where a higher wage rate applies to the new duties the higher rate should be paid.

In a statement Mr Peter Cumberland, group personnel manager, questioned the alliance's motives.

He said negotiations had proceeded well, agreement had been reached on 18 demands and the company's offer, when implemented, would make the group's employees the highest paid in the industry.

Mr Cumberland was not available for further comment.

Man, 35, stabbed to death in station brawl

Crime Reporter

A MAN was stabbed to death at Woodstock station during a brawl.

Police said the man, about 35, had not been identified. A spokesman said he was stabbed in the chest about 10.50pm yesterday.

to

them a little uncertain as to what is actually in store at next month's meeting.

NUM finally agrees with Anglo mines

ALAN FINE

AFTER more than three months of negotiations, the National Union of Mineworkers (NUM) and three Anglo American gold mines have reached agreement on independent adjudication of the fairness of thousands of dismissals carried out during the August mine strike.

In terms of the agreement released yesterday, Advocate William Schreiner, SC, will preside over a hearing scheduled to last initially from March 1 until April 8.

The adjudicator will have the same powers as an industrial-court member considering a final determination under section 46 of the Labour Relations Act.

Anglo American dismissed close to 40 000 workers during the second half of the strike. It is estimated, though, that nearly three-quarters have since been re-employed, in terms of a post-strike agreement giving former employees preference as the affected mines began their remanning programme.

Mines party to the agreement are Vaal Reefs, Western Deep Levels and Free State Consolidated.

laycu in Transkei, ap

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8/1/88

Checkers admit unfair dismissal



THE strike by members of the Commercial Catering and Allied Workers Union which began on Monday at 18 Checkers outlets over the "unfair dismissals" of a worker is over

A spokesman for Ccawusa yesterday said that members began returning to work on Tuesday after management reinstated Mr Percy Xaba and suspended him with full pay

Mr Xaba worked at the Evander branch of Checkers. He was allegedly fired without a proper hearing being held

The matter has been referred to arbitration he referred to arbitration, he said

A union statement said the stoppage had affected Volksrust, Standerton, Delmas, Bethal, Evander, Ermelo, Middleburg, Nelspruit, Groblersdal, Witbank, Heidelberg, Secunda,

Primrose, Springs, Nigel and Benoni

• Ellerines management and Ccawusa officials were yesterday locked in talks to resolve the five-week-old strike at more than 200 stores throughout the country. The company has said 144

stores were affected

Workers went on a legal strike on December 8 demanding a R550 a month minimum plus a R200 across-the-board increase. They also demand a revision of the company's sales target

policy

Management has offered a minimum increase of R94 to all employees and a R425 to R689 a month minimum to its non-sales staff

The parties were still negotiating by late afternoon yesterday

5 workers 'fired'

Smetan 8/11/88
By THEMBA MOLEFE

FIVE members of the Commercial, Catering and Allied Workers Union were dismissed by Kentucky Fried Chicken in Louis Trichardt on New Year's Day, the union said yesterday.

Ccawusa's Louis Trichardt organiser Mr Peter Mohlaka said the five men were dismissed for allegedly leaving the outlet without management's permission.

The five are Mr Phineas Ramatshimbila, Mr Phineas Moshuvheli, Mr Petrus Maake, Mr Petrus Lambani and Mr Thomas Maduwa.

Mr Maake said a management official, known to the workers only as Jose, dismissed the workers after promising them they would knock off at 1 pm instead of 3 pm because it was a holiday.

At 3 pm the workers approached Jose and asked him if they could go home. He refused.

The five men, who were manning the outlet on that day, left the premises as there were no customers coming in, Mr Mohlaka said.

He said Jose dismissed Mr Ramatshimbila the next day after accusing him of influencing the other four to defy him. The men decided to leave in sympathy with Mr Ramatshimbila.

Mr Mohlaka said efforts to meet Jose over the dispute were fruitless. Jose, according to Mr Mohlaka, said in a telephone conversation that the workers had dismissed themselves and had already replaced them.

"We are prepared to talk to management but seeing that Jose does not want to face us over the issue we are now considering further steps," Mr Mohlaka said.

Efforts to contact Jose have been fruitless as he was said to be away. No other management official was available.

Hammanskraal. They were arrested on January 4 — a day after 200 workers at Hercules Cold Storage went on a legal wage strike

Mr Motsepe and Mr Marolane appeared in the Pretoria Regional Court last Friday and their case was postponed to February 11

Company spokesman Mr Nel Bosman, yesterday declined to comment on the dispute and referred enquiries to FBWU. *Smetan*
13/1/88

van der Vyfer, was not available for comment yesterday. *(S)* *(S)*

Smetan 13/1/88

Bail for union 2

TWO members of the Food Beverage Workers' Union who were arrested at Hercules Station in Pretoria last week have been released on R200 bail each and are to appear in court on charges of intimidation. *(S)*

The members are Mr George Motsepe of Zone 5, Garankuwa and Mr Aaron Marolane of

Sun group settlement averts hotel strike

CAPE TIMES 8/11/88

OWN Correspondent

JOHANNESBURG — The Southern Sun group and an alliance of four trade unions have, after a long-running dispute, reached a wage settlement which is likely to set new standards for the hotel industry throughout South Africa

The agreement, which was signed on Wednesday night and narrowly averted threatened lock-out and strike action, was announced yesterday and applies to several thousand workers at the group's 53 hotels.

The accord will remain in force for the 18 months to March 31, 1989. It will raise the group's minimum monthly wage to R500 by next October

Three across-the-board increases of R50, 15% and R30 have been agreed upon. These will be paid at six-monthly intervals.

October 1988 will see the implementation of a 45-hour, five-day week. The present average, according to Southern Sun group personnel director Mr Peter Cumberlege, is a 50-to-52-hour, six-day week

In addition, the split shift system will be abolished at all but five rural hotels.

Other key aspects of the agreement are paid maternity leave and a job flexibility agreement, based on a roster prepared in advance.

Council faces strike ballot

MORE than 1400 employees of the Vereeniging Town Council are to hold a strike ballot as their dispute with management dragged into its sixth month this week.

A spokesman for the Orange-Vaal General Workers' Union (OVGWU) yesterday said they would hold a strike ballot as "no other option is available"

Vereeniging town secretary, Mr J J J Coetzee, said he would not comment "at this stage" because the union had not informed him it had already declared a dispute.

151
13/1/88
Sooxten

300 lose jobs as factory closes

ABOUT 300 garment workers are involved in a dispute with their employer after the closure of a Parow factory

The workers, who are members of the Garment and Allied Workers Union (GAWU), claimed the management of Teconit failed to consult them about the closure of the factory or offer them retrenchment benefits.

A spokesperson for GAWU said an ultimatum had been given to the firm to negotiate a retrenchment procedure. He said legal steps were being planned.

Expired

The manager of Teconit, Mr Stan Wood, said the factory had been closed because it was uneconomical and that a lease on the property had expired.

"All the Parow workers were offered employment at our Claremont factory but they've refused"

14-20/188 South

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Mr. Tire said the drivers, who are in custody after being arrested on Tuesday, are alleged to have stolen diesel from the company.

A management spokesman, Mr. Andries Marais, could not be contacted yesterday.

NINETY workers at Impala Tours and Coach on the East have downed tools following the dismissal of four women bus cleaners this week.

An official of the Transport and General Workers' Union, Mr. Josiah Tire, said the stoppage which began Monday was also in support of a demand that the company recognise the union.

He said the workers also demanded the women's reinstatement and that theft charges against four bus drivers be withdrawn.

Maloma fired for joining union

By MZIKAYISE EDOM

AN EMPLOYEE of the Mhluzi Town Council, near Middleburg, yesterday claimed he has been fired from work after seven years' service for joining a trade union.

Mr Zacharia "Zakes" Maloma, who worked in the council's personnel section, was sacked last Thursday.

He was the chairman of the Mhluzi branch of the Transvaal Association of employees of Black Local Authorities.

The union is not recognised by the Mhluzi council.

claim

Mr Maloma said since joining the trade union in 1985, he had been victimised by the council.

"I have been refused promotion at work. The council has also refused to grant me a house and a car loan. I was told that before I could be promoted and given the loan, I had to resign from the union," Mr Maloma said.

Mr Johan Boonzaier, the council's town clerk, yesterday said Mr Maloma was not dismissed because he had joined a trade union.

No answer

He said when he (Mr Maloma) applied for work in 1981, he had said he had passed matric when he only has Standard 8 certificate.

Mr Boonzaier could not say why it took the council seven years to discover this. Mr Boonzaier could not answer.

Mr Maloma denied that he had given the council incorrect information when applying for work.

Car loans

other allegations against the council are


- Senior positions are given to white officials only;
 - House and car loans given to white officials only;
 - Building material "stolen" by white council officials, and
 - Furniture, including 52 mattresses, lockers and stoves "stolen" from the hostel.
- Mr Boonzaier denied all these allegations.
- "It is all lies. No property of the council has been stolen by any council employee," he said.

EDWARDS
 177 BREE STREET (between Loveday and Harrison Sts.) JOHANNESBURG
 TELEPHONE 134-2775

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 LS 66



MR ZACHARIA "Zakes" Maloma dismissed

Hawkers to hold indaba on Friday

SOWETAN REPORTER

THE African Council of Hawkers and Informal Business will hold its congress at the Airport Sun Hotel in Johannesburg on Friday starting at 8.30am.

The congress, whose theme is "Deregulation, City Councils and Privatisation", will among other things, deal with problems facing hawkers in the Central Business Districts and townships.

The congress comes when many hawkers have complained about goods being confiscated during police raids.

The president of

Stop the killings, says BMF

By JOSHUA RABOROKO

THE president of the Black Management Forum has appealed for an end to killings in the country.

In his presidential message for the New Year, Mr Don Mkhwanazi said blacks should unite in order to fight for liberation politically, economically and social-

ly.

"Black history and tradition is littered with upholding an individual's right to disagree and most importantly to defend individuals right to disagree even if it meant death. Where has that spirit gone?"

"Killings must stop. They must stop now and not tomorrow."

Mr Mkhwanazi said the Government's failure to allow black participation in parliament will force black organisations to become militant.

"Labour will become a potent political force and worker power will be used effectively for political emancipation and gain, Mr Mkhwanazi said.

"The labour movement, in tandem with people's organisations, will be pivotal in the liberation struggle against apartheid."

at least 400 lowly-priced houses are to be built

AWU battle

A CONFRONTATION is set to break out between the Zakheni Transport and Allied Workers Union and the Daveyton City Council since the union has accused the management of unfair labour practices concerning 26 bus drivers.

Back at work

THE 90 members of the Transport and General Workers Union who this week downed tools for three days over the dismissal of four women bus cleaners at Impala Tours and Rand Coach resumed work yesterday.

Recognition

MEMBERS of the Transport and General Workers Union employed by Pritchard, Security and Cleaners will discuss the company's refusal to recognise the union at a meeting to be held in Johannesburg on Sunday.

Not a IFO

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15/1/88



Hotels, union in deadlock

Labour Reporter

JOINT negotiations between the management of the Town House and Vineyard hotels and the Liquor and Catering Employees' Trade Union have ended in deadlock.

A management representative, Mr Garth Tupper, said the union was demanding an increase of the minimum wage, a reduction in the hours of work, double pay for night shift, and six months maternity leave.

The union spokesman said it was demanding that the minimum wage be increased from R65 a week to R130, with an across-the-board increase of R75. They wanted working hours to be reduced from 53 hours to 42.

MILWA 211

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Fired for 'cheek'

THE Wilgespruit Fellowship Centre in Roodepoort has dismissed its education officer, Mr Mandla Seleokane, after claiming he was insubordinate.

Mr Seleokane, who is also in the labour secretariat of the Azanian People's Organisation, has appealed against the decision taken by the centre's directors at a meeting held on January 15

He said the dismissal was caused by his refusal to explain his travel claim before the directors in a special meeting

"I did not see the need to explain my travel

expenses for 1987, as I had not done so before," Mr Seleokane said

He said he also objected when he was informed that his refusal warranted a disciplinary hearing which he also declined to attend in the absence of his attorney

Mr Seleokane confirmed he was finally discharged of his duties last Friday

One of the five directors, Mr Dale White, said the board had to dismiss Mr Seleokane because he was insubordinate

(157)

20/1/88 Smetum

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neighbours cordially and in a spirit of co-operation, he said. Mr P W Botha

cap Times 20/1/88
Union factions dispute in court

Own Correspondent

151
JOHANNESBURG. — Two factions of the Commercial, Catering and Allied Workers' Union have gone to the Supreme Court in a bid to settle a dispute over the leadership of the union.

The court application has been brought by Mr Vivian Mtwa, general secretary of one faction which does not recognize the merger between Ccawusa, the Retail and Allied Workers' Union and the Hotel and Restaurant Workers' Union.

The matter was stood down in the Rand Supreme Court yesterday to allow the sides to negotiate a settlement and is expected back in court today.



Teconit workers wait for the outcome of negotiations at the offices of the Garment and Allied Workers' Union in Salt River. They later accepted the management's retrenchment offer of R50 000 to be divided among 300 workers

Retrench us — 300 demand

A DISPUTE at a Parow knitwear factory has had an unusual twist — 300 workers are demanding to be retrenched!

Now the workers have accepted a retrenchment package involving R50 000

The dispute arose after the Parow factory of Teconit was closed down at the end of last year, and the workers told to report to the firm's Claremont factory on January 13

Not consulted

The workers, all members of the Garment and Allied Workers' Union (Gawu), claimed they had not been consulted about the closure and were informed about it only hours before the start of the year-end holidays

Gawu shopsteward Ms Magdalene Jacob said the directors of Teconit had assured the workers that their jobs would be secure until September this year

"We were informed to report at the Claremont factory

in January this year. All the workers were upset about this because it meant additional transport cost

"Most of the workers live in outlying areas and are already paying more than a quarter of their earnings in transport."

Jacobs said the workers preferred retrenchment to seek jobs closer to their homes.

"Our demand is that Teconit negotiate a proper retrenchment procedure with our union and that a satisfactory settlement be reached."

Teconit's manager, Mr Len Wood, said the workers' jobs were "at no time in danger" and they had been informed at the end of last year that they had to report for duty "merely at a different factory"

"We are expanding our Claremont factory, where we have 520 workers, and desperately require the expertise of these highly-skilled workers"

151 805 21-27/1/88

Cape Times 20/1/88

Split in country's biggest union averted

JOHANNESBURG. —

The seven-month-long dispute in the Commercial, Catering and Allied Workers' Union (Ccawusa) was resolved in an out-of-court settlement yesterday, averting a split in South Africa's biggest union.

The settlement, which followed an application by one faction led by general secretary Mr Vivian Mtwa, was made an order of the Supreme Court yesterday by Mr Justice Gordon. It was preceded by negotiations starting on Tuesday and ending at 2am.

Conflict in the union broke out in June last year when differences arose between the factions at a meeting called to merge Ccawusa with two other unions in the catering sector.

Mr Mtwa had originally asked the court to restrain leaders of the opposing faction, led by Mr Papi Kganare, from, among other things, making statements on Ccawusa's behalf and holding themselves out as Ccawusa officials, and holding out that Ccawusa had merged with the Hotel, Restaurant and Allied Workers' Union and the Retail and Allied Workers' Union.

It was also agreed that the parties shall not try to persuade employers not to remit members' subscriptions to Ccawusa. — Sapa

166 November 30/11/87

FOCUS

WHAT is crucial to understand is that the Minister is a politician And politicians are susceptible to political pressure We saw this recently with the Mines and Works Amendment Bill The idea behind the last Bill was to deracialise certain jobs on the mines This displeased white voters

The Government duly passed the Bill but, being pliable to pressure from conservatives, the Minister formulated regulations which render on deracialisation quite nugatory

If the Minister, then, is given power to redefine unfair labour practices in this manner, we run the risk that court decisions may be corrected by notice in the *Government Gazette* whenever conservative whites disagree with them

Compulsory Arbitration

The position under the current law is that whenever the Industrial Council or the Conciliation Board has failed to settle a dispute, the matter is referred to the Industrial Court

The amendment provides for the contending parties to agree that the dispute be not referred to the court The effect of this would once more be to lighten the burden of the Industrial Court and increase the difficulty in understanding why the Government is so keen on relieving it of some of its work

A disturbing feature of this amendment is that the court is given power to refuse to determine a dispute referred to it after the Industrial Council or the Conciliation Board's failure to settle It is difficult to reconcile the court's right to refuse to adjudicate with the idea of the arbitration being compulsory

The workers that are envisaged in this section seem to be those who would not have the right to strike Under those circumstances, it would seem unfair if the court were to shirk its responsibility

Under the existing law, an unregistered trade union was not bound to

Govt move to stamp out politics in labour arena?

THE Government intends amending the Labour Relations Act. In the final part of this article, labour expert Mandla Seleane analyses the effect or intentions of the amendments to be introduced by the Minister of Manpower, Mr Pietie du Plessis, during the next session of Parliament

ballot its members before embarking on a strike When the Bill becomes law, it will be obliged to do so

Under the existing law a registered union could apply, that the Minister should publish a notice in the *Government Gazette*, obliging an employer to deduct from the employees' income membership fees

Provided that certain requirements are met, the employer would be bound to make such deductions Failure to do so was an offence When the Bill becomes law, no such obligation will rest on an employer

What emerges from these provisions is that the lot of unions is being made more unbearable While certain duties

hitherto accompanying registered unions are being extended to unregistered unions, benefits accruing to the former are not being extended to the latter

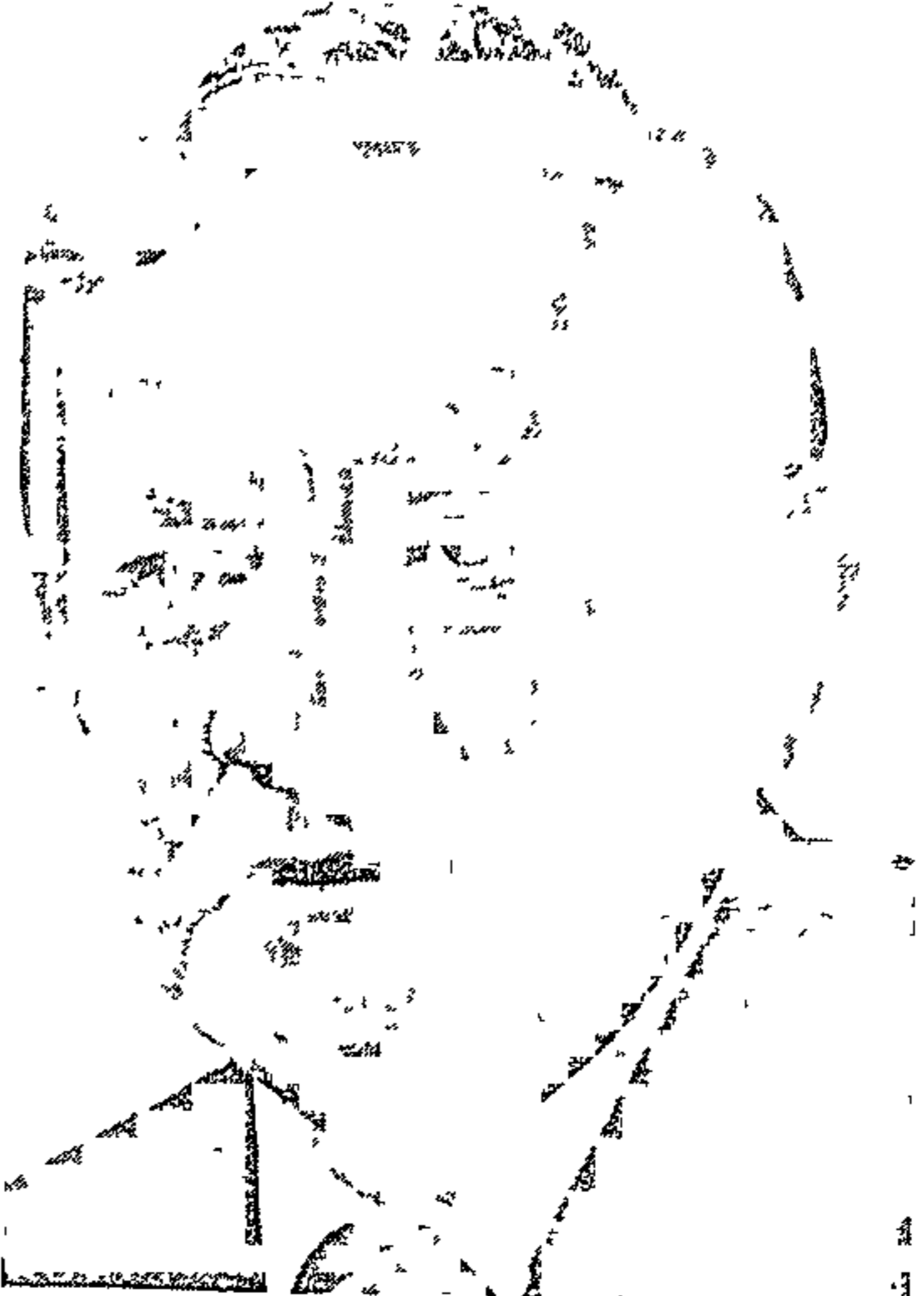
Employers are known to have been very mean with stop orders for trade unions even when it was obligatory for them to provide the facility When the sanction of the law is removed from such meanness, heaven knows what is in store for unions

Another striking feature is that, while trying to protect employers in so many ways, no effort is made to protect workers against dismissal for embarking on a lawful strike

So while employers are being given a free hand, the hands of the workers are being tried systematically

Indemnity in respect of wrongful acts during a strike or lockout remains for registered unions Therefore, while unregistered unions will have to go through the same channels as if they were registered, they shall not enjoy any measure of protection in this regard

For registered unions the law is that they are indemnified against civil proceedings if the strike is lawful



MR PIETIE du Plessis Minister of Manpower

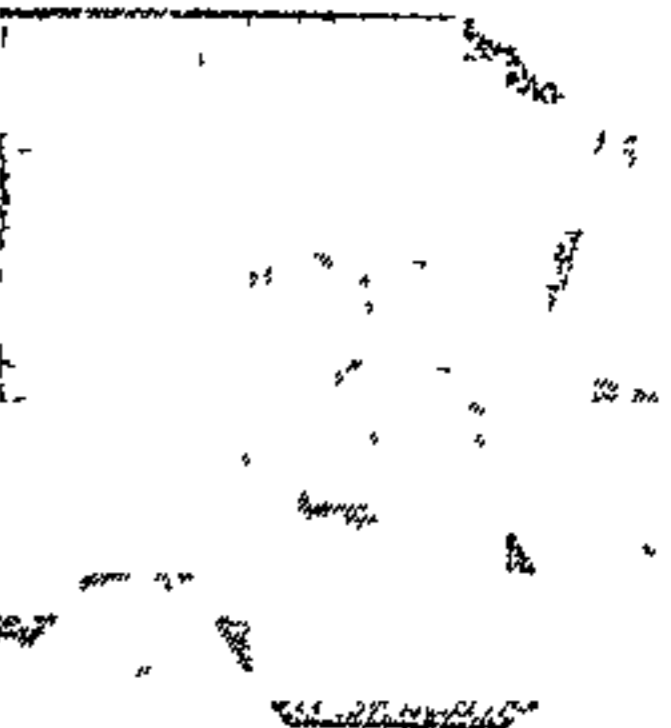
The amendment provides that the indemnity shall not be available in the event of any stoppage which does not constitute a strike or any act which constitutes an offence" This seems to be a response to the 1985/6 stayaways Therefore if a stayaway occurs and the employer loses profit, he will be able to sue the trade union concerned for damages

No claim is made that the assessment is exhaustive There seems to be no doubt that the Bill is the Government's way of making true the threat made by the Minister of Manpower

proposed law will bring about the behavioural patterns required by the Government and by the employers, remains to be seen

On historical grounds, it does not look like, in the long run, the Government will succeed

Before the "new labour dispensation" was introduced, workers were doing a lot of the things which the Government wishes to curb, although the legal odds were much worse



Mr MANDLA Seleane

ARGUS 21/1/88 (78) (288) (151)

Catering union dispute settled out of court

The Argus Correspondent

JOHANNESBURG — The seven-month-long dispute in the Commercial, Catering and Allied Workers' Union (Cawusa) has been resolved in an out-of-court settlement

The settlement, which followed an application by one faction led by general secretary Mr Vivian Mtwā, was made an order of the Supreme Court yesterday by Mr Justice Gordon. It was preceded by negotiations which started on Tuesday.

Conflict in the union broke out in June last year when differences arose between the factions at a meeting called to merge Cawusa with two other unions in the catering sector.

Mr Mtwā had originally asked the court to restrain leaders of the opposing faction, led by Mr Papi Kganare, from making statements on Cawusa's behalf and holding themselves out as Cawusa officials and holding out that Cawusa had merged with the Hotel, Restaurant and Allied Workers Union (Harwu) and the Retail and Allied Workers' Union (Rawu).

In terms of the settlement, the two parties agreed that

- Cawusa is one union, and that de jure no merger took place between Cawusa, Harwu and Rawu at the June meeting

- The recognised national office-bearers be Mr Herbert Mkhize (vice-president), Ms Dinah Nhlapo (treasurer) and Mr Vivian Mtwā (general secretary).

- Fresh branch congresses be held on or before February 28, followed by a national congress by May 15 1988

- All duties of the union's secretariat, including issuing statements, would be carried out unanimously by the national office-bearers

- All purported suspensions, expulsions and dismissals in the various branches since the June meeting be of no force or effect

Importantly, it was also agreed that the parties shall not try to persuade employers not to remit members' subscriptions to Cawusa or its branches

1 000 more bid for UCT

Staff Reporter

APPLICATIONS for admission to the University of Cape Town have in-

had his supporters.
Dettin was

Cape Times
2/1/86

Pilots' contract with SAA 'archaic'

Own Correspondent

JOHANNESBURG — The president of the International Federation of Air Line Pilots' Associations (Ifalpa), Captain Reg Smith, says it is "unbelievably archaic" that the SA Airline Pilots' Association (Saapa) has to negotiate with SATS rather than directly with SAA management.

Captain Smith, who arrived in SA on Tuesday and left for his Montreal, Canada, home yesterday, said he was "very surprised" to learn that Saapa was not recognized by SAA.

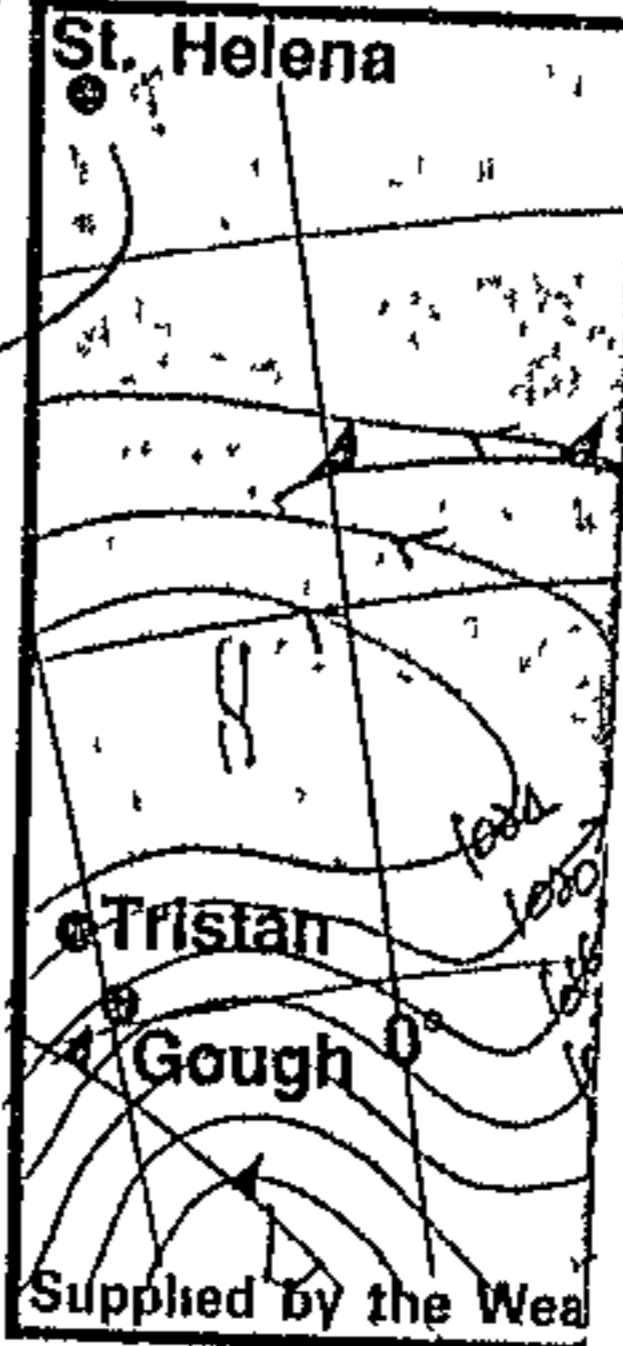
He said his whistle-stop visit to SA was intended to show solidarity with Saapa before its meeting with Transport Affairs Minister Mr Eli Louw.

At the meeting — reported to be tomorrow — Saapa will lobby for official recognition and for the go-ahead to negotiate a fully fledged contract of employment, preferably with the management of SA Airways (SAA).

Captain Smith said Saapa was the only one of Ifalpa's 70 member associations representing 70 000 airline pilots worldwide which did not have this recognition.

"I am surprised the situation has lasted so long. There is no way I would allow any negotiations other than face-on negotiations with the airline management which should include former pilots."

A former president of Saapa, Captain De Villiers Steyn, said SAA was prepared to negotiate with Saapa only on technical matters.



Cloud

CAPE PENINSULA and Western Cape Belt Partly cloudy and but cloudy over the Peninsula. It will clear over the Peninsula and Boland. Wind fresh north west becoming souther-west. The minimum and maximum temperature will be between 15 and 23 degrees.

Coastal belt Cape Infanta to Berg Bay Fine and warm. Light cloudy and cool over the coast.

Coastal belt Plettenberg Bay to Alfred Partly cloudy with isolated thunderstorms.

Namaqualand and the Southern Cape interior Fine becoming partly cloudy.

Pretoria, Witwatersrand and Eastern Highveld Partly and warm to hot with thundershowers.

Transvaal Partly cloudy and Free State Partly cloudy with scattered thunderstorms.

Natal Cloudy and warmer with thundershowers.

Northern Cape and southern Namaqualand Fine and hot.

Central and northern Namibia and Botswana Partly cloudy.

YESTERDAY'S READ

Barometer 1011
Humidity 67
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max 25.3 min 1
(At D F Malan 24 hours)
Hours of sunshine 11.1
Wind (D F Malan) 8 pm 1
westerly 18 knots

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Flight talks
to continue

CAPE TOWN 23/1/88
(15/326)
FURTHER formal negotiations are to take place between Transport Affairs Minister Mr Eli Louw and the SA Airline Pilots' Association (Saapa) following a meeting at the minister's office in Cape Town yesterday.

Mr Louw and Captain Blake Flemington, president of Saapa, met to discuss the salaries and working conditions of SAA pilots.

A joint statement issued yesterday said the purpose of the meeting was to exchange information between the minister and the pilots, and that the parties concerned had been understanding.

DID 23/1/88

Union in wage dispute with industrial council

151

JOHANNESBURG — The Amalgamated Clothing and Textile Workers' Union of South Africa (Actwusa) has declared a dispute with employers at the National Industrial Council for the textile manufacturing industry

Wages are at issue with the dispute arising out of the "totally unrealistic final offer made by the employers," Actwusa said in a statement yesterday.

"If workers accepted the increases offered by the employers they would be forced to accept increases of as little as R3,75

"Actwusa will be conducting strike ballots over the next few days at the factories which are affected by the dispute."

Commenting on the increases offered by the employers, Actwusa's general secretary, Mr John Copelyn, said: "These increases are totally out of line with the general trend of wage increases which have been negotiated in our union.

"This is the lowest final offer that we have been confronted with in all our negotiations recently — it is a disgrace to expect workers to accept such ridiculously low increases"

The Actwusa statement said mini-

imum wages prescribed "in this Industrial Council are appallingly low"

"Minimum wage levels in the automobile, iron and steel, paper industries, etcetera, are at least twice as high as they are in this Industrial Council. In addition to this, whilst nominal wages have increased over the last 20 years, these increases have not been sufficient to combat the effects of inflation."

The biggest employer of this Industrial Council is the Flame Group (Pinetown, Natal) which employs about 3 800 of the 6 500 workers covered by the council

"In previous years the Flame Group was renowned for its policy of paying workers starvation wages," the statement said "Then, during 1986, there was a reorganisation programme and the group went to great lengths to emphasise its 'New Flame Group' image

"However, things have not changed any. There's nothing new in trying to force employees to accept an increase of R3,75 — that was the old style of the Flame Group"

Meanwhile, many other employers falling under this council, wary of the impending strike action have agreed to in-house negotiations — Sapa

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CA 715 26/1/88
**Checkers face
worker dispute**

Staff Reporter

A COMMERCIAL, Catering and Allied Workers' Union (Cawusa) breakaway group will declare a dispute with Checkers (Parow) over the retrenchment of 60 workers if the store does not recognize the group, a workers' spokesman said yesterday.

He said the workers had demanded that management recognize the breakaway group as their union.

General manager Mr. Johan Spief said the workers were employed temporarily.

A breakaway group spokesman said management had dismissed the workers unfairly.

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(15) 26/1/88

QUESTION OF DISMISSALS

DOES a trade union interfere with company policy when it challenges the dismissal of its members?

This is the question facing the Brushes and Cleaners Workers Union and its umbrella body, the National Council of Trade Unions

General secretary of the BCWU, Mrs Mary Ntsiki, said Rand Window Cleaners, a Johannesburg company, told her the union was attempting to interfere with management's right to dismiss "employees said to be less than suitable workers"

The company dismissed six workers — all men — last Friday and has refused BCWU the right to represent them

Mrs Ntsiki said that in reply to a letter she wrote on the dismissals the company's director, Mr Peter Lake-Johns, said Rand Window Cleaners was not under any obligation to discuss its actions with anyone

Legal

She said Mr Lake-Johns added that this included BCWU and Nactu

Mr Lake-Johns also informed Nactu, whose legal unit had approached the company about the workers, that his organisation exercised the right to dismiss the workers and did not intend to reverse its decision

He also warned the union and the federation that their interference would prejudice recognition talks and also accused shop stewards at his plant of intimidating other workers to join BCWU

"This activity will likewise prejudice the

Do trade unions interfere?

By THEMBA MOLEFE

couraging workers from joining the union," Mr Lake-Johns said in the letter

Some of the six workers had been working for the company since 1979, Mrs Ntsiki said

Mrs Ntsiki said the

window cleaners worked under hazardous conditions because they had to climb on scaffolds and risk their lives to clean windows of tall buildings

Mr Lake-Johns and the chairman of the

employer body in the industry, Mr Ivern Bowers, could not be reached for comment yesterday

Mrs Ntsiki said a letter she wrote to the National Contract Cleaning Association on November 16 last year, regarding the company, had not been replied

and will result in the company actively dis-

THE Brushes and Cleaners Workers' Union has taken the Rand Window Cleaners company of Johannesburg to the Industrial Court following the "unfair dismissal" of six members, the union said yesterday

BCWU general secretary, Mrs Mary Ntseke said the union was awaiting a hearing date since the papers were filed yesterday

The company's director, Mr Peter Lake-Johns, was not available for comment yesterday

The BCWU move follows the dismissal of

BCWU action

six window cleaners on January 22.

Mrs Ntseke said efforts by the union and its umbrella body, the National Council of Trade Unions (Nactu), to get management to negotiate the dismissals were in vain

She said Mr Lake-Johns said in a letter to the union and Nactu that their interference in the matter would prejudice the company's recognition of BCWU

He also said the company reserved the right to dismiss those workers "said to be less than suitable employees"

Rand Window Cleaners was not under any obligation to discuss its decisions with anyone, Mrs Ntseke said Mr Lake-Johns had replied

Chairman of the National Contract Cleaning Association, Mr Ivern Bowers said yesterday that Rand Window Cleaners was not a member company. He was commenting on a letter written to the association last November 16 by BCWU over the company's stalling of recognition talks.

Mr Bowers said the association last week wrote a letter to BCWU informing the union that it could not take the matter up

47 back 27/11/88
On the job

A JOHANNESBURG company, Carlton Contract Packaging, yesterday reinstated the 47 employees it had dismissed during a confrontation with staff, all members of the Media Workers Association of South Africa.

Mwasa regional administrative secretary Mr Themba Hlatshwayo said the workers were locked out and told they were dismissed when they protested against the firing of three shop stewards.

He said the company, whose employees joined Mwasa two weeks ago, agreed to suspend on full pay the three shop stewards while negotiations continued.

A company official, who declined to give his name, refused to comment yesterday.

Building societies settle pay wrangle

Labour Reporter

A YEAR-LONG wrangle between building society employers and their employees' union has ended with employers agreeing that for the first time in 40 years salaries should be negotiated.

The Building Society Officials' Association (BSOA), which represents about 16 000 officials, declared a dispute in July when employers opposed the association's request to negotiate salaries at the industrial council.

The dispute was the first in 40 years of negotiation between employers and employees.

Previously salary levels were set unilaterally by employers.

In 1986 members mandated the BSOA to negotiate salaries.

Notice of this was given at the November 1986 industrial council meeting and a special meeting was called for January, 1987 to debate the issue.

The BSOA proposed that employees get separate cost-of-living and merit increases, but

employers claimed that officials preferred a single annual increase.

After a series of industrial council meetings had failed to resolve the issue the BSOA declared a dispute and proposed taking it to the Industrial Court.

This was blocked at the council by employers but the Department of Manpower, approached for its views, said that if the association was satisfied the dispute involved an unfair labour practice it would be within its rights to approach the court.

A set of compromise proposals, tabled at the December industrial council meeting, cleared the way for settling the dispute and for salary negotiations to open.

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Liz Abrahams

said

Mwasa set to strike

South 28/11 - 3/2/88

THE Media Workers Association of South Africa (Mwasa) is to apply to the Minister of Manpower to appoint a Conciliation Board to resolve the deadlock in wage negotiations with the Argus Company and Times Media Limited.

At least 2 000 workers could go on strike if the matter is not resolved.

However, Mwasa's general secretary, Sithembele Khala, said after the union's southern Transvaal regional meeting this week it was unlikely that the minister would appoint a Conciliation Board. Mwasa would then be compelled to

strike after the expiry of a month.

The dispute follows the refusal by the companies to grant a 20 percent across the board wage increase..

The companies offered 16 percent.

Both the Argus and Times Media Limited refused to comment at this stage.

The Argus group has requested a meeting with the union, which will be taking place next week.

Mwasa would call on community organisations to support its members

Mwasa also claimed victory for "massive" wage increases of R40, bringing vendors wages to R100 a week.

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~~151~~ (151)
by DAVE MARRS

Chain store dispute ends

EAST LONDON Settlement has been reached ending the seven-week dispute between Ellerines Holdings and the Commercial Catering and Allied Workers Union of South Africa

Ellerines' general manager (human resources), Mr Pierre de Villiers, said in a statement yesterday that a wage agreement with the union had been signed after a week of negotiation sessions, some of which lasted through the night

He said "industrial action" would stop and employees, who were

demanding a minimum wage of R550 per month and an across-the-board increase of R110, would return to work by Monday, February 1

The agreement includes a minimum R110 per month across-the-board increase and a minimum wage of R441 per month, effective from February 1

Mr De Villiers said the company had agreed to an equalisation of any regional differentiation in pay scales for the same job and had accepted field and outside

area representatives as permanent employees with certain retrospective service benefits

Agreement was reached on sliding scale commissions, a payment of R770,00 to non-sales employees and inside sales staff in lieu of retrospective pay, and one paid day of absence in May and on June 16

Employees detained under the emergency and/or security legislation will have job security under certain conditions in terms of the agreement, while

the issues of probation, overtime, maternity, annual leave and bonus pay were all resolved

Mr De Villiers said Ellerines was committed to the conclusion of a recognition agreement with Cawusa and future wage agreements would be effective from July 1

The dispute began on December 8, 1987 when over 2 000 workers at 143 of the company's 290 branches embarked on a sit-in strike after conciliation talks failed

Attempts to reach an agreement that would

be binding on Cawusa's national membership were blocked by a lack of unity within the union, which was eventually resolved by a court order

The Cawusa negotiating team received a mandate to negotiate a national agreement and talks began again over a week ago

By the time negotiations were underway, 142 stores were participating in the action, although Natal remained virtually untouched by the strike

The stoppage disrupted operations in the Transvaal, where official figures indicate that 110 stores were affected

Happy Fawu man ^{31/1/88} gets job back (151)

CP Correspondent

A FOOD and Allied Workers' Union member was given a hero's welcome by his co-workers this week when he returned to work after being unfairly dismissed in October

Sithembele Kawa, a Fawu shop steward, resumed his duties at SA Breweries in Port Elizabeth after an independent arbitrator ordered his reinstatement

Fawu representative Mxolisi Nduzulwana said Kawa's dismissal stemmed from a management ban on shop stewards taking time off to attend meetings

Nduzulwana alleged that this was in violation of the national Fawu-SAB recognition agreement

According to Nduzulwana, management refused permission for Kawa, 29, to attend two union meetings in September. When he did so, he was dismissed

His dismissal prompted a two-day which ended when Fawu head office intervened

Port Elizabeth's SA Breweries general manager, Richard Davies, said the independent arbitrator had ruled that he should only be suspended without pay for a month. This suspension ended on Monday

"SAB is firmly committed to orderly industrial relations and is more than prepared to meet its earlier commitment to abide by the arbitrator's decision," said Davies.

Now Numsa will take its dispute to Supreme Court

Spv 42188

151

By Mike Siluma,
Labour Reporter

The National Union of Metalworkers (Numsa) has decided to take its long-running dispute with BTR Sarmcol to the Supreme Court, following the industrial court's decision to throw out the union's application for the reinstatement of about 1 000 members

The workers were dismissed in April 1985 after going on strike, demanding that the company (which has since merged with BTR Dunlop) recognise Numsa (then known as the Metal and Allied Workers' Union)

In a statement yesterday Numsa said it had decided to take the matter to the Supreme Court on review because it had "no intention of giving up the struggle for justice for the workers of BTR".

"Independent senior

counsel have advised that in their view the judgment and the conduct of the presiding officer during the trial was such as to warrant review proceedings being instituted

"BTR has confirmed itself as one of the worst employers in South Africa, and its activities will not be forgotten," said Numsa

A statement issued last night by Mr G R Sutton, group public relations manager for BTR Dunlop Ltd, acknowledged receiving notification from Numsa's lawyers indicating a desire to have the industrial court's decision reviewed in the Supreme Court.

But, it said, "To date, five months after the judgment, no papers setting out the union's case for review have been submitted to the company, or its lawyers."

w/ mail 5-11/2/88
151

Black media workers gear to strike on major papers

By SEFAKO NYAKA

THE Media Workers' Association of South Africa this week set up strike committees countrywide to prepare for industrial action against Argus Printing and Publishing and Times Media

And according to Mwasa's general secretary Sthembele Khala, a relief committee has already been organised in Pietermaritzburg, while other regions are expected to establish similar committees in the next few days.

As a fresh round of talks between the union and the major English-language newspaper groups ended in a deadlock this week, it seems likely that Mwasa will resort to strike action to try and resolve the issue

"The deadlock is such that strike action is inevitable," Khala said

The union is demanding a 20 per cent across-the-board wage increase

Argus is offering 17 percent for weekly-paid workers and 12 percent for monthly-paid staff. The company is also offering a four percent increase on merit.

Times Media is offering an eight percent across-the-board increase and eight percent on merit.

The union has also declared a dispute with Times Media because the company has "unilaterally implemented salary increases whilst the talks are still going on. And we view this in bad faith," Khala said.

The other issues in dispute have been relegated to chapel level and include:

- The declaration of a dispute against *The Sowetan* by Argus alleging, according to Khala, that the *Sowetan* chapel holds meetings without the consent of the manager.

- Alleged harassment of *Sowetan* chapel father Joshua Raboroko: The company claims Raboroko attends wage talks without the manager's permission.

- The dismissal of *Sowetan* journalist Mojalefa Moseki whilst on study leave.

- And, the alleged coercing of employees; "directly or indirectly to join or remain members of the South African Typographical Union".

Asked to respond to the allegations, an Argus representative said if it were for publication, he had no comment.

A Times Media representative said the company is still in the process of talking about the dispute and would not like to comment further.

But the strike might take some time to happen. Union lawyers first have to apply to the minister of manpower for a conciliation board. The minister then has to set a date for the conciliation board hearing. If within 30 days it does not happen, the union will legally have a right to go out on strike — after holding a strike ballot.

It will be the third such strike by the media union in seven years.

In 1980 Mwasa went on a national wage strike against Argus and South African Associated Newspapers (which later became Times Media after trimming a major portion of its operations).

The strike ended three months later, opening the way for recognition talks between the union and the companies.

During the strike, which was the first in the newspaper industry, most of the national executive of Mwasa, including its president, Zwelakhe Sisulu, were served with three-year banning orders.

In 1983 Mwasa took on Argus, and lost disastrously, when 209 printing workers were dismissed.

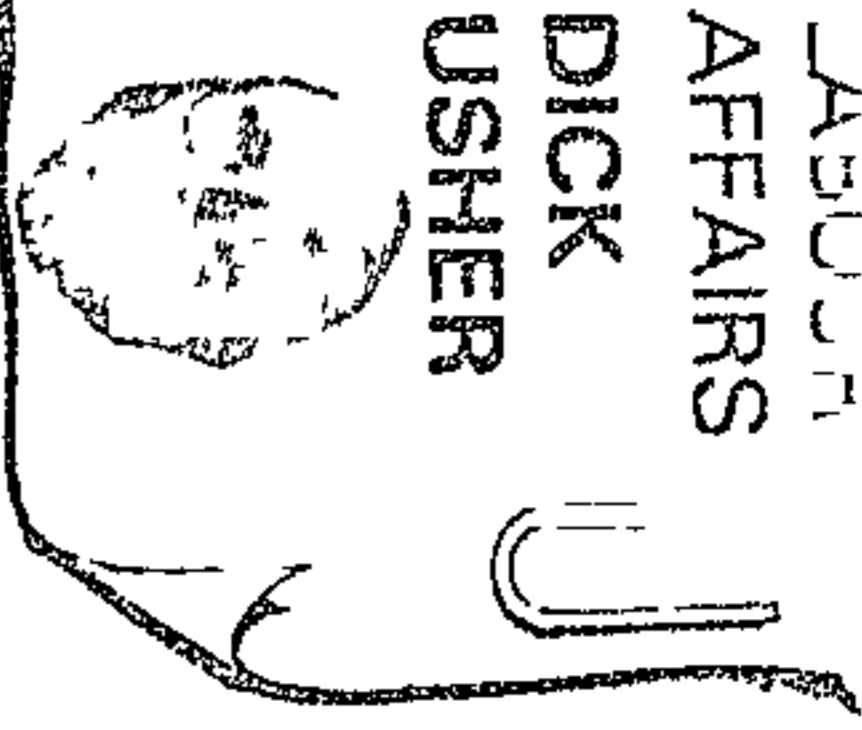
Mwasa negotiates for both blue and white collar workers in the industry.

Khala is the first to admit that there are important lessons the union learnt from the strike.

"We lost the 1983 strike in a terrible way. And we now understand that we have to apply some kind of discipline ... some kind of patience and we intend going through all the stages of planning and co-ordinating the strike."

LABOUR
AFFAIRS

DICK
USHER



— the times are a-changing — they are a-changing

MANY employers have in the past few years found themselves facing actions for unfair dismissals

In many cases they come across all injured innocence and blame "the union" for "stirring things up"

"We know we'd win if it went to Industrial Court, but that's going to cost too much. It's a form of blackmail. The union knows it will be cheaper for us to settle than fight the action so they take a chance and go for unfair dismissal," is a very common reaction.

But in many cases employers could save themselves a lot of trouble if they took more care with their hiring practices in the first place. A case in point was the employer who fired a worker because he'd given a policeman uphill and the employer decided he didn't need that kind of problem

SOMETHING OF A NUISANCE

The dismissal was, on the face of it, both substantively and procedurally unfair. It didn't reach court because a settlement was made, but further information was that the employee was something of a nuisance all round and even his fellow workers were relieved when he went

However, it could all have been avoided if the employer had taken the trouble to do some basic checking on the person's record before hiring him. Times have changed. In the old days (some would say good old days) job protection applied mainly to

Mike Tagg, general manager, precious metal operations of Gold Fields South Africa.



Bryan Milner, sales and marketing manager of Rebsons.

white skilled workers, represented through craft unions. The workers' powerbase was their skills and one of the main ways in which unions protected jobs was through limiting the number of available artisans with these skills

That's had the incidental effect of ensuring relatively high wages and job security for skilled workers. The employer still had the power of arbitrary dismissal, but faced with a skills shortage tended to be rather cautious in exercising that power

In a sense, the protections against dismissal were there even before you had a job. The protections were in the barriers against easy entrance to a job. For unskilled workers no such restraints applied and those who didn't perform adequately, or stepped out of line, or had unfortunate faces, found management's prerogatives swiftly exercised and themselves, looking for a job

RESURGENCE OF UNIONS

But with the resurgence of the union movement, followed by the new labour dispensation, a profound change has come about. Membership of the "new" unions is mainly unskilled and semi-skilled workers and their powerbase is in numbers rather than skills. This is speaking generally, because there are many exceptions, workers with skills whom employers would find difficult to replace at short notice.

Backed by the unfair dismissal and unfair labour practice concepts in the Industrial Relations Act, they have whittled away at what management traditionally regarded as its prerogative to hire and fire. Especially fire

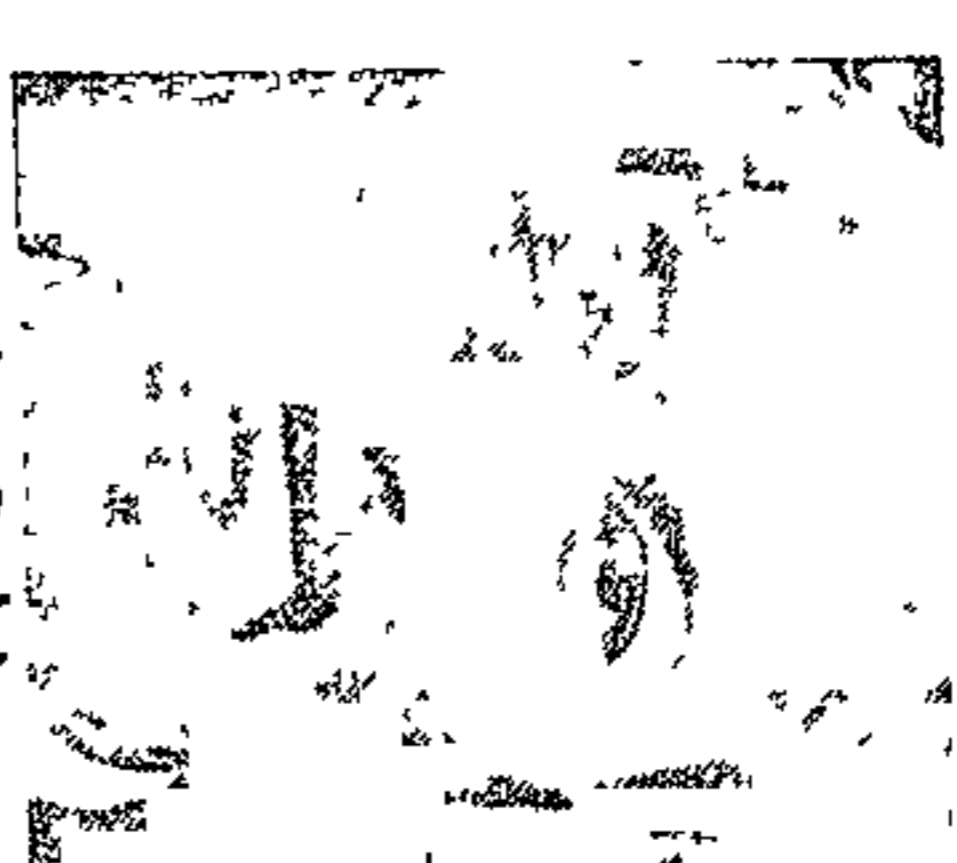
They have used their powerbase and the law to persuade often unenthusiastic managements into agreements that include dismissal procedures and disciplinary, grievance and retrenchment procedures.

They've also acted against selective rehiring after mass dismissals for industrial action and sought protective procedures for rehiring retrenched workers.

The barriers are now much stronger at the other end of the process — the exit.



Peter McBride, branch manager of M-Net's PWV branch office.



Richard Robinson, manager commercial division of Gold Fields South Africa.

Cape Times 10/2/88
**SATS worker's union
to declare dispute** *151*

By CHRIS CAIRNCROSS

THE Federation of Trade Unions of SATS, representing 200 000 railway workers, has given notice to the Minister of Transport, Mr Eli Louw, that it is to declare a dispute as a result of government's refusal to grant its members a 17% wage increase.

The chairman of the federation, Mr Dudley Henn, yesterday said a letter had been sent to Mr Louw requesting the appointment of a conciliation board.

Mr Henn stressed that if this process was disallowed, or if the unions did not receive the increase, they were prepared for a showdown with government.

The federation would then seek to apply for an urgent interdict aimed at invalidating the decision by the State President, Mr P W Botha, to introduce a public service wage freeze this year.

The federation's council plans to hold a meeting in Cape Town on Friday.

D. / D 10/2/88

Union: production hindered by work-to-rule, overtime ban

Daily Dispatch Reporter
EAST LONDON — The Amalgamated Clothing and Textile Workers Union of South Africa (Actwusa) has claimed a 30 per cent drop in production at Frame Group factories as a result of an overtime ban and work-to-rule instituted two weeks ago

The Actwusa's general secretary, Mr John Copelyn, said strike ballots held at the factories after National Textile Industrial Council (NTIC) wage negotiations deadlocked in October last year had resulted in a 90 per cent vote in favour of industrial action

He said workers had decided to claim their full hour-long lunch break as a result of the group's offer in the industrial council negotiations — the main issues being wages and shift times

The Frame Group director of human resources and vice-chairman of the National Textile Manufacturers' Association (NTMA), Mr Peter Richardson, denied that the company had experienced any

significant reduction in production as a result of the overtime ban or work-to-rule

"That is simply not true," he said

"When negotiations reached stalemate the union did not come back to the employers with new proposals, although they rejected our final offer

"The first action by the union was to conduct a strike ballot and, before the results were known, the NTMA invited them to attend further talks because we felt we had proposals which could beat the deadlock

"The basis of that proposal was to substantially improve our offer on condition that the agreement would be in force for 18 months and not six, as originally discussed"

The union's decision to claim a full hour's lunch break had only had the effect of reducing employees' wages by 5.4 per cent a week, he said

"The half-hour lunch break was part of an agreement which had

been in force — with union acceptance — for 22 years in some instances. In return, the working day was reduced by 30 minutes. By taking a full hour and still finishing at the same time, the union has imposed a wage cut on its members"

Mr Copelyn said no settlement had been reached in a 10-hour meeting on February 5

Actwusa had compromised on many issues, and although management had increased their offer, the union's final position had not been accepted

"The closing positions are significantly close — in some cases the employers have offered just 25 cents a week less than the union's final offer

"We cannot understand what they are quibbling about. It seems that management is prepared to risk a massive all-out strike over an extra cent an hour increase," he said

Mr Copelyn added that it was common practice in the industry that many night shifts finished at 3.45 am

"Because no transport is available at this time, workers often just sit around or sleep at the factory to pass the time. I know of no other country in the world where these shifts are worked"

The union is demanding payment from the time of the shift end to 6 am, in compensation for the awkward times

Mr Richardson said the union had been invited to attend a meeting last year to discuss shift patterns, but they failed to turn up

"Nevertheless, we recognised that some shift finishing times were unsatisfactory and decided to change them. However, these changes can only be implemented with union co-operation and our proposals in this respect have always formed part of our offer

"We believe we have substantially met the union's demands in terms of both wages and shift patterns and our offer is spelled out quite clearly in the submission made after our meeting on February 5, which is now being put to the shop stewards," Mr Richardson added

11/6/83 15/2/88

Pilots (15) to see ~~200~~ Transport Minister

Political Correspondent

THE Pilots' Association meets the Minister of Transport Affairs, Mr. Eli Louw, in Cape Town today to discuss claims for improved salaries and working conditions

The association will also ask to be recognised by Sats as an official employees' body

Members of Sats management and the salaries staff association, Salstaff, will be present

These are the first formal talks between the Sats management and the pilots following mass resignation threats and complaints that the salaries of SAA pilots are much lower than those of some overseas airlines

The Minister recently had an informal, exploratory, meeting with the pilots

The management of the federation of Sats trade unions will also meet the Minister and Sats management today to discuss demands for 17.5 percent salary increases

Minister moves on pilots' probe

SAAG Trip 16/2/88 (15)

By BARRY STREEK
Political Staff

AN investigation into the salaries of South African Airways pilots is to take place and will be completed by the end of May, the Minister of Transport Affairs, Mr Eli Louw, announced yesterday

The service conditions of SAA pilots will also be investigated and an independent inquiry will examine the possible recognition of specialist groups, such as the SAA Pilots' Association (SAAPA), he said

The statement followed discussions in Cape Town yesterday with SAAPA and the Salaried Staff Association

The Progressive Federal Party spokesman on transport, Mr John Malcomess, welcomed the investigation into pilots' salaries and said he hoped it would lead to a solution of the problem

He wished the position of air traffic controllers would also be investigated by the same committee at the same time

"Pilots and air traffic controllers are arguably the most important employees in terms of the safety of passengers on SAA"

In his statement, Mr Louw said SA Transport Services was being divided into five separate units of which SAA was one

"In view of the foregoing circumstances it is now possible to consider SAAPA's request to function as a representative body, in a new light"

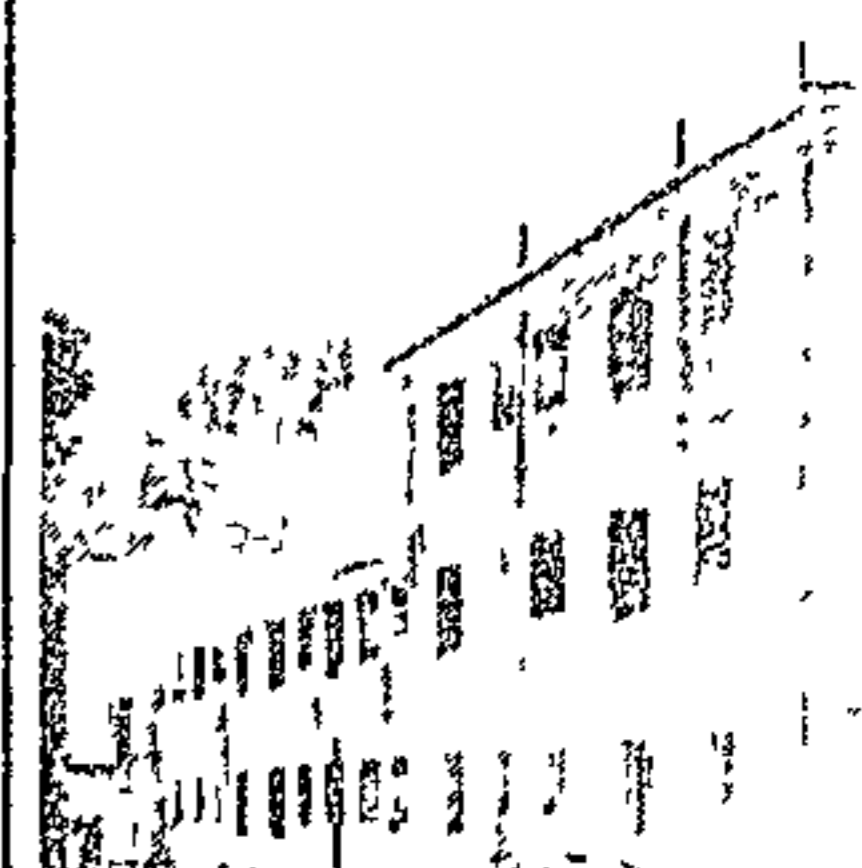
He had indicated that he regarded the pilots as one of the specialist groups in SATS which had a unique character and circumstances

During the discussions, it was agreed that "an independent investigation be instituted by experts from the private sector into the possible recognition of specialist groups in Transport Services"

"In this manner, the recognition of the SAAPA as the official mouthpiece of the pilots will also be addressed"

In his reaction, Mr Malcomess said the possible recognition of SAAPA seemed to be "fairly nifty footwork on behalf of the minister"

DOWN IT GOES
landmark which is being
make way for a new h
by October next year



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SATS DISPUTE

Up against the red light

State President P W Botha has entered the labour arena — sensitive white labour, that is.

He is due to meet the Federation of Sats Trade Unions in Cape Town next Tuesday in an attempt to break its resolve not to accede to his general freeze on civil servant wage increases this year (*Current affairs* February 12)

Botha will personally try to convince the 200 000-member body of the need to tighten belts in a time of economic austerity

The federation will then relay his message to its council, which is unlikely to be impressed, in view of their conviction that they have made enough sacrifices in recent years

Although this is the first time in the federation's history that it has gone this far and even though the members are very upset, they are unlikely to do anything irresponsible

The dispute will most probably have to be resolved by a statutory commission in terms of the Labour Relations Act, if the normal route of a conciliation board (CB) fails to yield results. The appointment of a commission is the last legal channel open to the union. If the commissioner (usually a judge) fails, the unions' next step will be to go back to its members to see what they think should be done. Public sector employees are prohibited by law from taking strike action.

Bargaining to heal the breach between the State's zero offer and the unions' 17% demand will take place at the CB to be appointed by Transport Minister Eli Louw. In terms of labour law, he has at least a month in which to convene one. This flows from Monday's meeting with the federation at which Louw rejected the unions' demand for wage rises starting in April.

The federation has already appointed its CB representatives, whose names were due

to be conveyed to Louw on February 17. They include federation chairman Dudley Henn, general secretary Abram Koekemoer, the Union of Training Staff's Philip Strauss, the Artisan Staff Association's Willem van der Merwe and John Bedwell, president of Salstaff

It appears unlikely that any trade-off will be found by offering the unions better conditions, such as improved pension benefits. "The issue at stake is money in the pocket," says a union official

Meanwhile, the federation was due to start holding a series of information meetings around the country this week.

Among the federation's affiliates are the Artisan Staff Association with about 27 000 members; the Black Trade Union (48 000); Salstaff (27 000); Emplo (13 000), Footplate Staff Association (85 000), Spoorbond (7 000); Union of Training Staff (5 000), Indian Staff Association (2 000); and Coloured Staff (7 000)



Louw

declared policy of a smaller, better trained, efficient and better paid workers' corps.

"Since we will meet with the deregulation in the transport market in an increasing measure," Louw added, "it is essential to realise that the number and quality of personnel should be such that we will be able to effectively counter mounting competition"

Koekemoer, also Footplate's general secretary, was full of goodwill in his Christmas message. "Our salaries, although less than hoped for, were successfully adjusted and, on the labour front, we worked on better and



Henn

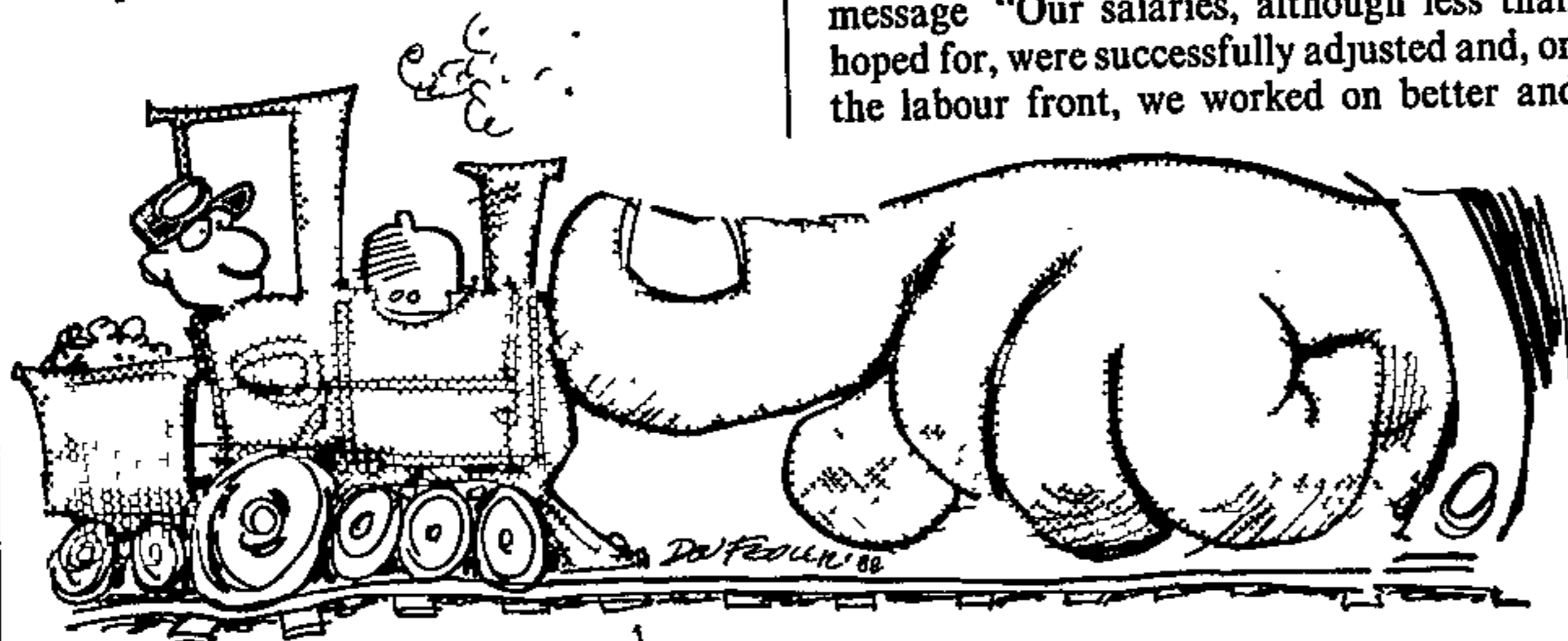
more positive negotiation procedures. Viewed objectively, we are better off than we were a few years ago," he said, referring to that union

Henn, also Footplate's president, spoke of "the need to adjust and adapt — a necessity in the light of (economic) circumstances"

The association, he said, "simply has no choice but to shake off the rust of past successes and prepare for whatever

lies ahead"

Botha's wage freeze, however, seems too much to bear



CAPE TOWN 20/2/88
**'Threat' against
chief: SATS
workers angry**

PRETORIA. — Alleged warnings that the chairman of the Federal Council of SATS Trade Unions, Mr Dudley Henn, would be fired if the wage dispute with the government was taken further, were met with derision at a protest meeting of workers here this week.

About 500 angry SATS workers gave the executives of their unions a mandate for possible strike action.

Mr John Benwell, president of Salstaff, a branch of the council, disclosed he had received information from "very high up" that Mr Henn could face dismissal.

"The Minister of Transport, Mr Eli Louw, met me last week and asked that the SATS should again set an example to the rest of the civil service. My answer was that we were not prepared to become impoverished in the interest of the State," Mr Henn said. — Sapa

Newspaper groups settle dispute

JOHANNESBURG — The Media Workers' Association of South Africa (Mwasa) and the two major English language newspaper groups — Times Media Limited (TML) and Argus — yesterday settled their dispute over wages and working conditions for 1988.

TML's group personnel manager, Mr Pru Peake, said the agreement provided for an across-the-board 17 per cent increase for weekly paid workers and others earning less than R1 000

a month. Salaried staff will receive a guaranteed increase of eight per cent, plus another eight per cent to be distributed according to merit

Women with at least five years' service who take maternity leave, will be entitled to four weeks' pay and the night shift allowance has been increased from 15 per cent to 17,5 per cent

Mr Peake said the settlement, based on a management offer made late last year before dispute was declared, had not been easily reached

MWASA?

P/D 22/2/88

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Ccawusa groups settle after year-long dispute

1 14 01 1104
Cape Times 29/2/88
151

Staff Reporter

THE two groups in the Commercial, Catering and Allied Workers' Union of SA (Ccawusa) in the Western Cape have finally come to an agreement after a year-long standing dispute

Both now agree that a meeting held earlier this month in the Athlone Civic Centre by one of the groups was not a valid annual meeting of Ccawusa Western Cape, and the real meeting will be held on March 20

Mr Edward Hurling, a spokesman for what he called "the Cosatu group", said that when members of his group arrived at the meeting, they had been "chased away" by some of the 200 or so people present.

Last Sunday's meeting was held by Mr Ben Petersen's group, who are called "the Burns Road people" by their rivals and who call themselves "Ccawusa"

The meeting contravened a settlement between the two groups reached in Johannesburg on January 19 in an effort to heal the countrywide split in the union, Mr Hurling said.

In terms of this settlement, both groups within Ccawusa had to be present at the annual meetings held in each of the union's eight branches. Four successful AGMs have since been held in other regions

The AGMs also had to be chaired by a mediator from IMSSA (Independent Mediatory Services of SA)

Mr Hurling said his group had been given insufficient notice of the meeting and no mediator had chaired it

Mr Ben Petersen, Ccawusa's acting Western Cape branch secretary, agreed that no mediator had chaired the meeting, but said his head office in Johannesburg had been given adequate notice of it

"Our meeting was invalidated when two of the office-bearers in head office took a certain interpretation of the agreement," he said

Marshals had turned away certain people from the meeting as they had no status there, due to the nature of the meeting, Mr Petersen said

New protection for strikers

Court ruling outlaws race bias in pay

IN A KEY judgment, the Industrial Court has ruled that racial wage discrimination is an unfair labour practice and has given the offending company six months to eliminate it.

And, in ordering the reinstatement of several hundred workers, the court also appears to have potentially strengthened the right to protection from dismissal for workers involved in a "legitimate" strike.

The case of Nactu's SA Chemical Workers' Union (Sacwu) v Sentrachem, presided over by Dr D G John, arose out of a nine week wage strike by 3 000 workers between May and July 1986, at seven of the chemical giant's plants. Management had issued dismissal notices on July 7, with an offer of re-employment to those who returned by July 15.

About 400 to 500 workers were not taken back — most because management said a restructuring of operations meant they were redundant. Alleged disciplinary offences during the strike led to 17 not being rehired.

Six months of negotiations and the implementation of conciliation procedures failed to resolve the wage dispute in which — at the time of the strike — the union was demanding a R250 increase on the minimum R400 monthly wage, while management was offering a R470 a month minimum.

Sacwu also demanded the elimination of racial wage discrimination, which it said was prevalent in the company.

ALAN FINE

In the judgment delivered on Thursday, the court ordered Sentrachem to eliminate discrimination by August 31. The court defined discrimination as a situation where wages paid to black employees are lower than wages paid to other workers doing the same work — unless the difference is due solely to length of service in the job.

While there was some disagreement between Sacwu and Sentrachem on their definitions of the concept, evidence led by the company during the hearing was that it would cost R4m to eliminate discrimination fully.

During negotiations Sentrachem had agreed to set aside an immediate R1,5m as a first step towards eliminating wage discrimination over a period of time.

The court noted Sentrachem representatives had acknowledged discrimination existed and was morally indefensible. It said there should have been greater efforts by the company to remove it.

The court also ordered the reinstatement of 400 to 500 workers and payment to them of eight weeks backpay.

The most important and far-reaching reason given for this decision was that, since the law grants unions and lawful strikers immunity from penal and civil sanctions, "it would be anomalous if workers were nevertheless penalised by

© To Page 2

Court outlaws race bias in pay

dismissal for striking".

John also reaffirmed the view that "the employer should be prevented from applying selective dismissal, or selective re-employment, in the context of a strike".

The court added if a strike "was legitimate, this would go a long way towards finding that the dismissal of the workers was unfair and, likewise then, the failure to re-employ all of them".

The second reason given by the court was that, if the company — as suggested — had not re-employed workers, either because they were redundant or had committed disciplinary offences, it was obliged to follow the relevant retrenchment and disciplinary procedures. This had not been done.

Cape Town University-based labour lawyer Clive Thompson said this "sug-

gestive judgment" differed from previous cases where strikers had been reinstated in that the court had been concerned only with the legitimacy of the strike.

In this regard, the court had merely noted that the union had exhausted conciliation procedures and the strike had been conducted peacefully on the whole.

Unlike previous cases — including the ground-breaking 1985 case of NUM v Marievale — the court did not find it necessary to examine in detail the length of the strike and the nature of the union's demands.

Sentrachem MD Dave Marlow said he did not wish to comment until he had studied the judgment.

© From Page 1

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1988
1988

1988 Times 23/2/88
**Mwasa wage
dispute settled**

Own Correspondent

JOHANNESBURG —
The Media Workers'
Association of SA
(Mwasa) and the two ma-
jor English language
newspaper groups
TML and the Argus
settled their dispute yes-
terday over wages and
working conditions for
1988

The agreement covers
about 2 000 people

TML group personnel
manager Ms Pru Peake
said the agreement pro-
vided for an across-the-
board 17% increase for
weekly-paid workers
and others earning less
than R1 000 a month.

Salaried staff will re-
ceive 8% plus another
8% according to merit.

Work-seekers registered at labour bureaux
 26 Mr P G SOAL asked the Minister of Manpower
 How many males and females respectively were registered at labour bureaux as work-seekers in terms of the Guidance and Placement Act No 62 of 1981 as at the end of each month in 1987?
 The MINISTER OF MANPOWER
 Figures up to October 1987 are as follows

[Signature]

Registered as Work-seekers
 All Races

	January		February		March		April		May	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Bloemfontein	2 182	1 672	3 592	1 921	3 069	1 976	2 946	1 932	3 076	2 101
Cape Town	15 478	6 990	18 192	8 473	16 776	8 212	17 106	7 944	17 264	8 925
Durban	21 750	11 746	27 970	14 585	23 714	12 202	20 751	11 206	21 250	11 104
East London	3 288	2 068	5 467	3 423	3 518	2 283	2 779	1 619	3 225	1 721
George	1 637	629	1 597	713	1 663	777	1 776	836	1 771	879
Johannesburg	21 585	12 225	27 834	15 764	28 050	14 918	25 679	13 482	24 381	13 766
Kimberley	2 312	890	2 453	944	2 044	682	1 972	766	2 112	687
Port Elizabeth	10 007	3 788	9 830	4 715	6 772	3 049	6 979	2 892	5 777	2 755
Pretoria	10 079	4 992	12 548	6 233	12 537	5 917	10 844	4 995	11 611	4 773
Total	88 318	45 000	109 483	56 771	98 143	50 046	90 832	45 672	90 467	46 711

	June		July		August		September		October	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Bloemfontein	3 128	2 133	3 133	2 035	3 346	2 134	3 681	2 229	3 711	2 237
Cape Town	16 670	9 017	16 066	8 839	16 520	8 619	17 381	8 823	17 174	8 826
Durban	22 536	11 029	23 546	10 983	23 900	11 658	24 170	11 329	23 333	10 083
East London	3 187	1 718	2 726	1 404	2 618	1 188	2 870	1 344	2 749	968
George	1 739	821	1 924	876	1 449	805	1 718	978	1 748	1 087
Johannesburg	25 046	13 856	26 111	12 999	27 512	13 688	28 735	13 541	27 355	12 800
Kimberley	2 102	722	2 006	682	2 167	761	2 140	745	2 539	874
Port Elizabeth	5 900	2 582	5 981	2 652	6 081	2 230	5 871	2 781	4 923	2 272
Pretoria	12 482	4 713	12 751	4 851	12 836	5 400	13 590	6 002	12 493	4 934
Total	92 790	46 591	94 422	45 321	96 429	46 483	100 156	47 772	96 025	44 081

Persons registered as unemployed

27 Mr P G SOAL asked the Minister of Manpower
 How many Whites, Coloureds and Asians respectively were registered as unemployed in each inspectable area as at the latest specified date for which figures are available?

[Signature]

The MINISTER OF MANPOWER

	Whites	Coloureds	Asians
Bloemfontein	1 647	619	—
Cape Town	4 340	17 635	28
Durban	4 555	2 439	8 038
East London	238	296	—
George	407	1 581	—
Johannesburg	9 978	3 291	774
Kimberley	257	1 482	8
Port Elizabeth	1 220	1 631	5
Pretoria	2 109	232	97
Total	24 751	29 206	9 512

NOTE These figures are as at 31 October 1987

Religious objectors' alternative service

30 Mr P G SOAL asked the Minister of Manpower
 Whether any national servicemen who were granted the status of religious objectors have had to wait to be placed in alternative service, if so how many such religious objectors were not placed in alternative service for (a) 12 months (b) 9 months (c) 6 months and (d) 3 months in 1987?

The MINISTER OF MANPOWER
 (a) 0
 (b) 1
 (c) 7
 (d) 17

[Signature]

32 Mr P G SOAL asked the Minister of Manpower
 How many workers in each race group were involved in (i) strikes and (ii) work stoppages in 1987 and (b) what was the total number of man-hours lost in respect of workers in each race group as a result of such (i) strikes and (ii) work stoppages?

The MINISTER OF MANPOWER
 (a) Whites 83
 Coloureds 14 855
 Asians 2 181
 Blacks 523 925

[Signature]

35 Mr P G SOAL asked the Minister of Manpower
 How many applications for the (i) establishment of conciliation boards in terms of section 35 and (ii) appointment of a mediator in terms of section 44 of the Labour Relations Act No 28 of 1956, were (a) made and (b) approved in 1987 and (b) in respect of what percentage of the approved applications were the disputes settled in each case?

The MINISTER OF MANPOWER
 (a) (i) (aa) 2312
 (bb) 779
 (ii) (aa) None
 (bb) None

(b) Conciliation boards 33 5 per cent
 Mediators Falls a.w.r.v.

[Signature]

clone season and every
will be made to recover it.

Pick 'n Pay talks stalled

Star Labour Reporter 3/7/88

Wage talks between the Commercial, Catering and Allied Workers' Union (Ccausaha) and Pick 'n Pay — potentially affecting 13 500 of the retail chain's employees — have run into dispute.

A Ccausaha statement yesterday said the talks, which started about six weeks ago, stalled at a point where the union was demanding an across-the-board increase of R204 a month against the company's R120 offer.

At the start of the negotiations Ccausaha had demanded a monthly rise of R366, which would set the minimum wage at R856. Pick 'n Pay opened with a R100-a-month offer.

Ccausaha is also demanding a week's extra leave for workers with three years' service.

TALKS STALLED



THIBEDI ... convenes branch congress.

PICK 'n Pay and the Commercial Catering and Allied Workers' Union of SA have deadlocked over wage increases and annual leave.

The two parties failed to reach agreement during their wage negotiations on Tuesday this week.

Ccawusa has declared a dispute with the retail chain, reiterating its demand for an across-the-board wage hike of R204,59 a month against

management's offer of R120

Other union demands include annual leave of three weeks during the first three years and a four-week leave period thereafter. Pick 'n Pay has offered three weeks' annual leave during the first four years and thereafter four weeks' leave.

Pick 'n Pay spokesman Mr Frans van der Walt said the union and

management were scheduled to hold further talks on March 10.

Ccawusa official Mr Johnson Mhlayivana said "The union is not able to move from its demand of R204,59-a-month pay rise for all its members and regards the company's offer as unacceptable."

He said the two parties had already agreed on the question of staff accounts and the union

had dropped its demand for a 12 percent staff discount on goods purchased at the retail chain.

Meanwhile, strike balloting was in full swing at OK Bazaars' outlets throughout the country, a Ccawusa official said.

Mr Kaizer Thibedi said the union had resolved to conduct ballots after attempts to have 187 Roodepoort Hyperama employees reinstated failed.

The workers were dismissed after they had downed tools in protest against "management's continued failure to attend to employees' grievances," the official said. They were dismissed early last month.

"Balloting has been successful so far," Mr Thibedi said.

OK spokesman Mr Keith Hartshorne said the Roodepoort workforce was dismissed after they went on an illegal strike. An appeal by the sacked staff for reinstatement had been unsuccessful.

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By LEN MASEKO

Sandton 3/3/88

2049
55

FM 4/3/88

wage discrimination and in the course of negotiations proposed to use R1,5m towards removing it. During the hearings, the total cost of doing so was estimated at about R4m.

"If the company accepted that this was the cost of removing discrimination, it presumably recognised its existence without a formal definition of it," said the court

The court says the company's approach appeared to be that the parties should investigate the matter at plant level and isolate cases of discrimination. The union, however, held that since wages were negotiated centrally, it was up to the company to instruct its plants to remove discrimination. "This is not an unreasonable approach," according to the court. It says, therefore, that the union was justified in regarding as a stalling tactic the company's insistence on a definition of wage discrimination.

The court reiterated. "There is no doubt that wage discrimination based on race, or any other differences between workers concerned other than their skills and experience, is an unfair labour practice."

The applicant's reference to the International Labour Organisation (ILO) Convention on this subject — on which the Wiehahn Commission based its guidelines that were accepted by government — was noted. "There are, however, limits," said the court and interestingly quoted Article 1 of the ILO Convention, which states: "Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof is not deemed to be discrimination."

The company contended that no order should be made on this aspect of the case, because no proof of discrimination had been submitted. And, indeed, it committed itself to removing discrimination in time.

The union, however, pressed for an order requiring the immediate elimination of discrimination and said it was prepared to take to arbitration any alleged breaches of that order. The union pointed out that it had been seeking an end to discrimination since negotiations began in 1984.

In finding for the union, the court felt "there should certainly have been greater efforts by the respondent to remove the discrimination which itself acknowledges to exist and which it would not be beyond the capabilities of its management to ascertain."

WAGE DISCRIMINATION

Plugging the gap

Great attention was focused on trying to define the meaning of wage discrimination or wage gap in the key industrial court case recently concluded between Sentrachem and the SA Chemical Workers Union.

For the company, which was given six months to eliminate racial wage disparities, the gap appeared to mean the difference in average between the wages of whites and of blacks, the court observes.

The union saw the wage gap as sometimes the same as wage discrimination and sometimes not. In evidence, the union's national organiser, Manene Samela, gave wage gap this meaning: the difference between the grades, that is, the difference between the minimum rate paid for grade 19, compared, for instance, with the minimum rate for grade 11.

Discrimination, he said, "is where you find that the workers are doing the same job, but they are not paid the same wage." Samela compared the position of black process operators at Newcastle, who were running the panel, with the senior process controllers, who were supervising but not operating, and the difference in wages between the two was between R400 and R600, which the union regarded as discrimination.

The company made much of the need for a definition of wage discrimination before the issue could be properly tackled.

The union did not see the necessity for such a definition. Nor, said the court, did there appear to be a need for one if the company agreed (as it did) that there was

~~Anti~~
~~151~~
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9/17/71 on 15
**Local 5/3/88
Ccawusa
deadlock
broken**

By PETER DENNEHY

A DEADLOCK between the two disputing groups within the Commercial, Catering and Allied Workers' Union of SA (Ccawusa) in Cape Town was broken yesterday when one of the groups compromised on who would choose the marshals at the unifying AGM on March 20.

Both groups will attend the AGM, to be chaired by a member of the Independent Mediator Service of SA.

Mr Ben Petersen, Ccawusa's acting branch secretary, stressed this week that an earlier meeting, held on Sunday, February 21, had merely been a general meeting.

Asked why his group rejected joint marshalling, Mr Petersen said irregularities had crept into meetings in other centres where marshalling had been arranged by the "breakaway" group.

Mr Edward Hurling, a spokesman for the "breakaway" group, confirmed last night that his group had wanted joint marshalling, but had compromised on this issue to ensure that the AGM went ahead.

'No' to dispute system



Political Correspondent

151

BAD blood has risen between the Government and public sector employees, with State workers criticising the Government's proposals for handling pay disputes.

15

The commission for administration recently put before the employees' organisations a new mechanism for negotiations.

6/3/88

This week, the Teachers' Federal Council expressed concern after considering the proposals.

It warned it would participate only if the system "worked effectively".

Other powerful bodies are reported to have agreed with the teachers, although they officially said only that they had sent back the Government's proposals with "extensive comment".

apt times
March 8, 1988 7

New Cawusa split over charter

JOHANNESBURG — Divisions within the Commercial Catering and Allied Workers' Union of SA resurfaced at the weekend — only weeks after the two warring factions resolved their dispute through an out-of-court settlement.

A source close to the so-called Mtwa faction who attended the meeting here, packed with more than 7 000 members, said about 300 supporters of the Kganare group sought observer status when they saw they were heavily outnumbered.

The meeting refused to support the adoption of the Freedom Charter, describing it as a divisive document. The ideological battle between charterists and others is the main cause of the division in Cawusa.

Another resolution read "The union resolves to discuss . . . a socialistic programme . . . which will bind all workers regardless of political affiliation" — Sapa, Own Correspondent

Union in dispute with Anglo

Sowetan
9/3/88

151

THE Transport and General Workers' Union, an affiliate of Cosatu, has declared a dispute with Anglo American Property Services, Ampros, over wage increases, a spokesman for the union said.

In a statement, TGWU's general secretary, Jane Barrett, said the annual wage negotiations started early in February and deadlocked on March 2.

Increases

"At all previous negotiations Ampros has never given increases in real terms to the workers, which has resulted in the drop of the standard of living of the workers," she said.

The union represents cleaners, security guards and maintenance workers employed by Ampros throughout the country.

— Sapa —

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The council secretary, Mr Cas Naude, reported pected that the council conducted inspections of dairies supplying

D/D 12/3/88

Fort Jackson limpet blast: responsibility not claimed

Daily Dispatch Reporter
EAST LONDON — No-one has claimed responsibility for the three limpet mines that exploded at a Fort Jackson electrical substation five days ago

spokesman, Colonel G A Ngaki, said it was not known who had planted the mines that destroyed a prefabricated shed and slightly damaged another building

planted, three exploded destroying the roof, an iron door and most of the wall panels of the pre-fabricated shed

No-one was injured during the incident, which occurred on Monday night

A Ciskei Police Of the four mines

D/D 12/3/88

King workers walk out after dispute with management

Daily Dispatch Reporter
EAST LONDON — Workers at the Anglo Cafe and Bakery in King William's Town staged a walkout this week after declaring a dispute with management over the mistreatment of workers

worker in the take-away department had complained to the owner of the bakery, Mr Reno Psiloyenis, of verbal abuse

Mr Psiloyenis, who said he had laid charges of intimidation of customers and employees with police, denied that any of his staff had been fired

He had been told to sort out the problem with the manager concerned

He said the workers had not followed the correct grievance procedure and no notice of dispute had been given

The regional organiser of the Commercial Catering and Allied Workers' Union of South Africa (Ccawusa), said a

The manager, he added, then ordered a few of the take-away workers off the premises and 31 workers had walked out in sympathy

"As far as I am concerned they dismissed themselves by walking out," Mr Psiloyenis said

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D/D 15/3/88 (151) (1407)

CWIU talks break down

(155) (355) (1000)

JOHANNESBURG — The Chemical Workers' Industrial Union (CWIU) has declared a dispute with Mobil Oil SA after talks on wages and working conditions broke down, a spokesman for the union, Mr

B K Mosley, said yesterday

The negotiations concerned workers at all Mobil plants throughout the country

"At issue are members' demands for a

R200 a month across-the-board increase with the minimum monthly pay increased to R910, a service allowance of R5 a month for each year of service, and the back-dating of the increases to March 1, 1988," Mr Mosley said

"The company's present offer of R155 a month has been rejected.

"The Durban branch of CWIU negotiating with Mobil Oil Refinery (Pty) Ltd are also in dispute with the company

The company's public relations manager, Mr Barry Hurt, said the union had demanded an increase of R200 a month, and the company had offered R155

"Our offer represents an average increase of 18 per cent This is well above the forecast inflation for 1988

"Our minimum wage is R710 a month and the total monthly remuneration package for any employee will equate to R1 014, if we include other benefits such as housing subsidies and education assistance"

The talks are to continue — DDC



Sowetan 15/3/88

FLASHBACK: Miners during a wage strike last year

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Mobil in dispute

TALKS on wages and working conditions between 236 Johannesburg Chemical Workers' Industrial Union members and Mobil Oil SA have broken down with the union declaring a dispute with the company, CWIU organiser, Mr B K Mosley, said in a statement yesterday.

These annual negotiations on substantive issues are national and involve 24 depots

Workers are demanding a monthly increase of R200 across-the-board and a minimum of R910 a month.

Disturbing

They are also demanding that the company back-date the increases to March 1, this year, as well as offering a service

allowance of R5 a month for each year of service

"CWIU finds Mobil's attitude in the negotiations extremely negative and disturbing. The company's present offer of R155 a month has been rejected by members who say they cannot accept the same increase that they won last year.

"CWIU further believes that Mobil is not sincere in its attempt to reduce the salary gap that exists between itself, Shell and Caltex."

Shell pays a minimum monthly salary of R780 a month and Caltex pays R735, both of these being above Mobil's minimum wage.

"These companies are also in line for negotiations this year which

could further widen this salary gap," Mr Mosley said

CWIU will have a

dispute meeting with Mobil this Friday in an attempt to resolve the impasse — Sapa

MBSA workers strike over pay dispute

(151) Daily Dispatch Reporter (145)

EAST LONDON — Production at the Mercedes-Benz of South Africa (MBSA) plant here has been suspended since the weekend after some 1 000 hourly-paid workers downed tools over a pay dispute.

The MBSA public relations manager, Mrs Delene MacFarlane, said the production line halt had come as a result of "unlawful industrial action undertaken by employees in the paint and body shops"

She said employees in the paint shop at the plant had refused to complete the last hour of the afternoon shift on Thursday last week

The local secretary of the National Union of Metalworkers of South Africa (Numsa), Mr Viwe Gxarisa, said more than 3 000 workers had been affected by the halt in production

The late shift on Thursday had completed the number of units specified as a target by management an hour before the end of their shift, he said

"They continued with their work, but were told by their supervisor that they were loitering and were not completing any further units

"He then took away their punch cards and told them to leave," he added

Mrs MacFarlane said management had attempted to persuade the

workers to work the full shift, but had not been successful

"In accordance with agreed policy, the company applied the principle of no work, no pay," she said

This had resulted in all the employees in the paint shop refusing to resume production the next day unless their colleagues were paid for the time not worked

"Discussions were held between management and the shop stewards in an attempt to resolve the issue, but no finality could be reached

"On Monday, employees in the body shops joined in the strike action

"The company informed the shop stewards that where dissatisfaction existed, the proper procedures should be followed instead of resorting to unlawful industrial action," she added

● A spokesman for MBSA said yesterday that the decision to postpone the launch of the latest model of the Honda range had been taken more than a month ago and was not connected to the latest work stoppage.

"Due to numerous technical improvements in the new range and in order that we fully meet the local content requirements, we need to extend the introduction date by six to eight weeks"

OK in wage talks

South African 16/1/88
THE Commercial Catering and Allied Workers' Union of SA and OK Bazaars are scheduled to meet next week for further wage talks which will centre on — among other things — the union's demand for a R300 across-the-board increase.
OK Bazaars is expected to respond to Ccawusa's wage demands at a meeting between the two parties on March 23
The union's demands include

- A minimum wage of R700 a month, *(ISI)*
- A 25 percent staff discount.
- June 16, May 1 and March 21 be regarded as paid holidays,
- Recognition of "traditional doctors",
- A 40-hour week,
- No Pay-As-You-Earn tax deductions, and
- Payment of 1987 bonuses to workers who were involved in the wage strike at the retail chain's outlet two years ago

OK spokesman Mr Keith Hartshorne confirmed that the company would respond to the union's proposals next week
Meanwhile, wage negotiations between Ccawusa and Pick 'n Pay are continuing, a union spokesman said yesterday
Ccawusa has declared a dispute with Pick 'n Pay over — among other demands — wage increases of R204 59 a month, against management's offer of R120

Unfair dismissal in King bakery

EAST LONDON. - The dismissal last week of 35 workers at the Anglo cafe and bakery in King William's Town has been called an unfair labour practice by the Commercial, Catering and Allied Workers Union (Ccawusa)

The union warned it would fight the dismissal to the "bitter end"

The action came after a certain Mrs Grabner was appointed as a manager in the take-away department.

A union spokesperson said the workers in this department were not happy about the way she treated them

17-23/3/88
According to the union spokesperson, the owner of the bakery, Mr Reno Psiloyenis, was approached by a workers' delegation earlier last week.

Psiloyenis said the workers had not followed the correct grievance procedure and no notice of dispute had been given.

"As far as I am concerned they dismissed themselves by walking out," he said - ELNEWS

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Workers in dispute with paint company

112645 24/3/88
Labour Reporter

A DISPUTE has been declared with Plascon-IPC over final warnings to workers who took part in a strike in February, according to a South African Chemical Workers Union (Sacwu) spokesman.

The spokesman said mediation over the dismissal of six workers who took part in the strike at the factory in Epping failed this week.

He said Sacwu would apply to the Minister of Manpower for a conciliation board on both issues.

Mr Peter White, managing director of the factory, confirmed the mediation had failed, but said he did not know about the dispute being declared or the intention to apply for a conciliation board.

Nine workers were originally dismissed after the strike, but on appeal six dismissals were confirmed.

After meetings between Sacwu and management it was agreed that the issue go to mediation.

Collective bargaining urged

TEIGUE PAYNE

The politicisation of the union movement is a natural consequence of the absence of channels for the expression of black political aspirations at the centre and is likely to continue to bedevil labour relations for some time, says the president of the Chamber of Mines, Mr Naas Steenkamp

He said at the annual meeting of the Association of Mine Managers yesterday that as a result managers had to deal with unions driven by grievances rooted outside the workplace

"It lies beyond our capabilities and beyond our legitimate role to address the problems of political participation, but this does not mean that we can in the meantime decline our share of responsibility for promoting the process of democratising

our society. This we can do in several ways, not least by demonstrating continued faith in the collective bargaining process even when it, on occasion, imposes major strains on us"

Mr Steenkamp said the mining industry's approach was to try to resolve conflicts through collective bargaining

"It is in this spirit that we enter the 1988 negotiations," he said, referring to forthcoming wage negotiations with the National Union of Mineworkers (NUM)

He said last year's strike was an unfortunate episode. It was hoped that an acceptable settlement would be reached this year without a repeat "Al-

though the strike was interpreted in some quarters as a victory for the employers, there were no winners. For the industry, the strike was damaging and disruptive. For the strikers the lessons learnt were painful and expensive"

Recalling Mr Cyril Ramaphosa's statement that the 1987 strike had merely been a dress rehearsal for 1988, Mr Steenkamp said he hoped the NUM would enter this year's bargaining process in good faith

He said industry profits were under extreme pressure and the viability of some mines was on the line as costs continued to spiral upwards

He said the mining industry had to work for lower inflation and had to bear this in mind in its wage and salary reviews

Building union to seek mediation

The Building, Construction and Allied Workers' Union (BCAWU) is to seek mediation to resolve its wage dispute with Gypsum Industries, a union spokesman said

He said three meetings aimed at resolving a dispute between 68 BCAWU members and the company had failed.

● The Hotel and Restaurant Workers' Union (Harwu) has declared a dispute with the Johannesburg Country Club, a union statement said — Labour Reporter

~~14/11/88~~

3/3/88

151

5/7/88

Union dispute at Rex

ABOUT 3 000 members of the Garment and Allied Workers Union have declared a dispute with one of the country's biggest independent clothing companies, Rex Trueform

The workers, at factories in Salt River, Atlantis and Wynberg, are demanding negotiations at plant level, a R15 across the board increase, a long service allowance of one rand a week and an increased transport allowance

The dispute was declared last Monday. If not

settled within 30 days, workers can take legal industrial action.

An Industrial Council meeting to discuss the dispute will be held on April 20

GAWU media officer Ronald Bernickow said machinists were paid between R62 and R94 a week in terms of the Industrial Council agreement

"We see the Industrial Council rates as a minimum for the industry and workers have a right to negotiate for increases above this minimum."

He said the dispute had started in the Rex Trueform cutting room in Salt River and soon involved more than 2 500 workers at the factory and more than 300 other workers in Atlantis and Wynberg

Port Elizabeth

A similar dispute had been declared in Port Elizabeth where the union's 4 000 members demanded a R30 across the board increase. Management had offered a 15 percent increase, Bernickow said

Gawu has rejected

proposed amendments to the Labour Act and attempts by the government to freeze wages

This was decided by about 400 shopstewards who attended Gawu's first regional shopstewards council last week.

The union said the Labour Law Amendment Bill would "take away all the rights workers have won over the years"

Paul Adams, former president of the Garment Workers Union of the Western Province, was elected Gawu regional chairperson.

3/3-6/4/88

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129

388

Labour

Sacked men get jobs back

Sources 31/3/86
ATLANTIS Diesel Engines has agreed in the Industrial Court to reinstate 16 workers dismissed from its metal melting department earlier this month for refusing to work a new shift.

In papers before the court, the workers — all members of the National Automobile and Allied Workers' Union — said from October 1986, they worked a rotation day and night shift system of four 12-hour shifts in terms of their contracts of employment.

ADE management had unilaterally changed the system to a six eight-hour shift system without consultation or adequate notice, the workers said.

They said in terms of the old system, they had worked on Saturdays and Sundays without being paid overtime.

By means of a notice in February this year, workers in the metal melting department were told that the new shift system would be implemented on March 13.

The union then launched an application in the Industrial Court asking for an order restraining ADE from implementing the new system — Sapa

Mwasa disputes retrenchment

THE Media Workers Association of South Africa (Mwasa) declared a dispute on retrenchment procedures with Allied Publishing Company last week

Mwasa's provisional agreement spelling out retrenchment procedures in detail was rejected by Allied. The provincial manager of Allied, Mr J A Rayner, confirmed a dispute had been declared, but refused to elaborate.

South (151) ~~13/4/88~~
7-13/4/88

5/4/55

Mwasa declares dispute

THE Media Workers Association of South Africa had declared a dispute with Perskorporasie after a deadlock in wage talks.

This was said yesterday by Mwasa's organiser, Mr Basner Ngceba on behalf of the Southern Transvaal region of the union.

Mr Ngceba said Mwasa was demanding a minimum wage of R180 a week while the company had offered a R20 increase to the staff, some of whom were earning about R70 a week.

The dispute has been referred to the Industrial Council.

~~1955~~ 151 ~~1955~~

Strike: group fires workers

DD. 9/4/88

Daily Dispatch Reporter
EAST LONDON — Workers involved in a dispute with the Tek group of companies were dismissed on Thursday after they ignored an ultimatum to resume production or lose their jobs

The regional secretary of the National Union of Metalworkers of South Africa (Numsa), Mr Viwe Gxarisa, said more than 900 union members had stopped work to demand that the company reinstate 20 of their colleagues, and had been locked out of the premises

He said the union had been involved in negotiations with Tek when management issued all the workers with booklets listing the general rules of the company, as well as health and safety grievance and disciplinary procedures

Some of the workers had refused to sign — saying the issues were being discussed at union level and any agreement should be signed by the parties involved, not individual workers — and

were fired, Mr Gxarisa said

The company's human resources manager, Mr Gerrie Uys, said, however, that Tek did not employ as many as 900 people and put the number dismissed at 700

He said they had been involved in an illegal strike and had declined to work after four ultimatums and negotiations at plant level.

"Industrial action occurred on numerous occasions. The work stoppage was in breach of their employment contract and management had no option but to dismiss the workers"

Mr Uys said the 20 workers who were fired had all been on probation and had been dismissed because they would not accept conditions of employment

Mr Gxarisa said "Tek have delayed signing an agreement recognising Numsa because they want to wait for the passing of the Labour Relations Amendment Bill, which will compromise the position of the union"

Dispute takes ^{Southern} 11/7/58 a new ^{ISI} turn ^{ISI}

THE dispute between the Commercial, Catering and Allied Workers' Union (Ccawusa) and Pietersburg Wholesalers took a new turn at the weekend when the union filed papers in the Industrial Court applying for the reinstatement of 69 dismissed workers.

The dispute started on March 9 when workers downed tools and demanded that the company, owned by an Indian family in the town, should recognise the union, stop alleged dismissals and open talks with the union on wages.

Wages

The applicants allege that the respondent also violated basic minimum wage levels set by the Department of Manpower, forced workers to work overtime without pay, used racist swear words in his dealings with workers, assaulted workers and refused to discuss worker grievances with their representatives.

The applicants have asked for the appointment of a conciliation board or immediate and unconditional reinstatement of the workers. The company has until April 21 to file replying affidavits.

D11/11/44

Union denies worker strike

Daily Dispatch Reporter
EAST LONDON — The National Union of Metalworkers of South Africa (Numsa) has denied that workers at the Tek group held a strike on Thursday.

The union's regional secretary, Mr Viwe Gxarisa, accused the company of dismissing more than 900 union members because of a breakdown in discussions.

He said the union had demanded that the company hold discussions with its shop stewards' committee and union

representatives, following the dismissal of 20 of their colleagues.

Tek management, however, had refused.

Report-back meetings were held in various plants to discuss the "outdated attitude of the company," he said.

The company's human resources manager, Mr Gerrie Uys, said on Thursday that workers declined to work after four ultimatums and negotiations at plant level.

Mr Gxarisa said there were no ultimatums and attempts to organise a

meeting on Thursday and Friday had failed.

Mr Gxarisa denied that the 20 workers had been fired because they would not accept conditions of employment.

He said they were dismissed because they had refused to sign individual agreements which they felt should be discussed at union level.

"Since Tek started operating in Wilsonia in 1974, the workers have not had a representative union and have been exposed to naked exploitation," he said.

Update

DEMANDS NOT MET - UNION

Sowetan 12/4/88
151

WAGE talks between the United African Motor and Allied Workers Union of South Africa and Isando-based MAN Truck and Bus have deadlocked, a union spokesman said yesterday.

UAMWUSA official Mr Peter Makgathulela, Mr Peter Makgathulela said the stalemate revolved around the union's demand for a wage increase of R1,50 an hour, against the company's offer of 45 cents an hour.

The union also demands recognition of May 1 and June 16 as paid holidays and reduction of working hours from 45 to 40 hours:

- The Media Workers Association of South Africa (Mwasa) and Perskor have referred their wage dispute to the industrial council after talks broke down last

By LEN MASEKO

week. Mwasa Southern Transvaal organiser, Mr Basner Nceba, said the union declared the dispute with management after the company refused to accede to the workers' demand of a R180 a week minimum but instead stood on its R20 increase a week offer.

- The Commercial Catering and Allied Workers Union of South Africa and Triangle Furnishers meet on Thursday in an attempt to resolve a month-old wage strike by the company's employees.

The union demands — among other things — an across-the-board increase of R90 a month retrospective to January 87, a minimum salary of R500 and a further increase of R80 to be backdated to July 1987.

Union's new plea

Sowetan 13/4/81

THE Chemical Workers' Industrial Union has applied for a conciliation board to resolve the wage dispute between the union and Mobil, Sapref, Shell Oil and Shell Chemicals.

A CWIU spokesman said the union would be holding a number of

meetings with its members next week, "to plan and discuss strategies"

The union has resolved to form a joint shop stewards council consisting of members from Mobil, Sapref, Shell Oil and Shell Chemicals.

This council would negotiate jointly with the petroleum sector

The union spokesman said the petroleum refineries in South Africa were "highly profitable" and could afford the wage increases demanded by the workers

WAGE negotiations between employers and trade unions in the metal and engineering industries deadlocked again this week.

A spokesman for the employers said the talks, which took place on Tuesday, "showed progress with movement on both sides of the negotiating table."

Among those participating in the annual negotiations are the employers body, the Steel Engineering Industries Federation of SA, four unions belonging to the SA Council of the International Metalworkers' Federation (IMF) and seven affiliates of the Confederation of Metal and Building Unions (CMBU).

The Seifsa spokesman said the IMF and CMBU affiliates as well as the Mineworkers' Union and the SA Iron, Steel and Allied Industries Union

Wage

talks

stall

again

Sowetan
14/4/88

ISI

presented revised wage demands at the talks.

The IMF unions demanded across-the-board increases of R1 an hour for all categories of employees and a minimum wage rate of R4 an hour. The IMF affiliates include the National Union of Metalworkers of SA and the Steel Engineering and Allied Workers' Union

The two parties will resume further negotiations on May 10.

Sowetan 15/4/88

Labour Bill ⁽¹⁵¹⁾ under focus

THE National Council of Trade Unions is to host a workshop tomorrow to discuss the Labour Relations Amendment Bill and its consequences for the labour movement

Shop stewards from all Nactu affiliates are asked to attend.

The meeting, which starts at 9.30am, will be held on the 6th Floor, Lekton House, Johannesburg

- The Media Workers Association of SA is to hold a meeting of Perskor employees in Johannesburg on Sunday (10am).

The meeting will discuss the current wage dispute between the union and the newspaper group. It will be held at Lekton House, 5 Wanderers Street

- A meeting of journalists who are members of the Media Workers Association of South Africa will be held at the Mwasa Johannesburg

By LEN MASEKO

regional offices on Tuesday

Among issues to be discussed will be the launch of a community project involving journalists, strategies to adopt

regarding the threats on the media and the continued detention of journalists, training seminars arranged for journalists in the country and Harare, and a report on the International Federation of Journalists.

OK, union to meet again

(15) Sowetan 15/4/88

THE Commercial Catering and Allied Workers Union of SA and OK Bazaars — currently locked in a stalemate over wage increases — meet for further talks on April 25.

Ccawusa has reduced its original demand of R300 across-the-board wage increase to R223 a month. The union also demands a minimum wage of R623 a month and recognition of March 21, May 1 and June 16 as paid holidays.

A spokesman for the union said the retail chain had offered a wage increase of R72 a month across-the-board and alternative offer of R102 a month split into two instalments — R51 in April and a further rise in November 1988.

The Ccawusa spokesman said, "The company has also offered a minimum wage of R410 in April, but only for existing employees. Their alternative offer is R450 a month, but without adjustments to the minimum wage in



CCAUSA'S general secretary Vivian Mtwa.

April"

He said the current minimum wage at OK was R400 and that this excluded employees who joined the company after "the 1987 wage strike". He said these workers earned less than R400 a



OK's managing director Gordon Hood.

month

"The most contentious of the union's demands are the commemorative days and the payment of the 1987 bonus withheld from those who went on strike," the union spokesman said.

Metal workers want to settle without Bill

Own Correspondent

JOHANNESBURG. — Trade unions representing 130 000, mostly black, workers in the metal industry have asked the Steel and Engineering Industries Federation of South Africa (Seifsa) to negotiate a set of dispute settlement procedures, outside the official structures, in an attempt to avoid having to operate in terms of the pending Labour Relations Amendment Bill.

The proposal, made at Tuesday's industrial council wage talks, came days after National Union of Mineworkers general secretary Mr Cyril Ramaphosa told a Cape Town conference employers should enter into such agreements with unions.

Mr Ramaphosa said unions would, in return, have to undertake that strikes took place in an orderly fashion.

Key issue

These developments suggest this could become one of the key labour issues of the next few years.

Certain prominent individual employers — including SAB, AECI and Premier — have indicated their willingness to negotiate deals. But this is the first time it has been proposed at industry level.

The five metal unions party to the proposal are affiliates of the International Metalworkers' Federation (IMF).

Seifsa director Mr Brian Angus said that while the organization had not yet considered the proposal it had

indicated it was open to discussion.

The secretary of the local IMF council, Mr Brian Fredericks, said the unions had proposed that all dismissal, recognition, retrenchment and collective bargaining disputes be referred to compulsory arbitration, after an expedited conciliation process. A panel of mutually agreed arbitrators should be set up.

Right to strike

In addition, he said, Seifsa should accord to unions the right to strike. This encompassed an undertaking that no disciplinary action (including dismissal) would be taken against workers who had complied with agreed procedures and whose actions were authorized by their union.

And employers should, in the event of wildcat strikes, give unions 48 hours to resolve the matter before disciplinary action is taken.

Mr Fredericks said such a system could well include a set of definitions of unfair labour practices agreed between unions and employers.

The IMF unions have also asked Seifsa publically to oppose the Bill, and have submitted, in writing, their detailed objections to the Bill.

Mr Angus said Seifsa would soon give a detailed response to the unions' submissions. However, it would not reject the entire Bill as it believed that despite various shortcomings, it contained much of value.

• At Tuesday's negotiations Seifsa increased its wage offer to 12,2% on the bottom rate down to 10,1% for artisans. The IMF unions reduced their demands to 53% on the bottom rate, while the latest CMBU demand is 13%.

DID 21/4/88
151

Union claims workers detained after dispute

Daily Dispatch Reporter

EAST LONDON — The National Union of Metalworkers of South Africa (Numsa) has accused the Tek group of appealing to the Ciskei government to intervene in its dispute with the union.

The company denied any knowledge of security police action.

The chairman of the local Numsa branch, Mr Mtutuzeli Tom, said eight former Tek employees had been detained at their Mdantsane homes by Ciskei security police last week.

The names of those allegedly detained are. Shadrack Busika, William Mbovane, Mxolisi Bhisholo, Vakele Kraqa, Odwa Dyani, Mpumzi Mqosi, Julius Sleku and Sarah Mabija

The Ciskei police public relations officer, Colonel Avery Ngaki, said he could not comment until he had received a telex from the security police confirming or denying the alleged detentions.

The Tek group human resources manager, Mr Gerrie Uys, denied any knowledge of security police action and said there had been no contact with Numsa since the workforce of almost 700 was dismissed two weeks ago.

Mr Tom said the detentions had occurred when the workforce was locked out of the factories by management after demanding the unconditional re-instatement of dismissed union members.

He accused Tek of employing "scab labourers" through an East London employment agency.

Mr Uys confirmed that Tek was on a recruitment drive and said staff figures were "close to full strength"

Mr Uys said none of the former workforce had been re-employed, although some 350 new workers had been signed up for the television factory alone.

(151) W Meil 22-~~7~~14/88

Private deals could by-pass official system

EMPLOYERS and trade unions already have the option of resolving industrial conflict without making use of the government's collective bargaining system, says Mike Miles, executive director of the Institute for Industrial Relations.

He was responding to recent demands by major trade unions that employers should sign expanded recognition agreements to reinstate rights that organised workers will lose if the Labour Relations Amendment Bill becomes law this year.

"The options for extra-statutory conflict resolution are there and available. What needs to be done is to make them far more sophisti-

By EDDIE KOCH

cated and workable," said Miles.

He said there were a number of employers who felt confident enough to commit themselves to a system of private agreements that would operate outside the institutions and procedures defined in the Labour Relations Act.

"Large corporations which have established strong industrial relations policies and departments with skilled personnel to handle such disputes are more likely to respond positively to such a programme," said Miles.

"However, there are a large number of smaller employers who

fall outside the protection offered by a large corporation and would be hesitant to give up the right to protection offered by the law."

Miles stressed that for a private system of conflict resolution to operate effectively both parties needed to make a commitment to abide by their agreement

This entailed acceptance by employers that workers have the right to strike and to protection from dismissal during legitimate strike action. In return unions need to commit themselves to responsible strike action and genuine attempts to avoid violence during industrial conflict.

CWIU vote for strike

Sowetan
25/4/88
151

ABOUT 1250 members of the Chemical Workers' Industrial Union have voted in favour of taking strike action in support of the union's demands over wage disputes at the Mobil Refining Company, Shell, BP South Africa Petroleum Refineries and Shell Oil SA in Durban, the union said in a statement.

At Mobil, the parties have agreed in principle first to try and resolve the dispute through mediation while awaiting the appointment of a conciliation board.

Should no resolution be achieved in this way, workers will meet again to consider their next step in terms of the strike ballot result.

At SAPREF a conciliation board meeting is scheduled for April 27, where the parties will attempt to resolve the

dispute. If they fail, workers will meet again to consider their next step.

At Shell, the union is awaiting the appointment of a conciliation board, but in the meantime the parties have met in an attempt to resolve the dispute, and will be meeting again during the next two weeks. At that meeting the union is expecting another offer from the company, and members are prepared to await the outcome of negotiations at that meeting before making any further plans.

The CWIU sees the results of the strike ballot as a mandate from its members in the petroleum sector that they are prepared to struggle for their demands for better wages, the union's statement said — Sapa.

Wage deadlock

Sowetan 27/4/88
WAGE talks between the Media Workers' Association of South Africa and Allied Publishers in Cape Town deadlocked on Friday, Mwasa general secretary, Mr Sithendele Khala, said in Johannesburg yesterday.

"Mwasa workers are demanding that Allied Publishers accept the principle of equal work for equal pay, which is universally accepted and

should operate within the Argus Group in Cape Town," he said in a statement released yesterday

Workers contend Allied is a subsidiary of both the Argus group and Times Media Ltd and that existing discrepancies in similar job categories is a form of discrimination and therefore unfair labour practice — Sapa

D10 2714188

Settlement in Queenstown dispute

Daily Dispatch Reporter

(151) (151) (151)

EAST LONDON — Settlement has been reached in the dispute between a Queenstown company, Baldwin's Steel, and the National Union of Metalworkers of South Africa (Numsa), a union spokesman said yesterday

The regional secretary of Numsa, Mr Viwe Gxarisa, said 24 employees who were dismissed on March 9 and 10, would be reinstated as a result of the agreement

The workers had refused to work overtime after the company would not negotiate with them on their demands of a R4,50 per hour wage and a means of transport after work, he said

A spokesman for the holding company that negotiated on behalf of Baldwins Steel Company, Mr Neville Jordan, was not available for comment yesterday

Mr Gxarisa said the reinstatements would not entail any monetary compensation and would be in effect from May 2. The replacement workforce would be given notice to shorten their contract of employment from June 17 to June 1, while 25 would be employed at the company permanently

The rest of the workforce would be given first preference if the company were to employ additional labour, he said

"The reduction of working hours as well as an overtime ban is one of the union's resolutions with the aim of creating more jobs for the unemployed

"Management saw the ban on overtime by the workers as a strike, while it was not necessarily a strike action from the union's point of view"

The dismissed employees had a period of grace until until June 1 to return to work, Mr Gxarisa added

D10 28/9/88

OK Bazaars declare dispute with union

Daily Dispatch
Correspondent

151

JOHANNESBURG — OK Bazaars declared a dispute with the Commercial Catering and Allied Workers' Union (Cca-wusa) after annual wage negotiations became deadlocked yesterday, the OK personnel director, Mr Keith Hartshorne, said here.

He said the company regretted this development, but it was left with no option after the union's refusal to move significantly from a set of demands that would cost the company six times the value of its entire profit for the pre-

vious financial year

He said the union's demands included an across-the-board increase of R218 per month, a doubling of commission on furniture sales, and 20 per cent staff discount

The OK proposed a single monthly increase of R110, or two increases of R77 at six-monthly intervals, and a 15 per cent increase on minimum wages

Mr Hartshorne said Cca-wusa refused to accept the declaration of a dispute; the parties would meet again on May 10

OK declares dispute

Sowetan 24/4/88 151

By JOSHUA RABOROKO

THE OK Bazaars has declared a dispute with the Commercial Catering and Allied Workers' Union following several weeks of negotiations on wages and working conditions for 1988.

The company's spokesman, Mr Keith Hartshorne, yesterday said the company regretted the move, but was left with no option after the union refused to move significantly from its demands.

He said the demands would cost the company R110 million in the next 12 months or six times the company's entire profit for the previous financial year.

Union's demands

"The company therefore believes that there is little point in continuing with the current negotiations and it is now appropriate to commence using dispute-resolving (mechanisms) in an effort to reach settlement," Mr Hartshorne said in a statement.

The union's current demands include:

- an across-the-board increase of R218 a month,
- 20 percent discount, and
- doubling commission for furniture salesmen

The company's current offer includes an across-the-board increase of R110 a month in two branches or R77 a month backdated to April, a new agreement on June 16 and 15 percent increase in minimum wages

A union spokesman yesterday said they did not want to comment on the dispute at this stage.

D10 3/5/88 (157)

Workers' holiday for some

JOHANNESBURG —

Whether factories work on Friday, Workers' Day, should depend on agreements between employers and unions, the Director-General of Manpower, Mr Piet van der Merwe, said yesterday

According to the spokesmen of various employer organisations, it appears that there will be no uniformity within industry on the issue this year

Because of a legal anomaly, the State President's proclama-

tion of a public holiday on the first Friday of May applies only to shops and offices and those cases where the matter has been specifically negotiated

Last year, when Workers' Day and Labour Day coincided on May 1, Mr Van der Merwe issued an appeal to employers to recognise the day as a public holiday despite the anomaly. This year, however, he does not intend doing so

A Chamber of Mines spokesman said the in-

dustry would be treating Friday as a normal working day, while Assocom said it appeared that most of its members' operations would be shut down

Pick 'n Pay stores will be closed, while only those Checkers branches which normally trade late and on Sundays will open for business

A Seifsa spokesman said the engineering industry would treat the day as a public holiday — DDC

CAPT TINKS 3/5/88 (15/10/88)

Bonanza for rebel workers

Own Correspondent

JOHANNESBURG — Rebel Samcor workers, all Numsa members, were in high spirits yesterday as they prepared ballot papers to elect a new shop stewards' committee — so much so that some were already talking of retiring if they got their share, estimated by them at between R40 000 and R60 000 each

"With so much money, I will be in a good position to retire I will leave the company and start a new life," said "Joseph", attached to the engineering section of Samcor

Workers claim the ousted committee "sold them out" by involving them in a share deal without a mandate

Numsa motor section chief Mr Fred Sauls said yesterday the shop ste-

wards' committee at the plant had resigned "Union leadership would not interfere with the work of the newly-elected committee which could, in the face of realities, try and achieve a new deal," he said

Most workers interviewed were optimistic about getting their share They were optimistic the new committee they were preparing to elect would not let the money elude them by signing "ill-explained" documents that would result in their share being paid into a trust fund they knew little about.

The workers are demanding the 24% share of the Samcor equity left for them by Ford Motor Company when it disinvested last year be liquidated and paid directly to them

Mwasa dispute

THE wage dispute between the Media Workers' Association of South Africa and Perskor remained unresolved yesterday.

Mwasa's general secretary, Mr Sthembele Khala, said talks between the two parties stalled at the industrial council after the newspaper group challenged the council's jurisdiction to mediate in the dispute.

Mwasa is to hold a meeting of Perskor workers today to discuss latest developments in the dispute, Mr Khala said.

Some for
11/5/88

7/10
5

Talks on 'unfair' dismissals

Step 5/15/88 (15)

The Paper, Printing, Wood and Allied Workers' Union will meet the management of Afcol today following a dispute over the dismissal of 340 Star Furniture workers in Johannesburg, the union said yesterday.

The workers were dismissed on April 20 after a stoppage in protest at the allegedly unfair dismissal of four workers.

ARMED GUARDS

"They were dismissed despite an agreement regarding a return to work. Workers were prevented from returning to work by armed security guards," the union said.

It is demanding the reinstatement of all the workers.

Afcol spokesman Mr George Kenmont yesterday confirmed today's meeting. — Sapa.

Pay dispute referred to industrial council

Somehow
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ISI

THE wage dispute between the United African Motor and Allied Workers' Union of SA and MAN Truck and Bus company has been referred to the motor industry's industrial council for mediation, a union spokesman said yesterday.

Uamwusa official Mr Peter Makgathulela said the union was demanding a wage increase of R1,50 an hour across-the-board, against the company's offer of 45 cents an hour.

Other union demands, he said, included recognition of May 1 and June 16 as paid holidays; working hours to be reduced from 45 to 40 hours; annual leave to be increased to four weeks.

• The Building Industries Workers' Union of South Africa (Bifwusa) said yesterday it wished to thank its members for the support they gave at a May Day rally at Fun Valley, Johannesburg, last Sunday.

Union spokesman Mr Saul Tshabalala said about 1 500 members who came from Port Elizabeth, East Rand, West Rand and the Vaal, attended the rally.

He said those who did not show up, were invited to attend a meeting to be held at Bifwusa's head office in Johannesburg on May 29 at 9am.

Mr Tshabalala said all shop stewards of the union were invited to the meeting.

"The union wishes to say to its members that they should stand up and exercise their right in the struggle for a new Africa"

• The National Union of Metalworkers of SA has appealed to the public to help trace a union member, Mr Robert Mokobori, whose pension money has been sent to Numsa's Katlehong branch by his former employers.

Anyone knowing his whereabouts is asked to contact Ms Thoko Rampai or Lizzy Mathebula at Numsa's Germiston offices.

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Workers not together

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cont. from p. 1
6/15/88

Ford payout: Union quits

Own Correspondent

SOME rebel Samcor motor plant workers are threatening court action against the leadership of their union, Numsa, and Samcor management if their 24% Ford disinvestment deal is not liquidated and paid directly to them

The workers, who said they had raised more than R10 000 for legal action against the two parties, also said they would have to go on a one-year strike if their legal battle fails

"We have amassed over R10 000 for a legal fight. We will accept nothing except our money which we demand must be paid directly to us," said the workers.

No mandate

The workers also reiterated their stand that the union signed the agreement without a proper a mandate from them which resulted in the resignation of Numsa's shop steward committee.

The workers also dissociated themselves from Samcor chairman Mr Leslie Boyd's statement yesterday that the employee trust had been established last week in terms of the agreement between Anglo American, Ford, Samcor and Numsa

Numsa regional organizers, met by reporters at the Samcor plant, yesterday said the union had decided not to involve itself any more in the 24% share participation deal

"We are out of it. We have accepted that the workers should handle negotiations themselves," the organizers said.

poned ~~and the meeting had been post-~~ new sports complex to replace the present rugby stadium in East London

DD 715788
Numsa, Tek to meet over mass dismissal of workers

Daily Dispatch Reporter
EAST LONDON — Representatives of the National Union of Metalworkers of South Africa (Numsa) and the Tek Group of companies will meet later this month to discuss the mass dismissal of Tek employees a month ago, a union spokesman said.

The Numsa regional secretary, Mr Viwe Gxarisa, said the meeting scheduled for May 20 had been arranged as a result of a union application to the industrial

council that the group should "urgently consider convening a meeting for reconciliation between the parties".

"This will be the first formal discussion with Tek management since the dismissals on March 7," Mr Gxarisa said.

The workforce of over 700 was fired after what Tek management termed "an illegal strike and repeated ultimatums to return to work".

The workers claimed that management refused to negotiate the

reinstatement of 20 colleagues and locked them out of the premises when they downed tools to demand a meeting

The union denied that any ultimatums were issued and said they had not been consulted on the group's decision to dismiss the workforce.

The Tek Group has since embarked on a recruitment drive and claims that staff figures are close to full strength — although none of the former employees have been re-employed.

Labour Update

GLASSHING VOICES

Sowetan 10/5/88

Union and Gallo/CNA

hit discord

151

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resolve a dispute in which they initially demanded a minimum of R600 a month and an across-the-board raise of R300 a month.

A spokesman for Empisal, Mr L Banducci, said yesterday that as far as the company was concerned the matter had been resolved following the workers' acceptance of the offer.

He denied that the company had acceded to a demand that May Day be declared a paid holiday because management was awaiting a Government's inquiry into public holidays, a report of which would be available next year.

Ccawusa and Anbeco in Denver yesterday signed a recognition and wage agreement which involves about 170 workers.

Mr Ramalope said the company agreed to give the workers a wage increase of R175 a month which would take the new monthly minimum to R520



MR PIETIE du Plessis . . . the Minister of Manpower.

GALLO/CNA and the Commercial Catering and Allied Workers' Union are headed for a confrontation after reaching a stalemate in their dispute over wages and working conditions involving more than 5 000 workers throughout the country.

A spokesman for Ccawusa, Mr Abe Ramalope, said yesterday that a conciliation board hearing, appointed by the Minister of Manpower, Mr Pietie du Plessis, failed to settle the matter after the union declared a dispute with the company on May 2.

Industrial Relations spokesman for Gallo/CNA, Mr Byron Zypertas, yesterday declined to comment but said the company would issue a statement later.

Ccawusa demands a R300 a month across-the-board increase and the company has stood firm on its offer of R100 a month across-the-board, according to Mr Ramalope. He said that Gallo/CNA which had

291 stores countrywide had shown considerable profitability between 1986 and 1987 and that research had shown an upward trend in annual earnings.

Meanwhile, Ccawusa said it would ratify a decision of about 100 members at Empisal, Village Deep, who accepted management's offer of a R110 a month increase which would be backdated to February.

The increase would bring the workers' monthly minimum to R460 a month.

Mr Ramalope said the workers at Empisal had downed tools after conciliation board hearings failed to



A SECURITY guard on duty.

Call (151)
for (143)
R300 a
10/5/68
Sowetan
month

rise

THE Vukani Guards and Allied Workers' Union have proposed wage increases of R300 a month across-the-board for security guards

Vukani official Mr Sam Ndou said yesterday that this was one of the proposals submitted to a Wage Board hearing in Cape Town recently

The union, which has about 10,000 members, proposed a new national minimum hourly wage of R2 to replace existing rates of 86 cents and R1,80 an hour

Mr Ndou said these wage proposals would be discussed again at a Wage Board hearing in Johannesburg next month

• The metal industry's wage negotiations — affecting about 320,000 workers — continue today

At issue are wage proposals submitted by 15 trade unions in the industrial council

The four unions belonging to the SA Council of the International Metalworkers'

By LEN MASEKO

Federation demand across-the-board increases of R1 an hour for all categories of employees and a minimum wage of R4 an hour for labourers and R7,96 an hour for artisans.

Increases

The seven affiliates of the Confederation of Metal and Building Unions have proposed revised increases ranging from 34 cents an hour for labourers to 85 cents an hour for artisans

In response, metal employees — represented by the Steel Engineering Industries Federation of South Africa — have offered rises ranging from 32 cents an hour for labourers to 66 cents an hour for artisans

The two parties failed to reach agreement at two previous meetings

DD
MAY 11, 1988 — 11

Perskor workers go on strike

JOHANNESBURG —
More than 1 000 Perskor
workers went on strike
yesterday over a wage
dispute, the Media
Workers' Association of
Southern Africa
(Mwasa) said here

The union is demand-
ing a minimum weekly
wage of R180 and
Perskor upped its offer
yesterday afternoon to
R100 per week, a state-
ment from Mwasa said

"Perskor workers in
Benoni, Pretoria and
New Canada have all
gone on strike, and more
plants may join the
strike if the matter is not
resolved immediately,"
it said (S) (ISI) (S)

Initially workers
sought a minimum
weekly wage of R260

However, after initial
negotiations they re-
duced their demand to
R180 (S)

Perskor offered an
R80 minimum weekly
wage and negotiations
deblocked at that
stage, according to
Mwasa

"Mwasa took the mat-
ter to the National In-
dustrial Council for
mediation

"Perskor did not com-
ply and workers viewed
the action as a breach of
the agreement

"Consequently they
went on strike early this
(yesterday) morning,"
the statement said

Perskor management
declined to comment at
this stage as negotia-
tions were still under-
way, a spokesman said

A spokesman for The
Citizen said that, in
spite of the strike, the
newspaper would be
available as usual early
today — Sapa

Daily Dispatch
Reporter

EAST LONDON — A negotiation agreement has been entered into between the CTC Bus Company Limited and the Transport and Allied Workers' Union of South Africa (Tawusa).

According to a joint press statement released yesterday, the agreement between the two parties is in respect of "certain defined employees" of the CTC bus company employed at

^{12/5/88} ⁽¹⁵¹⁾ ⁽¹⁵¹⁾
**CTC bus company
and trade union
reach agreement**

depots in South Africa at Braelynn and Reeston.

The signing of the agreement took place on Tuesday at the CTC's offices here after "prolonged negotiations"

No further comment was released by either

of the parties at the time of going to press and attempts to contact some directors of the CTC, of which the Ciskei People's Development Bank is a 50 per cent shareholder, were unsuccessful

Ciskei's deputy Direc-

tor-General of Foreign Affairs and Information, Mr Headman Somtunzi, said yesterday that as far as the Ciskei Government was concerned, the agreement had been reached according to South African legislation to which the Ciskei Government had no objection

He said, however, that the status quo remained in Ciskei where unions were "non-operational" in terms of government policy

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Stoppage is over

THE work stoppage by about 2000 members of the Media Workers' Association of South Africa at four plants of Perskor on the Reef, which took place this week, has been called off and negotiations between management and the union begin next Tuesday.

The wage protest involved workers at Perskor's plants in

Johannesburg, Benoni and Pretoria.

A Mwasa spokesman said a meeting to settle the dispute was agreed upon and workers returned to their posts on Wednesday.

The workers are demanding a R260 weekly minimum wage and an across-the-board increase of R100. They rejected management's offer of R100 a week

minimum and an across-the-board increase of R20.

The stoppage on Tuesday brought to a standstill the production of several publications, including the Afrikaans newspaper, *Beeld*.

Black workers employed by Perskor comprise mostly machine operators; inserters, cleaners, drivers and general staff.

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Settlement

CHEMICAL Workers Industrial Union members have settled their disputes with two petroleum refineries in Durban, a statement from CWIU's Southern Natal branch co-ordinator, Ms P Horn, said yesterday. 13/5/88

Both settlements guarantee all workers concerned a minimum wage increase of 15 percent.

Hotel strike

DURBAN hotel workers who were dismissed last week were determined to continue with their strike until their demands were met, Mr Bheki Khumalo, general secretary of the Black Allied Workers Union said. Sowetan 13/5/88

CAPC
TAPS
13/5/88

Union settles dispute with oil refineries

~~ISI~~
ISI
~~ISI~~

DURBAN. — Chemical Workers' Industrial Union (CWIU) members have settled their disputes with two petroleum refineries in Durban this past week, a statement from CWIU's Southern Natal branch said yesterday

"A ballot revealed that members voted overwhelmingly in favour of taking strike action if their demands were not met, and a conciliation board meeting was convened with Shell BPSA Petroleum Refineries (Sapref) which ended in a settlement yesterday, directly affecting about 700 workers

"Negotiations with the Mobil refining company were also reopened by way of a mediation, which yielded a settlement affecting 458 workers on Tuesday"

Both settlements guarantee a minimum wage increase of 15%

Workers on the lower pay scales will get raises of at least 21% — which is an increase of R155 to R865 a month, while at Sapref the minimum rate will rise to R870 a month — Sapa

AD 17/5/88
Sacking
threat
dropped ISI

JOHANNESBURG —
Checkers has agreed to withdraw a threat to re-trench 1 600 workers after “helpful” discussions with the Commercial Catering and Allied Workers’ Union of SA. (Ccawusa) on the issue of worker productivity, the group’s human resource director, Andy MacLaurin, said yesterday.

Mr MacLaurin said that Checkers had the right to re-implement discussions on retrenchment if “need be” but he hoped this would not be necessary.

A spokesman for Ccawusa said that the union had drawn up cost cutting exercises as an alternative to retrenchment.

He said that these programmes were being drawn up independently and said the union was acting “in good faith” — but Checker’s management was making no attempt to reach a written agreement with Ccawusa, he said.

Negotiations continue today. — DDC

Pay row in metal industry

Sowetan 17/5/88



THE South African Council of the International Metalworkers' Federation is to meet this week over the wage dispute declared by its affiliates in the metal industry.

IMF local secretary, Mr Brian Fredericks, yesterday said a number of meetings were held over the weekend to discuss the intention to declare a dispute with employers in the metal

By LEN MASEKO

industry

The IMF affiliates include the National Union of Metalworkers of South Africa, Steel Engineering and Allied Workers' Union and Electrical and Allied Workers' Trade Union of SA.

The IMF unions have rejected a wage offer by the employer group, The Steel Engineering Industries' Federation of South Africa (Seifsa)

Seifsa's executive director, Mr Brian Angus, said the dispute would be considered at the next round of wage talks on May 25.

Seifsa has proposed a final offer of increases ranging from 39 cents an hour for labourers to 72 cents an hour for artisans.

The four IMF affiliates have tabled revised demands of increases ranging from R1,19 an hour for labourers to R1,11 an hour for artisans

On the other hand, the seven unions belonging to the Confederation of Metal and Building Unions (CMBU) have called for increases ranging from 37 cents an hour for labourers to 80 cents an hour for artisans. The CMBU affiliates are expected to respond to the employers' final offer at the next meeting

• Wage negotiations between the Chemical Workers' Industrial Union (CWIU) and Shell's oil and chemical subsidiaries continue in Durban this week

A spokesman for the union said the wage talks would affect about 160 workers

"There still remains an unresolved wage dispute at Shell Oil in which a strike ballot also proved overwhelmingly positive

Mwasa, Perskor meet

THE Media Workers Association of South Africa and Perskor management yesterday began talks to resolve a wage dispute involving about 2000 workers in Pretoria, Johannesburg and Benoni.

The talks, which began late yesterday afternoon, are a sequel to a one-day

stoppage by the workers at Perskor's four plants last Tuesday over a demand for a R260 a week minimum and a weekly increase of R100 across-the-board.

Management is offering R20 across-the-board and a minimum of R100 a week.

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18/8/81
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The final version of the Labour Relations Amendment Bill is certain to evoke wide and conflicting comment

More than 150 employer organisations, trade unions, academics, businesses, lawyers and government bodies forwarded written comments to the Department of Manpower after the draft Bill was published in December 1986. During 1987 an amended Bill was published and forwarded to the Standing Committee. The Bar Council, Cosatu the Chamber of Mines and many others urged the committee to effect further amendments.

The final product which is to be dealt with by Parliament includes further amendments, many of them an improvement on previous drafts. That does not detract from the fact that the impact of the Bill as a whole will cause the pendulum to swing towards employers, even if the swing is not as dramatic as initially anticipated.

Strikes curtailed

To the detriment of trade unions the Bill introduces further curtailments on the right to strike.

● Sympathy strikes or sympathy lockouts and multiple action or so-called grasshopper strikes, if repeated during a period of 12 months, are now defined as unfair labour practices.

● Any person who interferes with the contractual relationship between an employer and employee resulting in the breach of such contract can now be liable in delict. This could give rise to a damages claim against a trade union unless the union can prove that the person responsible was not acting on its behalf or with its authority.

It is widely accepted that strike action has to be regulated — there is no country where the right to strike is absolute. The new provisions do, however, in practice place a heavier damper on the trade unions' ability to exert their bar-

Beware upsetting system of collective bargaining

Peter Gastrow MP, a member of the Standing Committee on Manpower, discusses the Labour Relations Amendment Bill, tabled this week.

gaining muscle than it does on employers to do so.

Sympathy lockouts by employers, for example, even though now defined as an unfair labour practice, have not been a practice to which employers in South Africa have resorted to apply pressure on unions. The overall effect of the above provisions is therefore a further swing away from the point of equilibrium between capital and labour towards capital.

Some aspects of the Bill constitute a definite improvement on the present Act and are to be welcomed.

The establishment of conciliation boards has been streamlined. A board can now be established by an inspector instead of going through the uncertainty and delays when such applications were channelled to the Minister. Time constraints contained in the previous draft Bill have been eased. The application for a conciliation board now has to be lodged within 21 days of notifying the other parties of the dispute and within 90 days from the date on which the dispute arose. Once an application is lodged, the inspector is obliged to establish a conciliation board.

The restriction in the previous draft Bill which prevented a conciliation board from dealing with an issue covered in a wage agreement if the agreement was less than 15 months old, has been eased. The



Gastrow... 'pendulum will swing towards employers'

period is now 12 months.

The procedures applicable to the settlement of disputes by the Industrial Council are now more closely aligned to those applicable to conciliation boards. The prohibition on an industrial council dealing with a dispute similar to one which existed during the previous 15 months has been dropped.

No longer will section 17(1)(a) of the present Act be repealed. This enables the Industrial Court to act as a court of law and hear urgent applications. The wording changes, but the Industrial Court is still able to grant interim relief pending an order made in terms of section 43(4).

The establishment of a Labour

Appeal Court is a positive development. It will deal with questions of law referred to it by the Industrial Court or one of the parties before an Industrial Court. To prevent any party from using the appeal procedure to drag out disputes or exhaust the other side, the Industrial Court is empowered to make interim orders pending the appeal. It could for example, order enforcement pending the decision on appeal.

Labour lawyers will be able to make a use of the new extended definition of an unfair labour practice which now extends over two pages of detailed definitions. Instead of providing greater clarity, the new definition is likely to raise numerous questions of interpretation.

There may well be a case for codifying unfair labour practices, but the codification should never have been given binding effect by incorporating it into a definition in the Act. Such a code should have been operated as a guide obliging courts to merely have regard to it rather than being bound to it. A previous provision which gave the Minister the power to amend the definition of unfair labour practice has fortunately been dropped.

In boardrooms and union offices the Bill will now be dissected. It is to be hoped that the new Bill will not unsettle our collective bargaining system, which has become sophisticated and very effective. The warning signs all suggest that a tightening of the reins by the state could cause unions to circumvent the established procedures laid down by the Labour Relations Act.

CP 8 7/15 19/5/88
Protests at

multi-national

Own Correspondent

LONDON. — Sir Owen Green, chairman of the multi-national conglomerate BTR faced a large anti-apartheid demonstration at the annual shareholders meeting over the labour dispute at their Dunlop subsidiary in Natal.

He rejected appeals from National Union of Metalworkers of South Africa (Numsa) executive members and British TUC delegates, who said BTR headquarters had a moral duty to intervene and secure a just settlement.

Sir Green said the Natal dispute was strictly the business of local management.

DID 21/5/88
Mass dismissal discussed

~~151~~ ~~151~~ ~~151~~
Daily Dispatch Reporter

EAST LONDON — Representatives of the National Union of Metalworkers of South Africa (Numsa) and the Tek Group of companies met yesterday to discuss the mass dismissal of Tek employees a month ago

The regional secretary for Numsa, Mr Viwe Gxarisa, said the meeting ended in deadlock, although the union tried to settle the matter by proposing that the workers be reinstated with pay, under the conditions that existed be-

fore the dispute arose

The workforce of over 700 was fired after what Tek management termed "an illegal strike and repeated ultimatums to return to work"

The workers claimed that management refused to negotiate the reinstatement of 20 colleagues and locked them out of the premises when they downed tools to demand a meeting

Mr Gxarisa said the union believed that their members had been unfairly dismissed, as

Tek management had not exhausted all the avenues available to them to settle the dispute before resorting to dismissal

The Tek human resources manager, Mr Gerrie Uys, could not be contacted for comment yesterday

Mr Gxarisa said the parties had agreed that written representation would be made to the industrial council to try to break the deadlock and allow negotiations to continue

Mineworkers and De Beers are deadlocked over wages

STC 23/5/88

Negotiations between the National Union of Mineworkers (NUM) and De Beers reached deadlock after a meeting last week, the union says in a statement issued at the weekend.

NUM assistant general secretary Mr Marcel Golding says the company made a 9 percent wage offer but the union is demanding a 40 percent wage hike and improvements to working conditions. These include:

● Reduction of working hours to

40 hours per five-day week. ~~40~~ 151
● Annual leave of 44 days. ~~44~~
● Danger pay.
● Improved service increment, standby allowances and production bonuses.

Mr Golding says De Beers has refused to address the union's other demands.

The deadlock has, in terms of a recognition agreement, been referred to their principals for consideration. The parties have agreed to meet next month to continue negotiations.

Business concepts must change — JCI chief

3 1/2 2 3/5 8 8
The traditional concept of communication as a process of decisions passed down to workers needed to be revised, Johannesburg Consolidated Investments chief executive Mr Murray Hofmeyr said yesterday

He was speaking at the Five Freedoms Forum business conference in Sandton on "The chief executive's responsibility at senior management levels"

"Let us be prepared to look at new ideas and to consider other points of view — for example in the debate on (whether to have) private enterprise or a socialist-type or mixed economy"

The polarisation between racial groups had to be overcome and benefits fairly negotiated, he said. A proper appraisal of the worth and potential of each individual

was needed. Mr Hofmeyr outlined the success of "indaba projects" introduced on the mines

Workers pointed out inadequacies in the existing system, and how to solve problems — for example by pointing out badly designed machinery

If business was earnest about promoting change in its own affairs, it must base its relationship with

workers on proper negotiation, he said

Business leaders had to speak out every time there was an erosion of freedom. There was a perception that businessmen were soft on apartheid and the Government

Businessmen needed to confirm their acceptance of a non-racial, democratic South Africa, Mr Hofmeyr said

economy, and although tight," Dr Worrall said.

PIP 2415788

Sats pay hike claims to go to arbitration

Daily Dispatch
Correspondent

~~270~~ 151

PRETORIA — The conciliation board hearing on the Federal Council of SA Transport Services trade unions' 17 per cent salary hike claims ended in deadlock yesterday.

The dispute, in terms of legislation, will now go to arbitration.

The federal council general secretary, Mr Abe Koekemoer, said last night efforts by council delegates to reach a settlement were blocked by the Sats management representative on the board which clearly had no mandate to negotiate or compromise.

The council delegates offered to postpone the implementation of the increase from April to September but this was rejected.

"Not once during the negotiations did Sats representatives come up with an acceptable offer except to suggest that the Minister of Transport, Mr Eli Louw, should be asked to reconsider the issue in September," Mr Koekemoer said.

He said members of Sats' 10 trade unions would be circularised and told of the attitude of Sats management representatives on the board.

The federal council regretted legislation prevented Sats workers from taking strike action to support a justified claim for a 17 per cent pay rise, he said.

"Because of this we are placed in a situation where there is no possibility of a fair and reasonable settlement being reached. We are at the mercy of the legislation," Mr Koekemoer said.



OF STYLE.

(JWT) MTF 63746/P

PIP 2415788

Sats pay hike claims to go to arbitration

Daily Dispatch
Correspondent

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OK, union in dispute

5000-12-24/15/88
THE Commercial Catering and Allied Workers' Union of South Africa is to seek a new mandate from union members employed by OK Bazaars following the failure by the two parties to reach an agreement over wage increases.

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A spokesman of the union said Ccawusa demanded an across-the-board increase of R150 a month while the com-

pany offered R88 a month. Initially the union had demanded a rise of R218 a month.

OK Bazaars has declared a dispute with the union, saying Ccawusa's demands would cost the company over R100 million over a 12-month period.

The dispute will be discussed at a meeting of OK employees in Middelburg on May 29.

NUM, DE BEERS IN DEADLOCK

By LEN MASEKO

THE National Union of Mineworkers has reached deadlock with the De Beers Diamond company over wage increases.

NUM officials, Mr Marcel Golding, said the union had rejected a nine percent pay offer from the company in favour of workers' demand for a wage increase of 40 percent across-the-board.

Other NUM demands are:

- Reduction of hours of work to 40 a week;
- Danger pay; and
- Improved service increases, "standby" allowances and production bonuses.

Mr Golding said: "The deadlock, in terms of the recognition agreement between the two parties, has been referred to their principals for consideration."

The NUM official said the company had refused to address other workers' demands except wage increases.

The two parties continue with their wage

Meanwhile, the NUM and the East Rand Gold and Uranium Company (Ergo) have resumed wage negotiations.

The union demands a 30 percent wage increases and improved working conditions while the company is offering — among other things — a 12 percent rise.

Mr Golding said: "Ergo's wage proposals seem clearly in line with the wage freeze announced by the Government. The company is also requesting workers to take a wage cut."

*Save for
24/5/88
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NUM official Mr Marcel Golding.

Labo

Metal worker unions end talks with dispute

By Mike Siluma,
Labour Reporter

pension contributions be
re-appropriated as an in-
crease in wages.

The fourth round of negotiations to set 1988 wage increases for South Africa's more than 300 000 metal workers ended yesterday with some unions declaring a dispute with employers.

Seifsa executive director Mr Brian Angus, describing the discussions as "brief", said unions belonging to the Confederation of Metal and Building Unions (CMBU) had rejected the employers' final wage offer, made during the last round of talks two weeks ago.

CMBU unions also questioned employers' proposals regarding adjustments to anomalies in the wage curve, as well as suggesting that employers' offer to increase

Mr Angus said employer representatives were not in a position to respond to union demands yesterday and that a further meeting would be held on June 3.

The IMF unions have demanded increases of between R1,11 an hour for artisans and R1,19 an hour for labourers, while the CMBU unions want across-the-board increases ranging from 37c an hour for labourers to 80c an hour for artisans.

● The National Union of Mineworkers and the management of Anglo American's Simmergo plant in Germiston will meet today to resolve a recognition dispute which sparked a stoppage by 800 workers.

Platinum theft: arrest likely

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NUM declares first dispute with Ergo

By Mike Siluma,
Labour Reporter

The National Union of Mineworkers (NUM) declared its first wage dispute yesterday with the owners of the East Rand Gold and Uranium Company (Ergo) a day before commencing annual industry-wide pay talks with the Chamber of Mines.

NUM assistant general secretary Mr Marcel Golding said the union had declared a dispute and had applied for a conciliation board after rejecting an Ergo final wage increase offer of between 11,5 percent and 13 percent.

The NUM is demanding

- A 27 percent wage increase.
- The provision of transport for commuting to and from work.
- Improvements to the employee hous-

ing scheme

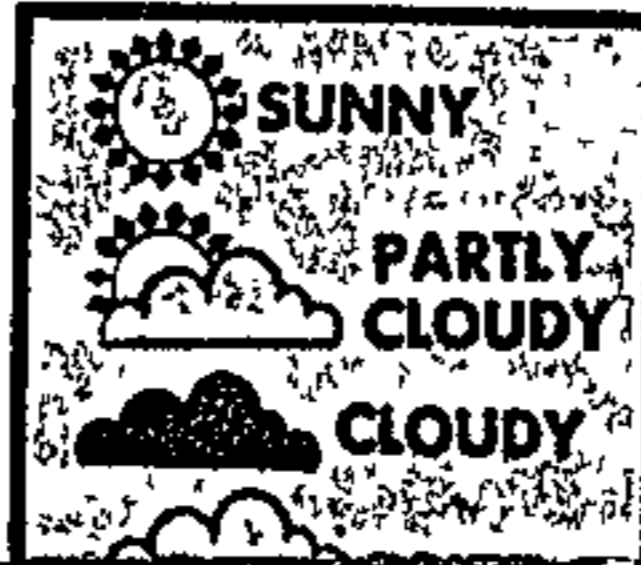
- An improved shift allowance,

When meeting the Chamber today in talks that could affect up to 500 000 gold and coal miners, the NUM is expected to demand an across-the-board 40 percent increase.

Referring to the Ergo dispute, Mr Golding said "Ergo's offer only compensates workers for what they have lost (through) inflation. There has been no real increase in workers' standard of living."

About 1 800 workers are affected by the Ergo talks, according to NUM, which claims a paid-up membership of 220 000 in the rest of the industry.

- NUM is already in deadlock with De Beers Consolidated Ltd, the world's largest diamond mining company, over wages and working conditions



THE WEATHER

PIETERSBURG
9/24

Dispute declared as wage talks fail

By Mike Siluma, Labour Reporter

The fourth round of negotiations to set 1988 wage increases for South Africa's 300 000-plus metalworkers ended on Wednesday with some unions declaring a dispute with employers.

Steel and Engineering Industries Federation of SA executive director Mr Brian Angus, describing the discussions as "brief", said unions belonging to the Confederation of Metal and Building Unions (CMBU) had rejected the employers' final wage offer, made during the last round of talks two weeks ago. *See 27/5/88*

CMBU unions also questioned employers' proposals regarding adjustments to anomalies in the wage curve, as well as suggesting that the employers' offer to increase pension contributions be re-appropriated as an increase in wages.

Mr Angus said employer representatives were not in a position to respond to union demands yesterday and that a further meeting would be held on June 3.

The CMBU unions want across-the-board increases ranging from 37c an hour for labourers to 80c an hour for artisans.

CAPE Times
27/5/88

Garment workers get rise

Staff Reporter

WESTERN Cape garment workers have been granted an interim weekly increase of R14 across-the-board following the conclusion yesterday of protracted negotiations.

The increment, affecting some 55 000 workers, was announced yesterday by Mr A M Rosenberg, Chairman of the Industrial Council for the Clothing Industry (Cape).

The wage increases followed a call by the Garment and Allied Workers Union (Gawu) that the increases due for July 1 be brought forward and increased above the existing rates to grant financial relief to workers, an Industrial Council statement said.

Qualified machinists, the bulk of the industry's workforce, will be paid a weekly wage of R108 from Friday, June 3 or retrospectively if implemented later.

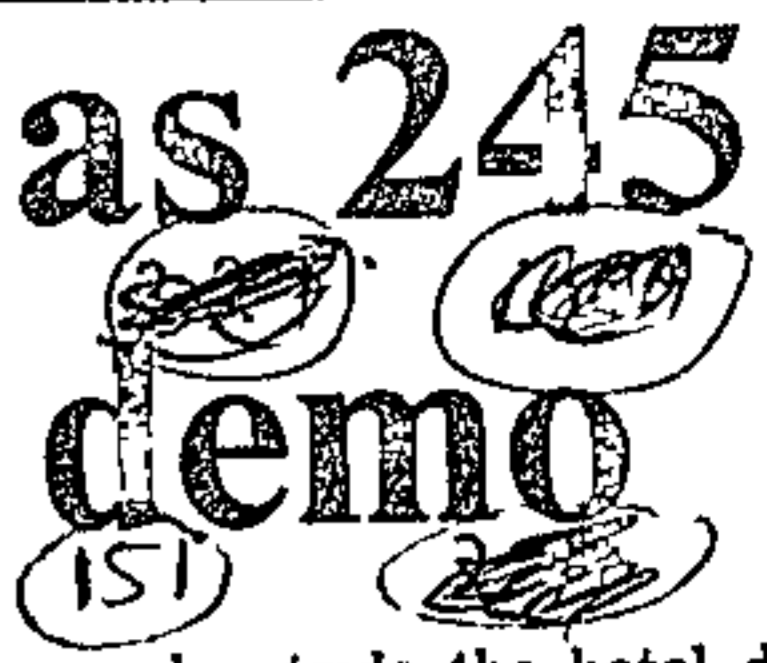
The parties will be negotiating increments for country areas next week.

A Gawu spokesman confirmed the signing yesterday.

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Luxury hotel grinds to a halt as 245 workers are rounded up after demo

Star 28/5/88



Guests staying at Johannesburg's prestigious Carlton Hotel yesterday morning awoke to no room service and apologetic notices as 245 hotel staffers were arrested outside in a protest sparked by a change in the hotel's management.

Many of the international guests — delegates attending a promotional tourism workshop hosted by the South African Tourism Board — witnessed police arresting the demonstrators under emergency regulations and the Internal Security Act.

"I was horrified to see women placard-holding demonstrators being man-handled by the police as they were loaded into police vans," said a Taiwanese tourist, who did not want to be named.

She said the demonstration seemed peaceful and this had given her a "totally different perspective on South African laws".

Restaurant bookings at the hotel had to be cancelled and there was no bar service.

According to the hotel's marketing director, Mr Larry Macartney, the dis-

PAT DEVEREAUX

pute arose after the disinvestment of the Seattle-based Western International (Westin) company on April 15 because the hotel staff expected a service bonus pay-out.

Mr Macartney said those protesting made it plain that their dispute

was with Westin and not the Carlton. He said they seemed to misunderstand that they were employed by the Carlton and were not employees of the former managing company, Westin.

Eye-witnesses yesterday said the demonstrators, due to start work on the morning shift, had gath-

ered outside the hotel demanding compensation which had allegedly been promised by Westin. Shortly afterwards the 142 men and 103 women staff members were arrested

Late yesterday afternoon Mr Macartney said. "Bail of R100 each was paid by management personnel and the demonstrators are being processed at John Vorster Square and then released"

The afternoon staff had failed to report for work but a meeting was expected to be held with the Hotel and Restaurant Workers Union (Harwu).

● The Saturday Star was prevented from publishing photographs of yesterday's demonstration in terms of the emergency regulations and the Internal Security Act

World's dearest house

LONDON — A Georgian mansion, called The Holme, in London's Regent's Park is being offered for sale — at R120 million. Agents handling the sale think this makes it the world's dearest dwelling.

The house, built in 1818, has superb park views and is close to all amenities. It has 40 rooms, including a banqueting hall, a library, sauna, whirlpool bath and exercise areas. Outside there is an all-weather tennis court, along with eight garages.

Landscaped grounds sloping down to a

SATURDAY STAR FOREIGN NEWS SERVICE

wide lake frontage helped earn the house the description of one of the most romantic places in London.

The estate agents will not name the present occupants. "There's a family living there whose lifestyle has changed," was all a spokesman would say.

A family from the Middle East is thought to have bought the property for about R20 million in 1984.

Miners' union seeks 40 pc rise talks adjourned

Star
30/5/68
151

By Mike Siluma,
Labour Reporter

Annual wage negotiations between the National Union of Mineworkers (NUM) and the Chamber of Mines, which began on Friday, have been adjourned to June 1, with the union demanding a 40 percent increase and a R350-a-month minimum rate.

NUM general secretary Mr Marcel Golding said at the weekend that in addition to the wage demand, the union had asked for a 100 percent holiday leave allowance, 44 days of leave for all workers, June 16 as a paid holiday and a reduction in working time to 80 hours a fortnight.

The union also made proposals for a provident fund.

Mr Golding said the Chamber's opening offer was an across-the-board

10,5 percent increase on the minimum rates. The Chamber was willing to negotiate a provident fund separately from the wage talks.

No offers were made on other union proposals.

Mr Golding said: "The offer of the Chamber seems to reflect the advice given by President Botha that wage restraint should be exercised in the private sector. The opening offer of the Chamber is also asking workers to take a wage cut."

● The fight for the reinstatement of 340 members of the Paper, Printing and Allied Workers' Union (Ppawu) dismissed by Star Furniture in Johannesburg has taken on a new dimension, with union members at six Afcol plants voting in favour of strike action in solidarity with their sacked colleagues.